



THE ERIE COUNTY LEGISLATURE

Session No. 2
JANUARY 25, 2024

April N.M. Baskin
Chair

Timothy J. Meyers
Majority Leader

John J. Mills
Minority Leader

Olivia M. Owens
Clerk of the Legislature

ROLL CALL

INVOCATION - Mr. Kooshoian

PLEDGE OF ALLEGIANCE - Mr. Greene

TABLED ITEMS - [2024 Rules of the Legislature](#)

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - [Meeting No. 1](#)

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

GILMOUR	In Remembrance of Steven P. Alvarez
KOOSHOIAN & BARGNESI	In Remembrance of Joseph P. Wolf
JOHNSON & BASKIN	Congratulating Aubrey Lloyd on being Named Section IV Athletic Director of the Year
VINAL	Congratulating and Honoring Jeff Sabatino
VINAL	Celebrating and Honoring National India Republic Day
MILLS	Honoring Jack Kuebler for 68 Years of Dedicated Fire Service
LORIGO	Recognizing Jeffrey Girst Upon Receiving the Springville Volunteer Fire Department Outstanding Service Award
LORIGO	Recognizing Eric Tuberdyke Upon Receiving the Springville Volunteer Fire Department Outstanding Service Award
LORIGO	Recognizing James Siminski for 45 Years of Service to the Springville Volunteer Fire Department

TODARO	Recognizing the Lancaster Police Department for National Law Enforcement Day
GREENE	Recognizing and Honoring Douglas Jay Larkin for 50 Years of Service to the Clarence Fire Company
GREENE	Recognizing and Honoring James Schlabach for 50 Years of Service to the Clarence Fire Company
GREENE	Congratulating Amherst Town Justice Geoffrey Klein on His Retirement
LEGISLATURE	Honoring John W. Greenan for Thirty Years of Service to Erie County
KOOSHOIAN	Congratulating and Honoring Brianna Barr-Buday
MAJORITY CAUCUS	National Poverty Awareness Month
MILLS	Recognizing the Town of Orchard Park Police Department for National Law Enforcement Appreciation Day
MILLS	Recognizing the Town of Evans Police Department for National Law Enforcement Appreciation Day
MILLS	Recognizing the Village of Hamburg Police Department for National Law Enforcement Appreciation Day
MILLS	Recognizing the Town of Brant Police Department for National Law Enforcement Appreciation Day
MILLS	Recognizing the Village of Gowanda Police Department for National Law Enforcement Appreciation Day
MILLS	Recognizing the Town of Eden Police Department for National Law Enforcement Appreciation Day
GREENE	Recognizing the Life-Saving Efforts of Harris Hill Volunteer Firefighter John Moulin
TODARO	Celebrating the Historic Election of Colleen Pautler as Alden Town Supervisor

LOCAL LAWS:

LL INTRO. 1-1 (2024)	BASKIN & JOHNSON	Funding of Affordable Housing Opportunities in Erie County
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COMMITTEE REPORTS:

Report No. 1	PUBLIC SAFETY COMMITTEE
Report No. 1	ECONOMIC DEVELOPMENT COMMITTEE
Report No. 1	ENERGY & ENVIRONMENT COMMITTEE
Report No. 1	FINANCE & MANAGEMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

INTRO. 2-1	VINAL	Extending Public Benefit Contracts with The Research Foundation for SUNY
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMM. 2E-26	COUNTY EXECUTIVE	Veto of Local Law Intro. No. 9-1- 2023	RFP
COMM. 2D-3	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 1-1 2024	RFP
COMM. 2E-27	JOHNSON	Lease Agreement for Legislative Office Space	Immediate Consideration Requested

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 2E-1	COUNTY CLERK	Resolution to Authorize Entry into Second Extension of Contract with WNY Law Center, Inc.	Economic Development
COMM. 2E-2	COUNTY EXECUTIVE	Appointment of Interim Commissioner - Central Police Services	Public Safety

COMM. 2E-3	SHERIFF	Reorganization of Correctional Health	Public Safety
COMM. 2E-4	SHERIFF	Contracts for Incarcerated Individuals Programming	Public Safety
COMM. 2E-5	KOOSHOIAN	Lease Agreement for Legislative Office Space	Immediate Consideration Requested
COMM. 2E-6	MEYERS	Lease Agreement for Legislative Office Space	Immediate Consideration Requested
COMM. 2E-7	BARGNESI	Lease Agreement for Legislative Office Space	Immediate Consideration Requested
COMM. 2E-8	COUNTY EXECUTIVE	Appointment to the EC Department of Central Police Services Board of Trustees	Public Safety
COMM. 2E-9	COUNTY EXECUTIVE	Appointment to the B&ECPL	Community Enrichment
COMM. 2E-10	COUNTY EXECUTIVE	Appointments to the EC Arts & Cultural Advisory Board	Community Enrichment
COMM. 2E-11	COUNTY EXECUTIVE	Appointments to the VBN & BNCC Board of Directors	Community Enrichment
COMM. 2E-12	COUNTY EXECUTIVE	Appointment to the Board of Health	Health & Human Services
COMM. 2E-13	COUNTY EXECUTIVE	Appointment to the ECSD Boards of Managers	Energy & Environment
COMM. 2E-14	COUNTY EXECUTIVE	EC Emergency Medical Services Advisory Board	Public Safety
COMM. 2E-15	COUNTY EXECUTIVE	Establish Benefit Enrollment Center 2024-2025 Grant Funding	Health & Human Services
COMM. 2E-16	COUNTY EXECUTIVE	Authorization to Enroll Electric Utility Accounts into Community Solar	Economic Development
COMM. 2E-17	COUNTY EXECUTIVE	SUNY ECC North Campus Bell Sports Center Roof Repairs	Economic Development
COMM. 2E-18	COUNTY EXECUTIVE	PILOT Agreement for Solar Energy Systems	Economic Development

COMM. 2E-19	COUNTY EXECUTIVE	Adoption of Community Climate Action Plan	Energy & Environment
COMM. 2E-20	COUNTY EXECUTIVE	2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs	Economic Development
COMM. 2E-21	COUNTY EXECUTIVE	ECSD Nos. 2, 3, 6 & 8 - Construction Inspection Term Contract Agreement	Energy & Environment
COMM. 2E-22	COUNTY EXECUTIVE	ECSD No. 4 - Depew Pumping Station Forcemain Replacement at Cayuga Creek	Energy & Environment
COMM. 2E-23	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Incinerators Heat Exchanger Replacement Project	Energy & Environment
COMM. 2E-24	COUNTY EXECUTIVE	2024 Adopted Budget Grant Fund Personnel Adjustment	Immediate Consideration Requested
COMM. 2E-25	LORIGO	Objection to New Rules Governing Golf Leagues at County Golf Courses	Energy & Environment

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 2D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 2D-2	DEPUTY COMPTROLLER OF AUDIT	EC Comptroller's Office Audit of the Real Property Tax Services	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 2M-1	CEO - PEACEPRINTS OF WNY	Access East Ferry Detention Center	Public Safety
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ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

GILMOUR

In Remembrance of Steven P. Alvarez

Attachments

Steven P. Alvarez

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JANUARY 11, 2024

In Remembrance of Steven P Alvarez

WHEREAS, Almighty God, in His infinite wisdom, on December 22, 2023, removed from our midst *Steven P. Alvarez*, in whose death we have lost a loving husband, grandfather, brother, valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

WHEREAS, *Steven P. Alvarez*, a Western New York resident, was born on February 21, 1974; and

WHEREAS, Steven was employed for 23 years at the Buffalo Police Department, most recently as an Investigator for the Accident Investigation Unit; and

WHEREAS, because of his hard work and exceptional devotion to serve our community, Officer Alvarez has received praise from his fellow colleagues and many more residents for his above and beyond effort; and

WHEREAS, throughout the years at the Buffalo Police Department, Mr. Alvarez was known as a man who loved serving his community and always willing to lend a helping hand; and

WHEREAS, his life and legacy will continue to prosper on Earth by his beloved wife, Julie Alvarez; children, Nicholas Gallagher, Joshua Gallagher, Jude Alvarez and Grace Alvarez; cherished grandchildren, Grayson and Adeline Gallagher; loving parents, Steven and Ginger Alvarez; dearest brother, Christopher (Michelle) Alvarez; adored niece and nephews, Noelle, Christian, Elijah Alvarez and also survived by aunts, uncles, cousins and many friends; and

WHEREAS, it is the sense of this Legislative Body to honor and pay tribute to the life of **Steven P. Alvarez**, whose lifelong dedication to God, family and expertise in banking, are an inspiration to be admired, emulated and honored.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby mourn the passing **Steven P. Alvarez**, and pause in its deliberations to recognize his praiseworthy life, his love of family, his dedication to the Buffalo Police Department and love to serve others and for his 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 Alvarez family and to his many friends, knowing full well that he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good and faithful servant.*"

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

Olivia M. Owens
Clerk of the Erie County Legislature

Erie County Legislature

Meeting Date: 01/25/2024

SUBJECT

KOOSHOIAN & BARGNESI

In Remembrance of Joseph P. Wolf

Attachments

Joseph P. Wolf

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JANUARY 11, 2024

In Remembrance of Joseph P. Wolf

WHEREAS, Almighty God, in His infinite wisdom, on January 2, 2024, removed from our midst *Joseph P. Wolf* in whose death we have lost a loving husband, father, grandfather, valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

WHEREAS, Joseph P. Wolf, also known by many as “Joe”, served 46 years as a devoted teacher, coach and athletic director at his alma mater St. Joseph’s Collegiate Institute; and

WHEREAS, the Cheektowaga native played running back for St. Joe’s on the 1955 team that beat rival Canisius for the first time in 24 seasons, and on the undefeated ’56 team that began a 33-game win streak that still stands as the school record; and

WHEREAS, after graduation, Wolf attended Niagara University, and later received his master’s degree from Canisius College; and

WHEREAS, assuming the athletic director position at St. Joe’s in 1962, Wolf expanded the Marauders from six to 16 sports before his retirement in 2008; and

WHEREAS, St. Joe’s won 273 team championships and 31 Supremacy Cups in the Monsignor Martin league during his tenure; and

WHEREAS, the renovated baseball fields on the St. Joe’s campus were dedicated last spring to Wolf, who coached the Marauders to 130 victories on the diamond and two Georgetown Cup championships in 13 seasons; and

WHEREAS, he received the NYS Catholic H.S. Athletics Director of the Year award in 2007, as well as the John D. Burns Award for outstanding support and dedication to high school football; and

WHEREAS, The Town of Tonawanda declared June 16, 2008, as Mr. Joe Wolf Appreciate Day, and in 2012 Wolf was enshrined in the Greater Buffalo Sports Hall of Fame; and

WHEREAS, Joe made a remarkable impact as coach and athletic director in creating special bonds and was a strong advocate and proponent of athletics; and

WHEREAS, his lineage at St. Joseph's continues through the coaches he hired such as Peter Kennedy (wrestling), Mike Thoin (soccer), Paul Nasca (baseball), Al Simmons (bowling), Peter Hudecki (lacrosse) and Mark Anzalone (volleyball); and

WHEREAS, many of the coaches Wolf hired have continued to have success, which is highlighted by the soccer team winning its first state championship in 2022; and

WHEREAS, as a loving husband and dedicate father, Joe presented a genuine warmth, but he also held people accountable to make sure they grew out of the experiences; and

WHEREAS, Mr. Wolf blessed the hearts of many, especially his children, his grandchildren, his students, student-athletes and many others with his respect and possessed a warm personality to help and mentor others; and

WHEREAS, his life and legacy will continue to prosper on Earth through his loving wife of 60 years, Judith; two sons, Thomas and Joseph; one daughter, Kristin Goss and six grandchildren; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby remember the life of **Joseph P. Wolf** and pause in its deliberations to recognize his praiseworthy life, his love for family, his love for athletics, creating happiness for others, and his 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 **Wolf** family and to **Joe's** many friends, knowing full well that he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good and faithful servant.*"

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

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

JOHNSON & BASKIN

Congratulating Aubrey Lloyd on being Named Section IV
Athletic Director of the Year

Aubrey Lloyd

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JANUARY 11, 2024

EC LEG JAN 9 '24 PM 3:56

***Congratulating Aubrey Lloyd on being named
Section IV Athletic Director of the Year***

WHEREAS, *Aubrey Lloyd* of the Buffalo Public Schools officially has been named the Section VI Athletic Director of the Year by the New York State Athletic Administrators Association; and

WHEREAS, Lloyd has served as the district's AD since 2010; and

WHEREAS, Lloyd was nominated by association members in the region and then was selected to be honored by the local committee; and

WHEREAS, every program is competitive and they take on Aubrey's hard-work personality; and

WHEREAS, Aubrey is well-respected and sincerely appreciated by his peers on how he represents the student athletes and coaches throughout Buffalo Public Schools and it is apparent that those individuals respect him just as much; and

WHEREAS, while fulfilling his dreams, Aubrey continued to show dedication and display their character through his good work ethic, an exceptional resume and it is the desire of this Honorable Body to recognize dynamic individuals such as *Aubrey Lloyd* for these accomplishments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and congratulate *Aubrey Lloyd* for his newest accolade as Section VI Athletic Director of the Year; and be it further

RESOLVED, that this Honorable Body thanks Aubrey's family, the staff, and coaches throughout Buffalo Public Schools for their outstanding efforts in preparing Aubrey on this phenomenal career and congratulates him on rightfully deserving this honor of being named Athletic Director of the Year.

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

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

VINAL

Congratulating and Honoring Jeff Sabatino

Jeff Sabatino

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, JANUARY 11, 2024

EC LEG JAN 11 '24 PM 4:36

Congratulating and Honoring Jeff Sabatino

WHEREAS, Amherst football assistant coach *Jeff Sabatino* has been given the High School Broyles Award for New York State; and

WHEREAS, the Broyles Award is presented annually to the top assistant coach in college football and added a high school honor in 2018 with one winner from each state; and

WHEREAS, prior to his tenure as assistant coach at Amherst, Jeff previously coached at JFK as a head coach; and

WHEREAS, Sabatino also was named the 2022 New York State High School Football Coaches Association (NYSHSFCA) Assistant Coach of the Year in helping lead the Tigers to their most successful season in more than a decade in the fall of 2022; and

WHEREAS, *Jeff Sabatino* has been dedicated to providing his student athletes with a positive role model and instilling a strong work ethic in his teams.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature congratulates *Jeff Sabatino* on receiving the High School Broyles Award for New York State and commends him on his dedication to developing strong student athletes.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

VINAL Celebrating and Honoring National India Republic Day

National India Republic Day Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JANUARY 26, 2024

EC LEG JAN 11 '24 PM 4:38

Celebrating and Honoring National India Republic Day

WHEREAS, on January 26, 2024, the Indian American community celebrates the inception of India's democratic constitution; and

WHEREAS, this significant day serves the Indian democracy in providing a voice to many, including women and countless minorities, and has demonstrated Indians' commitment to human dignity; and

WHEREAS, India is a great country famous for a saying "Unity in Diversity" where people of more than one religion living together with complete understanding, patience and brotherhood; and

WHEREAS, the importance of Republic day in India is that it marks and celebrates the day on which the Constitution of India came into full effect turning the young nation into a republic; and

WHEREAS, celebrations during National India Republic Day have rightly become world famous as one of the greatest shows on earth drawing thousands of eager sight-seers from all over the country and many parts of the world; and

WHEREAS, this year it will be marked India's 75th Republic Day and this Honorable Body shows appreciation and thankful for organizations such as the India Association of Buffalo in their efforts to take the initiative to educate our community and garner interest in their cultural history in celebration of *National India Republic Day*.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses our thanks and sincere and heart-felt appreciation and blessings India Association of Buffalo for their hard work and persistence in acknowledging and celebrating India's 75th Republic Day in honor of *National India Republic Day*.

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

Olivia M. Owens
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Honoring Jack Kuebler for 68 Years of Dedicated Fire Service

Jack Kuebler

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Jack Kuebler for 68 Years of Dedicated Fire Service

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

WHEREAS, firefighters dedicate their lives to the protection of life and property, and through commitment and sacrifice, they volunteer countless hours over many years and take extraordinary risks, not to benefit themselves but to ensure that their communities are as safe as possible; and

WHEREAS, **Jack Kuebler** began his journey as a firefighter with the Blasdell Volunteer Fire Department in April 1955. His service with the Newton Abbott Fire Company continued through 1968. He became a valued member of the Highland Hose Volunteer Fire Company, where his commitment endured for an impressive fifty-five years and continues to this day; and

WHEREAS, **Jack Kuebler** served five terms as Fire District Commissioner for the North Evans Fire District, culminating in an extraordinary twenty-five-year term in that role; and

WHEREAS, **Jack Kuebler's** accomplishments are many, including, but not limited to, EMT Instructor, Fire District Safety Officer, Fire Prevention Training for the Fire District, Chairman with the Erie County Fire Districts Association, Firefighter of the Year, First Alder of the Year at Highland Hose Volunteer Fire Company, Boy Scout Leader, Angola Public Library Trustee; and

WHEREAS, **Jack Kuebler** has served honorably and selflessly for sixty-eight years, earning a reputation as the most respected and dedicated firefighter, and his inspirational leadership played a pivotal role in the construction of both the North Evans and Highland Hose Fire Halls; and

WHEREAS, **Jack Kuebler** selflessly volunteers his time and energy to the Highland Hose Volunteer Fire Department and his community wherever needed. He is known for being a hard worker, ever-present, and always striving to make the department the best it can be.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Jack Kuebler** and thank him for sixty-eight years of dedicated service and continued commitment to the Highland Hose Volunteer Fire Department and the community.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

LORIGO

Recognizing Jeffrey Girst Upon Receiving the Springville
Volunteer Fire Department Outstanding Service Award

Attachments

Jeffrey Girst

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Jeffrey Girst Upon Receiving the
Springville Volunteer Fire Department Outstanding Service Award**

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

WHEREAS, there may be no more noble exhibition of sacrifice and selflessness than the life-saving contributions of our volunteer fire and emergency services personnel; and

WHEREAS, volunteer firefighters not only give their time to respond to emergencies, but they also commit themselves to hours of training to better serve the public in their time of need; and

WHEREAS, volunteer firefighters are prepared twenty-four hours a day, seven days a week, to risk their safety in the performance of their duties to protect our citizens regardless of inclement weather or other hazards; and

WHEREAS, the Springville Volunteer Fire Department provides fire, rescue, and emergency services every day for thousands of residents in their district; and

WHEREAS, since joining the Springville Volunteer Fire Department, **Jeffrey Girst** has been a dedicated and passionate member of the fire service community, is recognized yearly as a top ten responder with a consistent track record of attendance to calls and training; and

WHEREAS, over the past thirty years, **Jeffrey Girst** has established himself as a leader within the department, serving as a Fire Police and Truck Captain, as well as being involved in the department's fundraising efforts to support training and the purchasing of new equipment to ensure all members are safe and the department has the resources it needs to protect the community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Jeffrey Girst** for **thirty years of dedicated service** and congratulate him upon receiving the **Springville Volunteer Fire Department Outstanding Service Award**.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

LORIGO

Recognizing Eric Tuberdyke Upon Receiving the Springville
Volunteer Fire Department Outstanding Service Award

Eric Tuberdyke

Attachments

FILED JAN 12 24 PM 2:58

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Eric Tuberdyke Upon Receiving the
Springville Volunteer Fire Department Outstanding Service Award**

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

WHEREAS, there may be no more noble exhibition of sacrifice and selflessness than the life-saving contributions of our volunteer fire and emergency services personnel; and

WHEREAS, volunteer firefighters not only give their time to respond to emergencies, but they also commit themselves to hours of training to better serve the public in their time of need; and

WHEREAS, volunteer firefighters are prepared twenty-four hours a day, seven days a week, to risk their safety in the performance of their duties to protect our citizens regardless of inclement weather or other hazards; and

WHEREAS, the Springville Volunteer Fire Department provides fire, rescue, and emergency services every day for thousands of residents in their district; and

WHEREAS, since joining the Springville Volunteer Fire Department in July 2021, **Eric Tuberdyke** has been a dedicated and passionate member of the fire service, becoming an EMT and serving in numerous leadership roles, including as truck Captain, Fire Police Captain, Vice President, and Board Member; and

WHEREAS, **Eric Tuberdyke** also understands the importance of increasing participation in the fire service and engaging in the community, helped start the Junior Firefighter program, and remains instrumental in recruitment and public relations efforts.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Eric Tuberdyke** and congratulate him upon receiving the **Springville Volunteer Fire Department Outstanding Service Award**.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

LORIGO

Recognizing James Siminski for 45 Years of Service to the
Springville Volunteer Fire Department

James Siminski

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing James Siminski for 45 Years of Service
to the Springville Volunteer Fire Department**

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

WHEREAS, there may be no more noble exhibition of sacrifice and selflessness than the life-saving contributions of our volunteer fire and emergency services personnel; and

WHEREAS, volunteer firefighters not only give their time to respond to emergencies, but they also commit themselves to hours of training to better serve the public in their time of need; and

WHEREAS, volunteer firefighters are prepared twenty-four hours a day, seven days a week, to risk their safety in the performance of their duties to protect our citizens regardless of inclement weather or other hazards; and

WHEREAS, the Springville Volunteer Fire Department provides fire, rescue, and emergency services every day for thousands of residents in their district; and

WHEREAS, since joining the Springville Volunteer Fire Department in July 1978, **James Siminski** has been a dedicated and passionate member of the fire service community, holding several positions, including Truck Captain for several trucks throughout his career, as well as Lieutenant, Assistant Chief, past Chief; and

WHEREAS, **James Siminski** is recognized as the Springville Volunteer Fire Department senior active member and a consistent top ten responder, who always offers his knowledge and experience to new members, providing invaluable information to the next generation of firefighters in our community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **James Siminski** for forty-five years of service and dedication to the Springville Volunteer Fire Department.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

TODARO

Recognizing the Lancaster Police Department for National Law
Enforcement Day

Lancaster Police Department

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th Day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Lancaster Police Department for
National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Lancaster Police Department** are an invaluable part of what makes our community a great place to live and raise a family. Without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Lancaster Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Lancaster community and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature

Meeting Date: 01/25/2024

SUBJECT

GREENE

Recognizing and Honoring Douglas Jay Larkin for 50 Years of
Service to the Clarence Fire Company

Attachments

Douglas Jay Larkin

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring Douglas Jay Larkin for 50 Years
of Service to the Clarence Fire Company**

WHEREAS, the Erie County Legislature is proud to recognize and celebrate the exceptional dedication and selfless service of one of our esteemed citizens; and

WHEREAS, **Douglas Jay Larkin**, a devoted and steadfast individual, has exemplified the true spirit of community service through 50 years of unwavering commitment to the Clarence Fire Department; and

WHEREAS, **Douglas Jay Larkin** has selflessly dedicated countless hours to safeguarding the lives and property of our residents, responding to emergencies with courage, skill, and compassion; and

WHEREAS, the citizens of Clarence have been the direct beneficiaries of **Douglas Jay Larkin's** commitment to public safety and can be confident that a steadfast and experienced volunteer stands ready to protect and serve them; and

WHEREAS, during his 50 years of service to the Clarence Fire Company, **Douglas Jay Larkin** stood firm in the face of the Blizzard of '77, selflessly responded to the tragic crash of Flight 3407, and played a pivotal role in confronting the fatal arson fire on Pine Ledge Drive, displaying extraordinary bravery and determination in the line of duty; and

WHEREAS, in his 50 years of service to the Clarence Fire Company, **Douglas Jay Larkin** has held the office of Chief, First Assistant Chief, Second Assistant Chief, Third Assistant Chief, Fire Captain, Recording Secretary, Board of Directors, Board of Fire Commissioners, and currently serves as Fire Police Lieutenant and Duty Officer.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and honor **Douglas Jay Larkin** for his 50 years of service and dedication to the Clarence Fire Company and the residents of the Town of Clarence.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

GREENE

Recognizing and Honoring James Schlabach for 50 Years of
Service to the Clarence Fire Company

James Schlabach

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Honoring James Schlabach for 50 Years of
Service to the Clarence Fire Company**

WHEREAS, the Erie County Legislature is proud to recognize and celebrate the exceptional dedication and selfless service of one of our esteemed citizens; and

WHEREAS, *James Schlabach*, a devoted and steadfast individual, has exemplified the true spirit of community service through 50 years of unwavering commitment to the Clarence Fire Department; and

WHEREAS, *James Schlabach* has selflessly dedicated countless hours to safeguarding the lives and property of our residents, responding to emergencies with courage, skill, and compassion; and

WHEREAS, the citizens of Clarence have been the direct beneficiaries of *James Schlabach's* commitment to public safety, with the knowledge that a steadfast and experienced volunteer stands ready to protect and serve; and

WHEREAS, during his 50 years of service to the Clarence Fire Company, *James Schlabach* completed over 300 hours of rigorous training and courses, demonstrating a remarkable commitment to acquiring the skills and knowledge necessary to protect and serve our community; and

WHEREAS, *James Schlabach* has responded to over 7800 alarms and was named Firefighter of the Year in 1974, 2006, and 2012; and

WHEREAS, in his 50 years of service to the Clarence Fire Company, *James Schlabach* has held the office of Assistant Chief, Hazmat Captain, and Fire Commissioner, where he oversaw the construction of the new fire hall and currently serves as Fire Company Chaplin.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and honor *James Schlabach* for his 50 years of service and dedication to the Clarence Fire Company and the residents of the town of Clarence.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

GREENE

Congratulating Amherst Town Justice Geoffrey Klein on His Retirement

Attachments

Geoffrey Klein

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

Congratulating Amherst Town Justice Geoffrey Klein 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, 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, **Geoffrey Klein**, a resident of the Village of Williamsville in the Town of Amherst, New York, served with honor and distinction as Amherst Town Justice from January 2000 until his retirement on December 31, 2023; and

WHEREAS, prior to his service as Amherst Town Justice, **Geoffrey Klein** served in the United States Marine Corps. from 1969-1971, achieving the rank of Lance Corporal; and

WHEREAS, following his military service, **Geoffrey Klein** completed the New York State Police Academy in 1974 and served as a New York State Trooper from January 1974 through June 1994. He also attended law school, becoming a practicing attorney in February of 1986; and

WHEREAS, as Town Justice, **Judge Klein** was a key part of the success of the Amherst Youth Court, Drug Court, and Veterans Court and was instrumental in the expansion and improvement of the Amherst Town Court facilities; and

WHEREAS, **Judge Klein** is also extremely active in the community, serving on several boards such as the Amherst Senior Center Advisory Board, Buffalo Niagara Heritage Village Advisory Board, Amherst Youth Court Advisor, Amherst Youth and Community Coalition, Special Olympics, Jolly Boys of Williamsville/Amherst and was the 2023 recipient of the Volunteer of the Year award from The Amherst Interclub Council; and

WHEREAS, in addition to being a talented jurist and community leader, **Geoffrey Klein** will be known for always treating others with respect and always conducting himself in a gentlemanly manner.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate and recognize **Amherst Town Justice Geoffrey Klein** on his retirement, thank him for his contributions to our community, and wish him good luck and health in his retirement.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature

Meeting Date: 01/25/2024

SUBJECT

LEGISLATURE

Honoring John W. Greenan for Thirty Years of Service to Erie
County

John W. Greenan

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th Day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

Honoring John W. Greenan For Thirty Years of Service to Erie County

WHEREAS, **John W. Greenan** began his career within Erie County government on January 25, 1993, as a senior clerk typist with the legislature's Republican Caucus; and

WHEREAS, **John W. Greenan** became a candidate for county legislator in 1994 and, at the age of twenty-six, successfully earned his seat representing the 9th legislative district that included the towns of West Seneca and Elma; and

WHEREAS, **John W. Greenan** was appointed by County Executive Joel A. Giambra as Erie County Personnel Commissioner in September 2002, creating a more efficient process of operations for several thousand county employees over his twelve years in the office; and

WHEREAS, **John W. Greenan** became the Chief of Administrative Services for the Erie County Sheriff's Office in 2014, managing internal personnel issues, unions, and grievances under the leadership of Sheriff Timothy B. Howard; and

WHEREAS, **John W. Greenan** was later named acting Undersheriff by Howard, who touted Greenan's accomplishments, including re-accreditation of the Police Services Division, accreditation of the Jail Management Division, fulfillment of U.S. Department of Justice mandates, expansion of the K9 unit, and achievement of top SWAT team in New York State, among other significant improvements; and

WHEREAS, **John W. Greenan** currently serves under the leadership of Sheriff John C. Garcia as the Chief of Administrative Services once again overseeing personnel issues for over twelve hundred employees; and

WHEREAS, throughout his career, **John W. Greenan** has been known as a talented employee and respected manager and has developed an unmatched knowledge of Erie County government.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **John W. Greenan** on his retirement and thank him for thirty years of service within Erie County Government.

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

APRIL N.M. BASKIN
Chair of the
Erie County Legislature

JOHN J. MILLS
Minority Leader of the
Erie County Legislature

TIMOTHY MEYERS
Majority Leader of the
Erie County Legislature

JOHN J. GILMOUR
Erie County Legislator

HOWARD J. JOHNSON JR
Erie County Legislator

CHRISTOPHER D. GREENE
Erie County Legislator

MICHAEL KOOSHOIAN
Erie County Legislator

FRANK J. TODARO
Erie County Legislator

JOHN BARGNESI
Erie County Legislator

LINDSAY R. LORIGO
Erie County Legislator

JEANNE M. VINAL
Erie County Legislator

OLIVIA M. OWENS
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

KOOSHOIAN

Congratulating and Honoring Brianna Barr-Buday

Attachments

Brianna Barr-Buday

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JANUARY 12, 2024

Congratulating and Honoring Brianna Barr - Buday

EC LEG JAN 12 '24 PM 3:43

WHEREAS, *Brianna Barr-Buday*, star center for Nichols High School girls basketball, grabbed her 1,000th rebound during a game against North Tonawanda at Nichols High School; and

WHEREAS, Barr-Buday, a University at Buffalo signee, finished the game with 26 points and 13 rebounds; and

WHEREAS, in addition to her storied accomplishment in attaining over 1,000 rebounds, Barr-Buday has over 1200 career points and is the all-time leader scorer in Nichols School history; and

WHEREAS, Brianna is a two-time All-Western New York large schools selection and led Nichols to a Monsignor Martin championship and the state title game; and

WHEREAS, Brianna is a remarkable athlete, a true competitor and has a great basketball court sense; and

WHEREAS, this Honorable Body takes delight in acknowledging and recognizing individuals like Brianna who enhance, represent, and improve our community by becoming a phenomenal student-athlete and representing the Western New York community.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates *Brianna Barr-Buday* on her achievements, both on and off the field, as we extend our heartfelt congratulations and praise to Brianna on representing Western New York, best wishes on a safe and healthy season and best wishes on her collegiate future at the University of Buffalo.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MAJORITY CAUCUS

National Poverty Awareness Month

National Poverty Awareness Month

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, JANUARY 12, 2024

EC LEG JAN12 '24 PM3:43

National Poverty Awareness Month

WHEREAS, January is *Poverty Awareness Month* and it gives us an opportunity to become more aware of those in need and the ways we can take action to combat poverty; and

WHEREAS, Poverty Awareness Month is about taking an opportunity to learn more about this social ill, raise awareness among others, and understand how everyone can help; and

WHEREAS, Poverty creates inter-generational issues, causes health issues due to food insecurity, stress, and lack of access to care, and contributes to children under-performing or missing school; and

WHEREAS, this month, let us pray for those that experience poverty, and for us that we may know how we can be of service to those in need; and

WHEREAS, during the month of January, we recognize *Poverty Awareness Month* and recommit ourselves to evolving awareness and addressing poverty can lead to improved health and economic opportunity, thus ensuring all people have access to necessities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize *Poverty Awareness Month* in bringing awareness, acknowledge our community and encourage residents to share appreciation for local period supply banks and their staff, volunteers, and donors, and to contribute generously to period supply banks, product drives, and organizations that collect and distribute period products.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Town of Orchard Park Police Department for
National Law Enforcement Appreciation Day

Attachments

Orchard Park Police Department

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Town of Orchard Park Police Department
for National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Town of Orchard Park Police Department** are an invaluable part of what makes our community a great place to live and raise a family, and without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment that we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Town of Orchard Park Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Orchard Park Town community, and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Town of Evans Police Department for
National Law Enforcement Appreciation Day

Town of Evans Police Department

Attachments



SC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 12, 2024

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems - 2595
Whitehaven Road, Town of Grand Island**

Dear Honorable Members:

Please find an enclosed resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for a Solar Project in the Town of Grand Island. The resolution authorizes the County Executive to execute an agreement with NYSOLAR06 LLC.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Castle, A.I.C.P. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", followed by a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle A.I.C.P., Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 2595 Whitehaven Road, Town of Grand Island
Date: January 12, 2024

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with NYSOLAR06 LLC.

The owner is seeking a PILOT agreement from Erie County in connection with the development and operation of an approximately 3.45-megawatt solar photovoltaic facility (“Project”) located at 2595 Whitehaven Road (SBL: 36.00-1-28) in the Town of Grand Island (“Site”). The PILOT agreement is multi-jurisdictional including the Town of Grand Island and the Grand Island Central School District as signatories. Given the nature of the Project it is otherwise exempt from taxation pursuant to Real Property Tax Law § 487 unless the taxing jurisdictions enter into a PILOT Agreement with the owner.

FISCAL IMPLICATIONS

Under Real Property Tax Law § 487(2), solar energy facilities are tax exempt. Notwithstanding such exemption, Real Property Tax Law § 487(9)(a) states that certain taxing jurisdictions, including counties and cities, may require the owner of a property that includes a solar energy system to enter into a PILOT agreement that provides for annual payments to the taxing jurisdictions.

The PILOT agreement proposed by NYSOLAR06 LLC provides for total annual payments to Erie County of \$7,475.00. This is based on a price of \$6,500 based per megawatt, divided equally among all three taxing jurisdictions as per the determination and approval of the Town of Grand Island Board and Grand Island School District, with an annual escalation factor of 2%. These payments will be made each year over a 15-year term.

The intent of entering into the PILOT agreement with the owner is for the County to receive tax payments that it would not otherwise receive due to the tax exemption applicable to the Project.

REASONS FOR RECOMMENDATION

The Town of Grand Island and Grand Island Central School District supports the PILOT agreement. The Town Board approved the proposed PILOT agreement on November 20, 2023 and Grand Island Central School District Board of Educations approved it on December 11, 2023. The proposed agreement conforms to the provisions of Real Property Tax Law § 487 and was negotiated between the project owner and taxing jurisdictions. The Project otherwise conforms to the Town of Grand Island Comprehensive Plan and zoning ordinance and makes productive use of an otherwise underutilized property.

BACKGROUND INFORMATION

NYSOLAR06 LLC is proposing the development of an approximately 3.45-megawatt solar photovoltaic facility totaling approximately 20 acres of land, located at 2595 Whitehaven Road (SBL: 36.00-1-28) in the Town of Grand Island, Erie County.

Due to the size and nature of the Project, it is considered a Type 1 action for the purposes of the NYS State Environmental Quality Review Act and the Town of Grand Island conducted a Coordinated Review. On December 5, 2022, the Town Board of the Town of Grand Island issued a Negative Declaration, noting the lack of significant environmental concerns associated with the Project.

The Site is located within the M-1 Light Industrial and Research District. Solar energy systems are permitted, subject to the issuance of a Special Use Permit, in the M-1 District.

On December 5, 2022, the Town Board of the Town of Grand Island issued a Special Use Permit and approved the Site Plan for the Project.

Under Real Property Tax Law (“RPTL”) § 487, a partial tax exemption is available for properties which are developed for solar and wind renewable energy systems. RPTL § 487(2) exempts from real property taxation “any increase in the value [of real property] by reason of the inclusion of a [solar and wind energy system] for a period of fifteen years.” Erie County has not opted out of the RPTL § 487 exemptions and therefore may require renewable energy systems to enter into a PILOT agreement to replace a portion of the tax revenue. Erie County was notified of the project owner’s intent to construct a solar project in February 2022.

CONSEQUENCES OF NEGATIVE ACTION

Without the PILOT, pursuant to RPTL § 487, the County would receive no property taxes from the solar development project.

STEPS FOLLOWING APPROVAL

The County Executive will enter into a PILOT Agreement with the noted parties.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems- 2595
Whitehaven Road, Town of Grand Island

WHEREAS, consistent with Erie County's Commitment to Paris goals, the County encourages the development of solar facilities which reduce dependence upon fossil fuels and further climate goals to mitigate global warming; and

WHEREAS, Project Owner (NYSOLAR06 LLC), has submitted a Notice of Intent to the Taxing Jurisdictions that it plans to build and operate a Solar Energy System as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) (the "Project") with an expected nameplate capacity ("Capacity") of approximately 3.45 Megawatts AC on one parcel totaling approximately 35.6 acres of land located within the Town of Grand Island, identified as 2595 Whitehaven Road, SBL: 36.00-1-28; and

WHEREAS, the County has not opted out of RPTL § 487; and

WHEREAS, pursuant to RPTL § 487(9)(a) the County has indicated their intent to require a Payment in Lieu of Taxes Agreement ("PILOT") with the Project Owner, under which the Project Owner will be required to make annual payments to the Taxing Jurisdictions for each year during the term of this Agreement; and

WHEREAS, the Project Owner has submitted or will submit to the Assessor of the Town of Grand Island an Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems ("Form RP-487"); and

WHEREAS, the Real Property not part of the Project will be assessed for any statutory real property taxes levied by the Taxing Jurisdictions;

WHEREAS, Project parcel identification numbers and/or addresses may be amended;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with NYSOLAR06 LLC, and any other associated legal entities necessary to complete this PILOT Agreement, pertaining to the 35.6 acre parcel located at 2595 Whitehaven Road, SBL: 36.00-1-28; and be it further

RESOLVED, that said Agreement shall include an annual approximate PILOT payment to Erie County in the amount \$7,475.00, subject to annual escalation of 2%; and be it further

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

RESOLVED, authorization is hereby given to the Director of Real Property Tax Services to amend said Agreement based on revisions to parcel identification numbers and/or addresses in a manner consistent with the description of land, set forth in the P.I.L.O.T. Agreement; 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 Office of the Comptroller, the Department of Real Property Tax Services, the Department of Law, and the Department of Environment and Planning.

Schedule A

PILOT Schedule

Note: The following schedule is for illustrative purposes only. The PILOT will commence in accordance with Section 2(b) of this Agreement and the payment schedule is subject to adjustment if the capacity of the Project changes.

Agreement Year	Year	Payment Amount Erie County	Payment Amount Town	Payment Amount School District	Payment Amount Total
1	2024	\$7,475.00	\$7,475.00	\$7,475.00	\$22,425.00
2	2025	\$7,624.50	\$7,624.50	\$7,624.50	\$22,873.50
3	2026	\$7,776.99	\$7,776.99	\$7,776.99	\$23,330.97
4	2027	\$7,932.53	\$7,932.53	\$7,932.53	\$23,797.59
5	2028	\$8,091.18	\$8,091.18	\$8,091.18	\$24,273.54
6	2029	\$8,253.00	\$8,253.00	\$8,253.00	\$24,759.00
7	2030	\$8,418.06	\$8,418.06	\$8,418.06	\$25,254.19
8	2031	\$8,586.43	\$8,586.43	\$8,586.43	\$25,759.28
9	2032	\$8,758.15	\$8,758.15	\$8,758.15	\$26,274.46
10	2033	\$8,933.32	\$8,933.32	\$8,933.32	\$26,799.95
11	2034	\$9,111.98	\$9,111.98	\$9,111.98	\$27,335.95
12	2035	\$9,294.22	\$9,294.22	\$9,294.22	\$27,882.67
13	2036	\$9,480.11	\$9,480.11	\$9,480.11	\$28,440.32
14	2037	\$9,669.71	\$9,669.71	\$9,669.71	\$29,009.13
15	2038	\$9,863.10	\$9,863.10	\$9,863.10	\$29,589.31

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Village of Hamburg Police Department for
National Law Enforcement Appreciation Day

Village of Hamburg Police Department

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Village of Hamburg Police Department for
National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Village of Hamburg Police Department** are an invaluable part of what makes our community a great place to live and raise a family, and without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment that we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Village of Hamburg Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Hamburg Village community, and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Town of Brant Police Department for
National Law Enforcement Appreciation Day

Town of Brant Police Department

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Town of Brant Police Department for
National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Town of Brant Police Department** are an invaluable part of what makes our community a great place to live and raise a family, and without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment that we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Town of Brant Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Town of Brant community, and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Village of Gowanda Police Department for
National Law Enforcement Appreciation Day

Village of Gowanda Police Department

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Village of Gowanda Police Department for
National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Village of Gowanda Police Department** are an invaluable part of what makes our community a great place to live and raise a family, and without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment that we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Village of Gowanda Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Village of Gowanda community, and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

MILLS

Recognizing the Town of Eden Police Department for National
Law Enforcement Appreciation Day

Town of Eden Police Department

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Town of Eden Police Department for
National Law Enforcement Appreciation Day**

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

WHEREAS, the safety and well-being of our neighborhoods, schools, workplaces, and communities rely on the men and women who have chosen a career in law enforcement; and

WHEREAS, **National Law Enforcement Appreciation Day** is recognized annually on January 9th by citizens across the country to encourage law enforcement officers and show their support and appreciation for the work they do throughout the community; and

WHEREAS, the men and women of law enforcement make daily sacrifices to serve the community, keeping them away from their families for long hours while their work often goes underappreciated in our society; and

WHEREAS, officers of the **Town of Eden Police Department** are an invaluable part of what makes our community a great place to live and raise a family, and without the tireless work of law enforcement officials within the department, we wouldn't be able to enjoy the beautiful and safe environment that we are blessed to live in.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Town of Eden Police Department** for **National Law Enforcement Day** and to recognize its essential role in the safety and security of the Town of Eden community, and the individual sacrifices made by law enforcement officers.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

GREENE

Recognizing the Life-Saving Efforts of Harris Hill Volunteer
Firefighter John Moulin

John Moulin

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Life-Saving Efforts of
Harris Hill Volunteer Firefighter John Moulin**

WHEREAS, one of the things that makes the quality of life in our community special is that we are home to so many people who are blessed with exceptional courage, selflessness, and dedication to their fellow citizens; and

WHEREAS, while these values are on display daily in so many ways, both large and small, New Year's Day 2024 provided an inspiring and heroic reminder of the depth of the commitment of Western New Yorker's serving others; and

WHEREAS, moments after the start of the "iRun WNY New Year's Day 5K" at Niagara Falls State Park, a celebration of health, community, and the spirit of a new year, Mr. John Leszak, an avid member of the running community, suffered a sudden cardiac arrest, the seriousness of which left him unresponsive; and

WHEREAS, upon becoming aware of the situation, **John Moulin**, a distinguished resident of Clarence, New York, and the 1st Assistant Chief at Harris Hill Fire Department, immediately came to Mr. Leszak's aid and, in a display of great valor and skill, applied life-saving CPR techniques that were successful in reviving Mr. Leszak who was then transported to a local hospital for additional treatment; and

WHEREAS, John Moulin's swift and decisive response marked the third time in the last two months that his administration of CPR saved the life of another human being.

NOW, THEREFORE, BE IT **RESOLVED**, the Erie County Legislature pauses in its deliberations to acknowledge and express profound gratitude to **John Moulin** for his outstanding contributions to the safety and welfare of our community, and be it further

RESOLVED, that in recognizing the valiant and life-saving actions of **John Moulin**, the Erie County Legislature urges more residents to learn CPR so that in similar situations, more lives might be saved.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

TODARO

Celebrating the Historic Election of Colleen Pautler as Alden
Town Supervisor

Colleen Pautler

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JANUARY 18, 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 18th day of January 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Celebrating the Historic Election of
Colleen Pautler as Alden Town Supervisor**

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, the Town of Alden was established and codified in the laws of the State of New York on March 27, 1823; and

WHEREAS, throughout its history, the Town of Alden has had many great leaders and administrators who have respected taxpayers, protected the rural character of the town, and enhanced the quality of life of its residents; and

WHEREAS, **Colleen Pautler** is a lifelong resident of the Town of Alden, where she lives with her husband of forty-one years, Jim, and where they raised their two children; and

WHEREAS, after winning a hard-fought primary election in June, in the general election held on November 7, 2023, the residents of the Town of Alden elected **Colleen Pautler** Town Supervisor, making her the first woman ever elected to that position; and

WHEREAS, in her professional life, **Colleen Pautler** has worked for the Bank of Alden for forty-five years, is active in the Alden Drug Coalition, and before being elected Supervisor, served on the Alden Town Board for eight years; and

WHEREAS, **Colleen Pautler's** hard-fought victory can be credited to her commitment to prioritizing taxpayers and ensuring that the town's budget is spent wisely and efficiently.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Colleen Pautler** and celebrate her historic election as Supervisor of the Town of Alden.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

LL INTRO. 1-1 (2024)	BASKIN & JOHNSON	Funding of Affordable Housing Opportunities in Erie County
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Attachments

LL INTRO. 1-1 (2024)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 1-1-2024

LOCAL LAW NO. ____-2024

A Local Law Authorizing the Funding of Affordable Housing Opportunities in Erie County as a County Purpose

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

SECTION 1. FINDINGS

The Erie County Legislature recognizes, determines, and finds as follows:

All residents of Erie County deserve safe housing at an affordable cost. Published guidelines by the United States Department of Housing and Urban Development provides that households where more than 30% of total household income is spent on housing is a generally accepted threshold for affordable housing¹.

United States Census Data available for the 2018-2022 five-year period identified more than 49.5% of renters in Erie County are now spending more than 30% of their household income on housing cost.

According to the annual *Out of Reach* report prepared by the National Low Income Housing Coalition, a renter in Erie County would need to make \$20.56 an hour to afford a two-bedroom unit at fair market rents or, they would need work 56 hours per week at current minimum wage.

There is now a housing crisis in Erie County, stemming from an alarming scarcity of affordable housing available to many Erie County residents.

Pursuant to Article IX, Section 2(c)(ii) of the New York State Constitution and Municipal Home Rule Law Section 10(1)(ii)(a)(12), Erie County may exercise its broad police powers to provide comprehensive county housing programs².

Based upon the critical shortage of affordable housing confronting Erie County residents the Erie County Legislature finds that county affordable housing is a critical need of the residents of Erie County, and the funding of affordable housing programs and projects and funding of said programs and projects is necessary to protect the public health, safety and welfare.

¹ See <https://www.huduser.gov/portal/pdredge/pdr-edge-featd-article-081417.html>

² NYS A.G. Informal Opinion 92-4, dated February 6, 1992, Pg. 2 and Pg. 7

SECTION 2. DEFINITIONS

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

- a) Housing: shall be defined as and include all Housing Accommodations within Erie County
- b) Housing Accommodation: shall be defined as shall be defined as any building, structure, or portion thereof that is occupied, as or intended for occupancy as, a residence by one or more families and any vacant land that is offered for sale or lease for the construction thereon of any building, structure, or portion thereof intended to be so occupied.
- c) Affordable Housing: shall be generally defined as Housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities for persons or families deemed to be or eligible to be deemed to be of extremely low, very low, low or moderate income by any state or federal housing program. Nothing in the definition shall prevent the County from funding housing services either above or below this affordability level when such funding is in keeping with federal or state programs providing housing assistance or where any income restricted housing whether intended for rental or homeownership is subject to a regulatory agreement with a local, state, or federal governmental entity.

SECTION 3. AUTHORIZATION TO CREATE AND MAINTAIN AFFORDABLE HOUSING AS AN ERIE COUNTY PURPOSE

- A. Pursuant to the authority granted to Erie County by the New York State Constitution Sections IX and Municipal Home Rule Law Section 10, and The Charter of Erie County, and otherwise, Erie County may enter into agreements to fund the development, maintenance, management, and provision of Affordable Housing within Erie County to the extent the Erie County Legislature appropriates funding for the same; and
- B. This Local Law and the designation set forth herein shall apply to all Affordable Housing initiatives within Erie County.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

SECTION 5. EFFECTIVE DATE AND APPLICABILITY

This Local Law shall be effective upon filing with the Office of the Secretary of State.

Sponsors:

April N.M. Baskin

Howard J. Johnson, Jr.

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

Report No. 1 PUBLIC SAFETY COMMITTEE

Attachments

Report No. 1

January 11, 2023

PUBLIC SAFETY COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 17M-2 (2023)
WNY NO NEW JAILS ROUNDTABLE: “Opinion Letter on the RFP for the EC Holding Center & Correctional Facility System”
(Chair’s Ruling)

b. COMM. 24M-2 (2023)
COMMUNITY GROUPS: “Proposed Contract with Foit-Albert Associates & DLR Group for Operational Needs Assessment”
(Chair’s Ruling)
2. COMM. 24E-24 (2023)
COUNTY EXECUTIVE
WHEREAS, the United States Marshals Service Prisoner Operations Division is desirous of entering into an agreement with the County of Erie and the Erie County Sheriff’s Office for the housing of incarcerated individuals that are in Federal Custody and awaiting trial in Buffalo Federal Courts; and

WHEREAS, the County of Erie currently has no agreement for reimbursement of costs associated with the incarceration of Federal arrestees; and

WHEREAS, the housing of Federal arrestees without an appropriate financial agreement has become a burden on local taxpayers; and

WHEREAS, the proximity of the Erie County Holding Center to the Federal Court House makes the facility the appropriate location to house Federal arrestees while on trial; and

WHEREAS, this resolution will positively impact on the 2024 budget as it will provide a new revenue source to the Erie County Sheriff’s Office.
- NOW, THEREFORE, BE IT
- RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff’s Office to enter into a contract with the United States Marshals Service Prisoner Operations Division for the reimbursement of costs associated with the housing and care of Federal arrestees; and be it further
- RESOLVED, that said agreement shall be for a minimum of \$150 per day for each arrestee housed at the Erie County Holding Center or Correctional Facility; and be it further
- RESOLVED, that said agreement is required to cover the costs of arrestee health care provided to the individual outside of the facility; and be it further
- RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Division of Budget and Management, the Erie County Attorney’s Office, the Erie County Sheriff and Erie County Comptroller.
(6-0)
- HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

Report No. 1 ECONOMIC DEVELOPMENT COMMITTEE

Report No. 1 Attachments

January 11, 2024

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 24M-1 (2023)
COLUMBIA LAW SCHOOL INTERNS: “Transportation Equity Project Report”
(Chair’s Ruling)

b. COMM. 24M-8 (2023)
NFTA: “Reply to Rate Your Ride Report”
(Chair’s Ruling)

c. COMM. 1M-2 (2024)
NFTA: “NFTA Adoption of Operating & Capital Budget”
(Chair’s Ruling)
2. COMM. 1E-4 (2023)
COUNTY EXECUTIVE
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.
(6-0)

3. COMM.1E-6 (2023)
COUNTY EXECUTIVE
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.
(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

Report No. 1 ENERGY & ENVIRONMENT COMMITTEE

Report No. 1 Attachments

January 11, 2024

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 24M-4 (2023)
NYS DEC: “Brownfield Cleanup Program Application – Public Notice”
(Chair’s Ruling)

b. COMM. 1M-1 (2024)
NYS DEC: “Brownfield Cleanup Program – Public Notice Fact Sheet”
(Chair’s Ruling)

c. COMM. 1M-3 (2024)
B. GUTOWSKI: “Citizen Comment on Golf Rules Changes”
(Chair’s Ruling)
2. COMM. 1E-3 (2024)
COUNTY EXECUTIVE
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.
(6-0)

3. COMM. 1E-5 (2024)
COUNTY EXECUTIVE
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.
(6-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature

Meeting Date: 01/25/2024

SUBJECT

Report No. 1

FINANCE & MANAGEMENT COMMITTEE

Attachments

Report No. 1

January 11, 2024

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
- a. COMM. 24E-4 (2023)
COUNTY EXECUTIVE: “Appointment to Western Region OTB Board of Directors”
(Chair’s Ruling)

December 5, 2023

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

Re: Appointment to Western Region OTB Board of Directors

Dear Honorable Members,

Please be advised that pursuant to legislation adopted in the 2023-2024 New York State budget and the resignation of my office's current appointee, I hereby appoint the following individual to the Board of Directors of Western Region OTB:

Timothy C. Callan
73 Kenton Road
Kenmore, NY 14217

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

2. RESOLVED, the following items are hereby received and filed:
- a. COMM. 2D-3 (2023)
DIRECTOR OF REAL PROPERTY TAX SERVICES: “Open Item - Finance & Management Committee”
(Chair’s Ruling)
- b. COMM. 6E-15 (2023)
COUNTY EXECUTIVE: “Creation of Parks Special Event Fees”
(Chair’s Ruling)
- c. COMM. 15E-33 (2023)
CLERK: “EC Comptroller's Office Audit of the County Clerk's Office, Registrar Division”
(Chair’s Ruling)
- d. COMM. 15M-6 (2023)
PARTNERSHIP FOR THE PUBLIC GOOD: “Letter Concerning LL INTRO. 3-2”
(Chair’s Ruling)
- e. COMM. 16E-12 (2023)
CLERK: “Recording Fees”
(Chair’s Ruling)
- f. COMM. 20E-5 (2023)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - General Pulaski Association”
(Chair’s Ruling)
- g. COMM. 23E-7 (2023)
COMPTROLLER: “Department of Law Risk Retention Fund Spending - Sept. & Oct. 2023”
(Chair’s Ruling)
- h. COMM. 23D-1 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending September 2023”
(Chair’s Ruling)
- i. COMM. 23M-1 (2023)
PRESIDENT & CEO OF VBN: “VBN & Buffalo Convention Center - Third Quarter Reports”
(Chair’s Ruling)

- j. COMM. 24E-1 (2023)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - American Legion Band of the Tonawandas”
(Chair’s Ruling)
- k. COMM. 24E-2 (2023)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Brighton Place Library”
(Chair’s Ruling)
- l. COMM. 24E-3 (2023)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Newstead Historical Society”
(Chair’s Ruling)
- m. COMM. 24E-5 (2023)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Shakespeare in Delaware Park, Inc.”
(Chair’s Ruling)
- n. COMM. 24E-6 (2023)
COUNTY EXECUTIVE: “2024 Erie County Budget, As Amended”
(Chair’s Ruling)
- o. COMM. 24E-25 (2023)
COMPTROLLER: “Audit of the EC Department of Law Grant & Claim Reimbursement for Indigent Legal Services”
(Chair’s Ruling)
- p. COMM. 24D-2 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: “December Capital Projects Update”
(Chair’s Ruling)
- q. COMM. 24D-3 (2023)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending October 2023”
(Chair’s Ruling)

- r. COMM. 1E-1 (2024)
COMPTROLLER: “Sales and Compensating Use Tax Report - Sept., Oct., Nov. 2023”
(Chair’s Ruling)
- 3. COMM. 1E-2 (2024)
COUNTY EXECUTIVE
WHEREAS, Erie County is a municipal corporation and is bound by the New York State Taylor Law to negotiate terms and conditions of employment with duly-elected employee organizations; and

WHEREAS, 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	\$2,300,000
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.
(6-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT		
INTRO. 2-1	VINAL	Extending Public Benefit Contracts with The Research Foundation for SUNY
Attachments		
24INTRO. 2-1		

**A RESOLUTION SUBMITTED BY
LEGISLATOR VINAL**

Re: Extending Public Benefit Contracts with The Research Foundation for SUNY

WHEREAS, in the amended and adopted 2023 Erie County Budget, the Legislature appropriated \$75,000 to the Amherst 2023 Summer Math Camp in the Community/Neighborhood Development Fund Center 1332010, Account #518629, for the purpose of providing a summer camp to enhance math skills for our youth in a fun, engaging way; and

WHEREAS, in the amended and adopted 2023 Erie County Budget, the Legislature appropriated \$500,000 to the UB Family Violence & Women's Rights Clinic in the Community/Neighborhood Development Fund Center 1332010, Account #518776, for the purpose of providing increase access to free legal services for victims of domestic violence; and

WHEREAS, the Amherst 2023 Summer Math Camp was administered by The Research Foundation for SUNY (Buffalo State Campus) and the agency has not utilized all of the funds and wishes to continue the work into 2024 with the unspent 2023 funds; and

WHEREAS, the UB Family Violence & Women's Rights Clinic was administered by The Research Foundation for SUNY (SUNY Buffalo Campus) and the agency has not utilized all of the funds and wishes to continue the work into 2024 with the unspent 2023 funds; and

WHEREAS, the Department of Law has determined that in order for use of the funds to continue into 2023 and to extend the contract with The Research Foundation for the State University of New York, legislative assent via legislative resolution is necessary.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby expresses its support for, and approval for the extension of a contract with The Research Foundation for the State University of New York for its Amherst 2023 Summer Math Camp in the Community/Neighborhood Development Fund Center, Fund Center #1332010, Account #518629; and be it further

RESOLVED, the Erie County Legislature hereby expresses its support for, and approval for the extension of a contract with The Research Foundation for the State University of New York for its UB Family Violence & Women's Rights Clinic in the Community/Neighborhood Development Fund Center, Fund Center #1332010, Account #518776; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, the Director of Budget and Management, the Commissioner of Environment and Planning, The Research Foundation for the State of University of New York (SUNY Buffalo Campus), and The Research Foundation for the State of University of New York (Buffalo State Campus).

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-26 COUNTY EXECUTIVE Veto of Local Law Intro. No. 9-1-2023

24COMM. 2E-26

SUSPENSION



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 16, 2024

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

RE: Veto of Local Law Intro. No. 9-1-2023

Dear Honorable Members:

Local Law Intro. No. 9-1-2023, entitled "*A Local Law mandating the development of County Agency-specific language access plans, practices, and training in the County of Erie,*" also known as The Erie County Language Access Act, was adopted by your Honorable Body on December 21, 2023 and presented to me for approval. A public hearing regarding this Local Law was duly held on December 14, 2023.

While the intent of the Local Law is noble, for the reasons stated herein, and pursuant to Erie County Charter Section 205, I hereby Disapprove and Veto Local Law Intro. No. 9-1-2023.

Local Law Intro. No. 9-1-2023 highlights the importance of language access resources in Erie County, especially when it aids in providing vital county services and programs. However, this Local Law does not take into consideration the state and federal requirements already in place for language access across Erie County government. All county departments and agencies receiving federal funds, either directly or if passed through to the state first, must follow the federal requirements and guidance for language access services.

Local Law Intro. 9-1-2023 does not adequately navigate the need to reconcile its provisions with those of the state and federal governments. Section 1 of this Local Law notes that Presidential Executive Order 13166 requires all federally funded agencies to ensure that individuals with limited English proficiency have access to programs and services. County departments and agencies that receive funding must follow the four-factor analysis found in Title IV Guidance for Recipients, and translate vital documents into the languages used by each agency's specific client population. This local law does not require the Language Access Advisory Board to follow the federal guidance, and as such creates conflicting regulations under which a county department or agency would be required to translate vital documents into the six languages designated by the board, while also having to translate vital documents into languages designated by the federal methodology.

SUSPENSION

Executive Poloncarz Veto Message to Legislature

January 16, 2024

Page 2 of 2

Additionally, Local Law Intro. 9-1-2023 also creates conflicting regulations under New York State election law. In a letter sent to me by Erie County Board of Election Commissioners Ralph Mohr and Jeremy Zellner dated January 11, 2024, they note New York State Election Law Section 17-208 already requires boards to provide language access and assistance with voting materials and instructions to language-minority groups. The methodology of the state law is based on demographics, not a set number of languages as in this Local Law. As such, they express their joint concern there could be a similar incongruency with Local Law Intro. 9-1-2023 and the prescribed state law covering the Board of Elections. A copy of this letter is attached hereto for your review.

The letter from the Erie County Board of Elections Commissioners also notes that Local Law Intro. 9-1-2023 was passed after the budgetary process for 2024 was complete. The Commissioners feel that this Local Law will place an undue burden on their resources as there is no additional budget for the services required and almost no time to prepare, especially in a year that will include at least four election cycles. The Commissioners also note that the state law does not take effect until 2026 so that boards of elections can have adequate time to budget and plan.

The unknown costs and lack of additional funding for this Local Law are a concern shared by myself and County departments. If a new draft of a Language Access Local Law is put forth, a cost analysis should be done that clearly articulates anticipated fiscal impact to Erie County while also identifying funding in a subsequent budget.

As such, for the reasons stated above, I hereby Disapprove and Veto Local Law Intro. No. 9-1-2023.

Sincerely yours,



Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jz
Encl.

cc: Jeremy Toth, Esq., Erie County Attorney
Ralph Mohr, Commissioner
Jeremy Zellner, Commissioner

SUSPENSION

A Public Hearing was held on the foregoing **Local Law Intro. No. 9-1-2023** on **January 3, 2024** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this _____ day of **January, 2024**.

Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 9-1-2023** on **January 3, 2024** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 16 day of **January, 2024**.

A handwritten signature in black ink, appearing to read 'Mark C. Poloncarz', written over a horizontal line.

Mark C. Poloncarz

SUSPENSION

ERIE COUNTY
Board of Elections
134 West Eagle Street
Buffalo, New York 14202

Ralph M. Mohr, *Commissioner*
Jeremy J. Zellner, *Commissioner*

January 11, 2024

Honorable Mark C. Poloncarz
Edward A. Rath County Office Building
95 Franklin Street, #1600
Buffalo, New York 14202

Dear County Executive Poloncarz:

We are writing to express our concern regarding Local Law 9-1-2023, the Erie County Language Access Act, and respectfully urge you to veto this legislation.

While we are cognizant of the good intentions of such legislation and of the critical need for language access in public services, this law will place an undue burden on the resources of the BOE, especially in a year that will include at least four election cycles.

Several provisions of the Language Access Act are particularly problematic for the BOE. For instance, the Act's definition of "Vital Documents" would include election ballots. Translating every ballot style would be an onerous undertaking, since the ballots for all of the County's 847 election districts would be printed in "each designated countywide language."

In addition to increased ballot printing costs, our registration forms would also fall under the provisions of the Language Access Act, and in all instances translation and proofing service would be required.

For an agency where it seems likely that every public document would be considered vital, this law proves untenable. Additionally, this law was passed after the budgetary process was completed for 2024. There is no budget line item for the BOE for the additional costs associated with the services this law requires.

Further, state law has already considered language access for boards of elections. Election law §17-208 requires boards to provide language assistance to particular language-minority groups pursuant to the section of law and also to provide voting materials in the covered language including registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.

The state law is not effective until June 20, 2026 to give boards and the State Board of Elections time to budget, prepare, and plan.

SUSPENSION

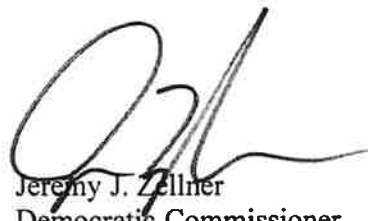
Additionally, the state law establishes a language access threshold based on demographics but not requiring a set number of languages, as Local Law 9-1-2023 stipulates. That stipulation could potentially mean the establishment of a new department dedicated to translations for a very small segment of the voting population, but at substantial cost to the BOE.

Thank you for your attention to this matter, and we hope you will not hesitate to contact us directly if we may clarify our position or answer any questions you may have.

Sincerely,



Ralph Mohr
Republican Commissioner
Erie County Board of Elections



Jeremy J. Zellner
Democratic Commissioner
Erie County Board of Elections

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2D-3

COUNTY ATTORNEY

Opinion as to Form Local Law Intro. No. 1-1
2024

Attachments

24COMM. 2D-3

SUSPENSION

January 16, 2024

Via Email Only

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

Re: Opinion as to Form Local Law Intro No 1-1 202

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 8-1 2023 (8-1).

Preemption

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

Here, the New York State Constitution Art. XVIII, § 2 has recognized affordable housing as matter of local import, rather than a matter preempted by the State. Although the State Legislature did not expressly granting the power to create affordable housing to county governments it does not preclude County's from adopting local laws authorizing them to fund and undertake affordable housing initiatives to protect the public health safety and welfare, under their home rule powers (Municipal Home Rule Law § 10 (1)(ii)(a)(12), which is a power expressly recognized by the State Attorney General Opinion. See NYS A.G. Opinion 92-4.

Grammar

We find the grammar and usage of .. LL 1-1 2024 to be sufficient in order to achieve the stated purpose.

Ambiguities

Although every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, LL 1-1 2024 does not present any facial ambiguities that would frustrate its implementation and enforcement.

SUSPENSION

Conclusion

We find that Local Law Intro. 1-1 2024 is sufficient as to form.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

By: Richard E. Stanton
Assistant Erie County Attorney

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-27	JOHNSON	Lease Agreement for Legislative Office Space
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24COMM. 2E-27	Attachments
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SUSPENSION

EC LEG JAN 22 '24 PM 4:26

LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord
Mailing
Address

Norman Community DLP Group
1373 Fillmore
Buffalo N.Y. 14211

Lease Date

1/1/2024

Term

24 Month

Starting
Date

1-1-2024

Ending
Date

12/31/2025

Tenant

**COUNTY OF ERIE
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**

Total Annual Rent \$ 12,000.00

at a Monthly rate of \$ 1,000.00
(to be paid the first of every month)

Square Feet of Premises

1,500

1. Leased Premises

The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

1367 Fillmore Ave
Buffalo, NY 14211

2. Use

The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

Howard Johnson / Howard Johnson

3. Assign and Sublease

The Tenant must not sublease or assign this lease to anyone else.

SUSPENSION

4. Rent

The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address.
5. Right of Landlord to Show Premises and to Place Signs Thereon

Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same.
6. Utilities

The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer.
7. Heating & Air Conditioning

The Landlord agrees that the space shall be heated and air conditioned and shall provide the necessary HVAC systems to supply heat at temperatures between 68 and 72 degrees and air conditioning at temperatures between 72 and 74 degrees. In the event of failure of the HVAC systems, the Landlord shall immediately provide portable heating and/or air conditioning units necessary to heat and/or cool the premises to the above stated temperature range
8. Snow & Ice Removal

The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice.
9. End of Term

The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted.
10. Number Clauses

Every Numbered Clause herein contained is hereby made a condition.
11. Fire Conditions

In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice

SUSPENSION

of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.

12. Rules
Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.
13. Executory
This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.
14. Changes
This lease may be changed only by an agreement in writing signed by and delivered to each party.
15. Effective date and Signatures
Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.
16. Termination
This lease agreement is automatically terminated in the event that Legislator Howard Johnson ceases to be a member of the Erie County Legislature representing the 1st District.
17. Indemnity
The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator Howard Johnson staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.

SUSPENSION

18. Insurance

Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.

19. Compliance with Laws

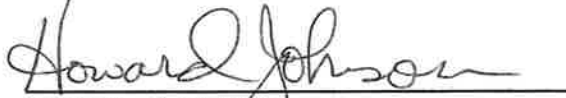
Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises are accessible to disabled persons, including access by those using wheelchairs.

20.

Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie County Legislature on , item page , and by resolution adopted item page of the Legislature's proceedings.



Landlord or Agent of Landlord



Erie County Legislator
1st District


Witness:

Erie County Executive

Assistant Erie County Attorney
Approved as to Form

Erie County Director of Real Property Tax Services
Approved as to Form

Document No. _____

Date: _____

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-1	COUNTY CLERK	Resolution to Authorize Entry into Second Extension of Contract with WNY Law Center, Inc.
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24COMM. 2E-1	Attachments
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EC-LEG JAN 11 '24 10:51

COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

January 11, 2024

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

**Re: Resolution to Authorize Entry into Second Extension of Contract with
Western New York Law Center, Inc.**

Dear Honorable Members:

The attached proposed Resolution seeks authorization for the Erie County Executive to execute a second extension of the contract with Western New York Law Center, Inc., for a period of twelve (12) months, to provide zombie property outreach services. The RFP for this contract (RFP #2021-044VF) called for up to two (2) extensions. This Honorable Body authorized entry into the contract in December 2021 (COMM. 25-E-16 [2021]) and approved the first extension in June 2023 (Comm. 11E-33 [2023]).

Enclosed please find the proposed Resolution referenced above as well as a memorandum of support. Immediate consideration and approval are requested in order to expedite approval of the Second Extension to take effect as soon as possible so that zombie property outreach services are not hindered.

Thank you for your consideration of this matter. If your Honorable Body requires further information, kindly contact the Office of the Erie County Clerk.

Respectfully submitted,

A handwritten signature in blue ink that reads "Michael P. Kearns". The signature is fluid and cursive, with a large loop at the end.

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Michael P. Kearns, Erie County Clerk
RE: Second Extension for Contract With Western New York Law Center, Inc. for
Zombie Property Outreach Services
Date: January 11, 2024

SUMMARY

The Erie County Clerk's Office is requesting authorization to enter into a second extension of the contract with Western New York Law Center, Inc. for zombie property outreach services. A "Zombie Property" is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner. Upon vacating the properties, the structures can experience: damage from weather, scavenging, squatters, and criminal activity, and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties. The prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect and leads to blight.

The negative impacts of Zombie Properties transcend municipal boundaries and affect all Erie County taxpayers. The Agreement between the Erie County Clerk's Office and Western New York Law Center Inc. has been extended once already, and a second extension of this initiative will help ensure continued cooperation amongst Erie County, local municipalities, and non-profits in addressing Zombie Property issues.

FISCAL IMPLICATIONS

Positive. The funds necessary to cover the costs of extending the aforementioned contract are currently available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees. In addition, the Erie County Clerk and Western New York Law Center have negotiated in good faith the cost of zombie outreach services at a reduced rate for this second extension, bringing the fee of \$250,000 down to \$125,000.

REASONS FOR RECOMMENDATION

Many individuals in Erie County are ninety days or more in arrears on their mortgage payments and Lis Pendens filings in foreclosure actions have been filed in 2023. The intended effect of this effort continues to be to put these Zombie Properties in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues and secure value in the County's tax base.

CONSEQUENCES OF NEGATIVE ACTION

Failure to extend the property outreach services would result in less guidance and technical support for municipalities across Erie County that are already struggling to effectively address Zombie

Properties in their communities, thereby likely leading to increased numbers of blighted properties, decreased property values for neighboring properties, and less property, mortgage, and transfer taxes being collected in Erie County.

STEPS FOLLOWING APPROVAL

The Erie County Clerk will work with Western New York Law Center, Inc., the Erie County Attorney, and Division of Budget and Management to finalize the second extension of Erie County's contract with Western New York Law Center, Inc.

**STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NEW YORK**

**A Resolution Submitted by the Erie County Clerk
Re: Authorization for Second Extension of Contract With Western New York Law Center,
Inc. for Zombie Property Outreach Services**

WHEREAS, a “Zombie Property” is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner; and

WHEREAS, upon vacating the properties, the structures can experience: damage from weather, scavenging, squatters, and criminal activity, and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties; and

WHEREAS, the prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect and leads to blight; and

WHEREAS, the Erie County Clerk recognizes that grappling with the blight of Zombie Properties transcends all communities and impacts all County taxpayers, regardless of the property location, and believes this initiative will become more important as the number of foreclosures is anticipated to continue to rise; and

WHEREAS, the intended effect of combating Zombie Properties is to put them in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues, as well as securing value in the County’s tax base; and

WHEREAS, in November 2021, the Erie County Clerk issued RFP #2021-044VF seeking proposers for Zombie Property Outreach Services, advertised in the Orchard Park Bee and Buffalo Challenger, and provided the RFP to several potential proposers; and

WHEREAS, the RFP called for a contract with up to two (2) extensions; and

WHEREAS, a committee received, reviewed, and scored the two (2) proposals that were submitted in response to the RFP and determined that Western New York Law Center, Inc. submitted the best proposal and that their organization was the most responsible, well-regarded, and best-positioned to perform the services requested; and

WHEREAS, on December 16, 2021, the Erie County Legislature authorized the Erie County Clerk to enter into a contract with Western New York Law Center, Inc., in the amount of \$250,000, for zombie property outreach services for an initial term of twelve (12) months (COMM. 25-E-16 [2021]); and

WHEREAS, on June 8, 2023, the Erie County Legislature authorized the Erie County Clerk to enter into the first contract extension with Western New York Law Center, Inc., in the amount of \$250,000, for zombie property outreach services for a period of twelve (12) additional months (COMM. 11E-33 [2023]); and

WHEREAS, the first contract extension expired on January 4, 2024; and

WHEREAS, it is vital that these services be restored to ensure continuity and preserve the best value for County funds; and

WHEREAS, the Erie County Clerk is now requesting authorization from the Erie County Legislature for the second extension of the aforementioned contract with Western New York Law Center, Inc. to provide zombie outreach services for an additional term of twelve (12) months; and

WHEREAS, the funds necessary to cover the costs of extending the aforementioned contract are currently available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees; and

WHEREAS, the Erie County Clerk and Western New York Law Center have negotiated in good faith the cost of zombie outreach services at a reduced rate for this second extension.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is hereby authorized to enter into a second contract extension for a period of twelve (12) months with Western New York Law Center, Inc., in the amount of \$125,000, to provide zombie property outreach services; and be it further

RESOLVED, the source of these funds comprising payment under the contract to Western New York Law Center, Inc., in the amount of \$125,000, shall be from and are currently available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees; and be it further

RESOLVED, that the Erie County Executive, or the Deputy County Executive, is authorized to authorize the said Second Extension with the fundamental terms set forth above, subject to a form of the final Second Extension being approved by the County Attorney; and be it further

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

RESOLVED, that certified copies of this Resolution be sent to the Erie County Clerk, the Director of Budget and Management, the Erie County Attorney, and the Erie County Comptroller.

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-2

COUNTY EXECUTIVE

Appointment of Interim Commissioner -
Central Police Services

Attachments

24COMM. 2E-2



EC LEG JAN 11 '24 AM 11:30

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 11, 2024

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

Re: Appointment of Interim Commission-Central Police Services

Dear Honorable Members:

Please be advised, after years of meritorious service to the County, Central Police Services Commissioner James Jancewicz has decided to retire on January 12, 2024.

Pursuant to Article 15, Section 1501 of the Erie County Charter, I have directed the Commissioner of Personnel to begin the recruitment process for a new commissioner of Central Police Services. In the meantime, I hereby appoint Marlaine Hoffman as acting Commissioner of Central Police Services effective 12:00 a.m. on Saturday, January 13, 2024.

Should your Honorable Body require further information, I encourage you to contact my Chief of Staff, Benjamin Swanekamp. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz
Erie County Executive

cc: Marlaine Hoffman, Central Police Services

MCP/nn

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-3	SHERIFF	Reorganization of Correctional Health
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24COMM. 2E-3		Attachments
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JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716) 858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

January 10, 2024

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Reorganization of Correctional Health

Dear Honorable Members:

Attached please find a proposed resolution and accompanying memorandum requesting authorization for the reorganization of two positions within the Erie County Sheriff's Office Correctional Health Division.

Should your Honorable Body require further information, please contact my office. Thank you for your consideration on this matter.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Reorganization of Correctional Health
Date: January 10, 2024

Summary of Recommended Action

This resolution requests authorization to create 2 new positions of Clinical Site Administrator-Correctional Health within the ECSO. This will be achieved by deleting the currently budgeted titles of Director of Nursing (JG 21) and Assistant Director of Nursing (JG 20). This item further requests the creation of a new pay scale for non-sworn members of the Teamsters Sworn Supervisors Unit. Currently the above two titles are on the Sworn Supervisors pay scale. The creation of the new pay scale would be accomplished by averaging the difference between the pay of the Director of Nursing (JG21) and the Assistant Director of Nursing (JG20).

Fiscal Implications of Proposal

Funds are currently available in the Erie County Sheriff's Office Correctional Health Budget. Proposal is cost neutral as the new positions and pay scale are an average of the cost between the two existing titles.

Reasons for Recommendation

As part of the Sheriff's Office continuing efforts to streamline operations within the Correctional Health Division for the purposes of providing better patient care, it has been determined that the Erie County Holding Center and the Erie County Correctional facility are in need of a supervisory Clinical Site Administrator. The current structure does not allow for an administrator at each facility. This resolution will allow for proper supervision therefore ensuring better clinical outcomes for incarcerated individuals in our care.

Consequences of Negative Action

The Erie County Sheriff's Office Correctional Health Division will not have proper clinical oversight at both facilities and risks poor medical outcomes for incarcerated individuals.

Steps Following Approval of Measure

Certified copies shall be forwarded to the County Executive's Office, The Erie County Budget Department, the Erie County Personnel Department, the Comptroller and the Office of the Sheriff for implementation.

**A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE**

Re: Reorganization of Correctional Health

WHEREAS, as part of the ongoing evaluation and reorganization of various divisions within the Erie County Sheriff's Office, it has been determined that certain changes need to be made to the Correctional Health Division, and

WHEREAS, in order to provide better medical care and better clinical outcomes for all incarcerated individuals at both facilities within the ECSO, it has been determined that the position of Clinical Site Administrator-Correctional Health should be created for each facility, and

WHEREAS, the creation on one Clinical Site Administrator for each facility would provide necessary and important supervisory medical care at each facility, and

WHEREAS, the current structure of the Correctional Health Division lacks the optimal level of supervisory medical care at each facility, and

WHEREAS, it has been determined that the simple restructuring of two position within the division and at no additional cost to the 2024 budget would address this need for supervisory medical care,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office to delete the titles of Director of Nursing (Position # 51011379) and Assistant Director of Nursing (Position # 51013378) and create two new titles of Clinical Site Administrator – Correctional Health, and be it further

RESOLVED, that authorization is granted to the ECSO to work in conjunction with the Erie County Personnel Department to create a new pay scale within the Teamsters Supervisors Bargaining Unit for non-sworn personnel, and be it

RESOLVED, that the new pay scale for the new title of Clinical Site Administrator – Correctional Health shall be the average of the difference between the Director of Nursing (JG21) and the Assistant Director of Nursing (JG 20), Inc, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Division of Budget and Management, the Erie County Personnel Department, the Erie County Comptroller and the Erie County Sheriff.

FISCAL IMPACT: No additional Funds are necessary for this resolution.

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-4

SHERIFF

Contracts for Incarcerated Individuals
Programming

Attachments

24COMM. 2E-4

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716) 858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

January 3, 2024

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: Contracts for Incarcerated Individuals Programming

Dear Honorable Members:

The attached resolution requests authorization to enter into an agreement with Mr. C.T. Fletcher for additional re-entry programming for the incarcerated population at the Erie County Holding Center and the Erie County Correctional Facility.

Representatives from the Sheriff's Office will be available to answer any questions.

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

ACCOMPANYING MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Contracts for Incarcerated Individuals Programming
Date: December 19, 2023

Summary of Recommended Action

The Legislature needs to authorize the Erie County Sheriff's Office and the County Executive to enter into an agreement with Mr. C.T. Fletcher for additional re-entry programming for the incarcerated population at the Erie County Holding Center and the Erie County Correctional Facility.

Fiscal Implications of the Proposal

Commissary funds will be used to pay for the programs so that this resolution will not impact the 2023 County Budget.

Reasons for Recommendation

The Sheriff's Office continues to provide career-building and self-improvement programming to assist incarcerated individuals' reintegration into the community.

Mr. C.T. Fletcher has spoken at corrections institutions throughout the country. The son of a preacher, Mr. Fletcher grew up in Compton, CA, enlisted in the Army, is a heart transplant recipient, and has become a successful, self-made entrepreneur. His message is one of hope, perseverance, and belief in oneself, with a low tolerance for excuses.

Consequences of Negative Action

Failure to authorize the resolution would prevent the Erie County Sheriff's Office from offering additional re-entry programming.

Steps Following Approval of Measure

Certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Contracts for Incarcerated Individuals Programming

WHEREAS, the Erie County Sheriff's Office is seeking to further expand re-entry programs offered to the incarcerated populations of the Erie County Holding Center and the Erie County Correctional Facility, and

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

WHEREAS, the Sheriff's Office desires to enter into a contract with Mr. C.T. Fletcher to offer a 90-minute learning seminar to aid in developing a belief in oneself and desire to succeed, and

WHEREAS, the learning outcomes of the program include learning to accept one's faults and focus on the future, develop personal fortitude, and understanding that perseverance and determination are integral to one's success, and

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

WHEREAS, because commissary funds are used, there is no impact on the 2024 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Sheriff's Office and the County Executive to enter into an agreement with Mr. C.T. Fletcher, 2226 Cerritos Ave, Signal Hill, CA 90755, to provide one ninety-minute seminar with costs not to exceed \$4980.00; and be it further

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

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Finance, the Division of Purchasing, and the Sheriff's Office for implementation.

FISCAL IMPACT: as indicated

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-5 KOOSHOIAN Lease Agreement for Legislative Office Space

24COMM. 2E-5

Attachments

LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord
Mailing
Address

1701 HERTEL LLC
(ROSANNE FRANDINA + JIM VAN OSS)
1701 HERTEL AVE
BUFFALO, NY 14216

Lease Date

JAN 1, 2024

Term

MONTHLY

Starting
Date

JAN 1, 2024

Ending
Date

OPEN

Tenant

**COUNTY OF ERIE
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**

30 DAYS NOTICE IF
TERMINATED.

Total Annual Rent \$ 11,700

at a Monthly rate of \$ 975.00
(to be paid the first of every month)

Square Feet of Premises

840

1. Leased Premises

The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

1701 HERTEL AVE, BUFFALO, NY 14216

FIRST FLOOR TENANT OFFICE SPACE

2. Use

The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

MICHAEL H. KOOSHOIAN

3. Assign and Sublease

The Tenant must not sublease or assign this lease to anyone else.

- | | | |
|-----|---|--|
| 4. | Rent | The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address. |
| 5. | Right of Landlord to Show Premises and to Place Signs Thereon | Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same. |
| 6. | Utilities | The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer. |
| 7. | Heating & Air Conditioning | The Landlord agrees that the space shall be heated and air conditioned and shall provide the necessary HVAC systems to supply heat at temperatures between 68 and 72 degrees and air conditioning at temperatures between 72 and 74 degrees. In the event of failure of the HVAC systems, the Landlord shall immediately provide portable heating and/or air conditioning units necessary to heat and/or cool the premises to the above stated temperature range |
| 8. | Snow & Ice Removal | The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice. |
| 9. | End of Term | The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted. |
| 10. | Number Clauses | Every Numbered Clause herein contained is hereby made a condition. |
| 11. | Fire Conditions | In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice |

of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.

12. Rules

Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.

13. Executory

This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.

14. Changes

This lease may be changed only by an agreement in writing signed by and delivered to each party.

15. Effective date and Signatures

Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.

16. Termination

This lease agreement is automatically terminated in the event that Legislator M.H. Kuoshonian ceases to be a member of the Erie County Legislature representing the 3RD District.

17. Indemnity

The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator M.H. Kuoshonian, staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.

18. Insurance

Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.

19. Compliance with Laws

Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises are accessible to disabled persons, including access by those using wheelchairs.

20.

Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie County Legislature on , item page , and by resolution adopted item page of the Legislature's proceedings.

Reganne Francis
Landlord or Agent of Landlord

[Signature]
Erie County Legislator
316 District

[Signature]
Witness:

Erie County Executive

Assistant Erie County Attorney
Approved as to Form

Erie County Director of Real Property Tax Services
Approved as to Form

Document No. _____
Date: _____



FRAND-2

OP ID: MP

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/08/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER E.T. Clauss & Co., Inc. 735 Delaware Ave. Buffalo, NY 14209 Ronald P. Clauss	716-886-6600	CONTACT NAME: Ronald P. Clauss PHONE (A/C, No, Ext): 716-886-6600 FAX (A/C, No): 716-886-4128 E-MAIL ADDRESS:
INSURED 1701 Hertel Avenue LLC 1701 Hertel Ave Buffalo, NY 14216		INSURER(S) AFFORDING COVERAGE INSURER A: Sentinel Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
		NAIC # 11000

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			01SBAAT1307	07/28/2023	07/28/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			01UECKP1887	07/28/2023	07/28/2024	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10000			01SBAAT1307	07/28/2023	07/28/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

County of Erie
95 Franklin Street
Buffalo, NY 14202

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-6	MEYERS	Lease Agreement for Legislative Office Space
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24COMM. 2E-6	Attachments
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LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord	<u>JFV Holdings LLC</u>	Lease Date	<u>1-1-2023</u>
Mailing		Term	<u>Two Year</u>
Address	<u>c/o 118 N. Long St</u>	Starting	
	<u>Williamsville, NY 14221</u>	Date	<u>January 1, 2023</u>
		Ending	
		Date	<u>December 31, 2025</u>

Tenant **COUNTY OF ERIE**
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

Total Annual Rent \$14,400.00 at a Monthly rate of \$1,200.00
 (to be paid the first of every month)

Square Feet of Premises 880 (est)

1. Leased Premises The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

3485 Harlem Rd, Cheektowaga, NY
(Front Commercial Space)

2. Use The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

Timothy Meyers

3. Assign and Sublease The Tenant must not sublease or assign this lease to anyone else.

4. Rent

The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address.
5. Right of Landlord to Show Premises and to Place Signs Thereon

Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same.
6. Utilities

The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer.
7. Heating & Air Conditioning

The Landlord agrees that the space shall be heated and air conditioned and shall provide the necessary HVAC systems to supply heat at temperatures between 68 and 72 degrees and air conditioning at temperatures between 72 and 74 degrees. In the event of failure of the HVAC systems, the Landlord shall immediately provide portable heating and/or air conditioning units necessary to heat and/or cool the premises to the above stated temperature range
8. Snow & Ice Removal

The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice.
9. End of Term

The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted.
10. Number Clauses

Every Numbered Clause herein contained is hereby made a condition.
11. Fire Conditions

In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice

of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.

12. Rules
Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.
13. Executory
This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.
14. Changes
This lease may be changed only by an agreement in writing signed by and delivered to each party.
15. Effective date and Signatures
Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.
16. Termination
This lease agreement is automatically terminated in the event that Legislator Timothy Meyers ceases to be a member of the Erie County Legislature representing the 1 District.
17. Indemnity
The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator Timothy Meyers, staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.

18. Insurance

Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.


19. Compliance with Laws

Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises are accessible to disabled persons, including access by those using wheelchairs.

20.

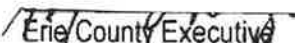
Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie County Legislature on , item page , and by resolution adopted item page of the Legislature's proceedings



Landlord or Agent of Landlord

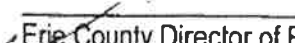

Erie County Legislator
7 District

Witness:




Erie County Executive


Assistant Erie County Attorney
Approved as to Form


Erie County Director of Real Property Tax Services
Approved as to Form

Document No. _____

Date: 1 _____

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-7 BARGNESI Lease Agreement for Legislative Office Space

24COMM. 2E-7

Attachments

LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord ABBAY LLC Lease Date 01/01/2024
Mailing 441 SheHand Drive Term Two-year
Address Buffalo, NY 14221 Starting Date 01/01/2024
Ending Date 12/31/2025

Tenant **COUNTY OF ERIE**
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

Total Annual Rent \$ 12,600 at a Monthly rate of \$ 1050
(to be paid the first of every month)

Square Feet of Premises 920

1. Leased Premises

The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

2165 Sheridan Drive
Tonawanda, NY 14223

2. Use

The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

John Bargnesi

3. Assign and Sublease

The Tenant must not sublease or assign this lease to anyone else.

4. Rent

The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address.
5. Right of Landlord to Show Premises and to Place Signs Thereon

Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same.
6. Utilities

The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer.
7. Heating & Air Conditioning

The Landlord agrees that the space shall be heated and air conditioned and shall provide the necessary HVAC systems to supply heat at temperatures between 68 and 72 degrees and air conditioning at temperatures between 72 and 74 degrees. In the event of failure of the HVAC systems, the Landlord shall immediately provide portable heating and/or air conditioning units necessary to heat and/or cool the premises to the above stated temperature range
8. Snow & Ice Removal

The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice.
9. End of Term

The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted.
10. Number Clauses

Every Numbered Clause herein contained is hereby made a condition.
11. Fire Conditions

In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice

of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.

12. Rules

Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.

13. Executory

This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.

14. Changes

This lease may be changed only by an agreement in writing signed by and delivered to each party.

15. Effective date and Signatures

Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.

16. Termination

This lease agreement is automatically terminated in the event that Legislator John Bargnesi ceases to be a member of the Erie County Legislature representing the 4 District.

17. Indemnity

The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator John Bargnesi, staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.

18. Insurance

Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.

19. Compliance with Laws

Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises are accessible to disabled persons, including access by those using wheelchairs.

20.

Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie County Legislature on , item page , and by resolution adopted item page of the Legislature's proceedings.



Landlord or Agent of Landlord



Erie County Legislator
4 District



Witness.

Erie County Executive

Assistant Erie County Attorney
Approved as to Form

Erie County Director of Real Property Tax Services
Approved as to Form

Document No. _____
Date: _____

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-8

COUNTY EXECUTIVE

Appointment to the EC Department of Central
Police Services Board of Trustees

Attachments

24COMM. 2E-8



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

December 26, 2023

EC LEG JAN 12 '24 PM 3:23

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

Re: Appointment to the Erie County Department Central Police Services Board of Trustees

Dear Honorable Members:

Pursuant to Section 15.03 of the Erie County Charter, I do hereby appoint the following individual to the Central Police Services Board of Trustees for a term expiring December 31, 2025.

Appointee

James P. Stauffiger
Chief of Police
Town of Tonawanda Police Department
1835 Sheridan Drive
Tonawanda, NY 14223

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

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz
Erie County Executive

MCP/ml

cc: James A. Jancewicz, Commissioner of Central Police Services
James P. Stauffiger

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-9

COUNTY EXECUTIVE

Appointment to the B&ECPL

Attachments

24COMM. 2E-9



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 11, 2024

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

Re: Appointment to the Buffalo & Erie County Public Library

Dear Honorable Members,

Pursuant to Section 2204 of the Erie County Charter, I hereby re-appoint and submit for your confirmation of the following individuals to the Buffalo and Erie County Public Library Board of Directors:

Christine Pedigo Bartholomew
709 O'Brian Hall
Buffalo, NY 14260

John Craik
384 Voorhees Avenue
Buffalo, NY 14216

Term Expiration: 12/31/2028

Term Expiration: 12/31/2028

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

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

cc: Appointee
John Spears, Library Director (spearsj@buffalolib.org)
MCP/nn

Christine Pedigo Bartholomew

709 O'Brian Hall, Buffalo, NY 14260 • (716) 645-7399 (w); (716) 908-2450 (c) • cpb6@buffalo.edu

ACADEMIC APPOINTMENTS

University at Buffalo School of Law , Buffalo, New York	2006 – present
<i>Professor of Law</i> : Antitrust; Civil Procedure; and Evidence	2020 – present
<i>Associate Professor of Law</i> : Antitrust; Civil Procedure; and Evidence	2015 –2020
<i>Lecturer-in-Law (non-ladder)</i> : Legal Analysis, Writing, and Research	2009 – 2015
<i>Assistant Professor (non-ladder)</i> : Antitrust; Complex Civil Litigation; and Private Antitrust Suits	2006 – 2008

PUBLICATIONS

Books

LEGAL ARGUMENT: THE STRUCTURE AND EFFECTIVE LANGUAGE OF EFFECTIVE ADVOCACY (with James Gardner as Senior Co-Author) (Carolina Academic Press, 3rd ed. 2020).

Articles

Antitrust Statements of Interest, -- J. CORP. L. – (forthcoming 2023)

Playing Nicely with Others, -- ANTITRUST L.J. -- (forthcoming 2023).

Antitrust in the Age of Class Action Reform, 97 IND. L. J. 1315 (2022), <https://dx.doi.org/10.2139/ssrn.395531>

Ford's Underlying Controversy, 99 WASH. U. L. REV. 1175 (co-authored with Anya Bernstein) (2022), <http://ssrn.com/abstract=3920655>

Privilege and the Fight Against Corruption in the United States, in XLI JORNADAS INTERNACIONALES DE DERECHO PENAL, CRIMINAL CONTEMPORÁNEA Y CORRUPCIÓN: ¿EFECTIVIDAD DE LA PENA PRIVATIVA DE LA LIBERTAD? (U. Externado de Colombia) (9154 words, 2021) (translated into Spanish).

Antitrust Norms in the United States and Financial Corruption, in XLI JORNADAS INTERNACIONALES DE DERECHO PENAL, CRIMINAL CONTEMPORÁNEA Y CORRUPCIÓN: ¿EFECTIVIDAD DE LA PENA PRIVATIVA DE LA LIBERTAD? (U. Externado de Colombia) (9728 words, 2021) (translated into Spanish).

The Venue Shuffle: Forum Selection Clauses & ERISA, 66 UCLA L. REV. 862-910 (co-authored with James Wooten) (2019), <https://ssrn.com/abstract=3394587>

E-Notice, 68 DUKE L.J. 217-74 (2018), <https://dlj.law.duke.edu/article/e-notice-bartholomew-vol68-iss2/>

- Reviewed favorably in JOTWELL: THE JOURNAL OF THINGS WE LIKE (LOTS): Sergio Campos, *E-Notice and Comment on Due Process* (Sep. 23, 2019).

Exorcising the Clergy Privilege, 103 VIRG. L. REV. 1015-77 (2017),
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2930467

- Translated into Spanish and republished as *Exorcizando el Privilegio Clerical*, *Revista de Derecho Penal y Criminología*, REVISTA DE DERECHO PENAL Y CRIMINOLOGÍA, Revista del Instituto de Ciencias Penales y Crimonológicas de la Universidad Externado de Colombia (forthcoming 2020).

The Failed Superiority Experiment, 69 VAND. L. REV. 1295-1348 (2016),
<https://wp0.vanderbilt.edu/lawreview/2016/10/the-failed-superiority-experiment/>

Twiqbal in Context, 65 J. LEGAL EDUC. 744-771 (2016) (peer reviewed),
<http://jle.aals.org/home/vol65/iss4/4/>

Saving Charitable Settlements, 83 FORDHAM L. REV. 3241-3292 (2015),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2492539.

Redefining Prey and Predator in Class Actions, 80 BROOKLYN L. REV. 743-806 (2015),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2492540.

Death by Daubert: The Continued Attack on Antitrust, 35 CARDOZO L. REV. 2147-2198 (2014),
<http://cardozolawreviewcom.fatcow.com/volume-35-issue-6.html>

Time: An Empirical Analysis of Law Students Time Management Deficiencies, 81 U. CIN. L. REV. 897-952 (2013), <http://scholarship.law.uc.edu/uclr/vol81/iss3/3/>

Normalizing Trepidation & Anxiety, 48 DUQ. L. REV. 349-383 (2010) (co-authored with Johanna Oreskovic), <http://www.duq.edu/academics/schools/law/academic-programs/legal-research-and-writing-program/2009-conference/law-review>

Chapters

Daubert Motions for Class Certification vs. Proceedings on the Merits, in ANTITRUST DAUBERT HANDBOOK (ABA Antitrust Section) (13,708 words, forthcoming).

Damages and Injunctive Relief, in CALIFORNIA ANTITRUST & UNFAIR COMPETITION LAW, VOL. I AND II, 493-536 (State Bar of California, 2008) (contributing author).

Essays

Refashioning Old Tools for Modern Society, JOTWELL (Oct. 24, 2022) (reviewing Peter Ormerod, *Privacy Qui Tams*, 98 NOTRE DAME L. REV. __ (forthcoming 2023), available at SSRN), <https://courtslaw.jotwell.com/refashioning-old-tools-for-modern-society/>

A Post Minimum Contacts World, JOTWELL (April 4, 2022) (reviewing Patrick J. Borchers, *Ford Motor Co. v. Montana Eighth Judicial District Court and "Corporate Tag Jurisdiction" in the Pennoyer Era*, 72 CASE W. RES. L. REV. 45 (2021)), <https://courtslaw.jotwell.com/a-post-minimum-contacts-world/>

October 27, 2022

The Reality of Class-Action Appeals, JOTWELL (January 27, 2021) (reviewing Bryan Lammon, *An Empirical Study of Class-Action Appeals* (2020), available at SSRN), <https://courtslaw.jotwell.com/the-reality-of-class-action-appeals/>.

Pope Ends a Secrecy Rule for Catholic Sexual Abuse Cases, But For Victims Many Barriers to Justice Remain, THE CONVERSATION (Jan. 13, 2020).

The Catholic Church is Tightening Rules on Reporting Sexual Abuse—But Not Swearing Off Its Legal Privilege to Keep Secrets, THE CONVERSATION (May 22, 2019), (republished in 17 publications including Salon, SF Gate, Christian Today, and Connecticut Post).

- Cited in *The Catholic Church Sex Abuse Crisis: 4 Essential Reads*, THE CONVERSATION (Oct. 7, 2020), <https://theconversation.com/the-catholic-church-sex-abuse-crisis-4-essential-reads-169442>

The Empathy, Client-Orientated Lawyer Exercise, AALS TEACHING METHOD SECTION NEWSLETTER (Spring 2014).

My New Year's Resolution, AALS SECTION ON LEGAL WRITING, REASONING, AND RESEARCH NEWSLETTER (Fall 2013).

For the Love of the Case File, THE SECOND DRAFT: J. LEGAL WRITING INST. (April 2011).

The Portrayal of the Legal System in Young Adult Literature, 2 DAVIS J. OF JUV. L. & POL'Y 17-19 (1998).

AWARDS

- Chancellor's Award for Excellence in Teaching (2021)
- Mid-Atlantic Conference Academic Consortium, Outstanding Faculty Award for Student Success Institutional Winner (2021)
- Received the Law School's only teaching award, the Faculty Award, by vote of the graduating class (2021, 2020, 2019, 2018, and 2014)
- Jacob B. Hyman Distinguished Professor Award, by vote of the Black Law Students Association and the Latin American Law Students Association of the University at Buffalo School of Law (April 2018)
- Semifinalist, Antitrust Writing Awards & Rankings for *Death by Daubert* (2014), by vote of the Institute of Competition Law (composed of scholars and practitioners asked to select the top antitrust journal articles of the year)

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PROFESSIONAL EXPERIENCE

Finkelstein Thompson LLP (managing attorney)

May 2004 – March 2008

Managing attorney for San Francisco branch office of DC-based law firm specializing in antitrust and consumer law. Extensive experience drafting and arguing variety of motions, covering all phases of class action litigation, including demurrers, motions to dismiss, discovery motions, motions for summary judgment, motions for class certification, and motions for preliminary and final approval in high profile, nationwide class actions. Participated in all aspects of discovery, including drafting discovery motions, managing large-scale electronic document reviews, and taking depositions. Extensive experience with pre-filing investigations and post-settlement procedures. Served as co-lead counsel and on executive committees in numerous consumer and antitrust cases.

Additional Antitrust Class Action Experience

Berman DeValerio Pease Tabacco Burt & Pucillo
The Furth Firm

May 2003 – May 2004
June 2002 – May 2003

Bowles & Verna (associate)

Oct. 2000 – June 2002

Trial attorney in general civil litigation firm. Areas of practice included employment and insurance matters. Extensive courtroom experience, including multiple trials and arguing motions covering all phases of civil litigation.

University of California, Davis School of Law (teaching assistant)

Spring 2000

Reviewed and edited draft memoranda and briefs for first year legal writing course. Individually mentored students.

EDUCATION

University of California, Davis, School of Law, J.D. 2000 (top 15%)

Law Review, member

Journal of Juvenile Law & Policy, Editor-in-Chief

Moot Court

Extern to the Honorable Gerald E. Burrell, E.D. Cal. U.S. District Court (Summer 1998)

Civil Law Clerk: United States Attorney's Office, E.D. Cal. (Spring 2000)

San Francisco State University

B.A. in English Literature, Magna Cum Laude, 1997

Phi Beta Kappa

Worked 30-40 hours/week to underwrite college expenses

PRESENTATIONS, LECTURES, AND PANELS

“Antitrust Statements of Interest,” The New Age of Antitrust, Classical Liberal Institute, NYU, NY (Nov. 4-5, 2022).

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“Antitrust Statements of Interest,” Antitrust Roundtable, Competition, Antitrust, Law & Innovation Forum (CALIF), Irvine, CA (October 24, 2022).

“Playing Nicely with Others,” Legal Actors in Law & Politics Panel, Law & Society Annual Meeting, Lisbon, Portugal (July 15, 2021).

“Playing Nicely with Others,” Antitrust Roundtable, Competition, Antitrust, Law & Innovation Forum (CALIF), Irvine, CA (Nov. 12, 2021).

“Private Antitrust Enforcement in the Wake of Procedural Reform,” 21st Annual Loyola Antitrust Colloquium, Institute for Antitrust Studies, Loyola University Chicago School of Law, Chicago, IL (Apr. 15-16, 2021).

“Collective Action and Competition in Business and Labor,” (moderator) Journal of Law and Political Economy: Developing the Field Workshop,” University at Buffalo School of Law, Buffalo, NY (Oct. 11-12, 2019).

“We Need to Talk: Child Victims Act Panel Discussion,” University at Buffalo School of Law, Buffalo, NY (Oct. 7, 2019).

“Antitrust Objectors and Settlements,” Third Annual Junior Faculty Works-In-Progress Conference, Chapman University Dale E. Fowler School of Law, Orange, CA (Sept. 19-21, 2019).

“Privilege and the Fight Against Corruption in the United States” & “Antitrust Norms in the United States and Financial Corruption,” (key note speaker) Bogotá, Columbia, International Journal of Criminal Law, Contemporary Crime and Corruption: What’s the Effectiveness of Prison as Punishment? (Aug. 14-16, 2019).

“Understanding the Clergy Privilege,” 2019 UB Newman Center Bridge Lecture Series, University at Buffalo, Buffalo, NY (June 19, 2019).

“The Venue Shuffle,” Faculty Workshop, University of Akron School of Law, Akron, OH (Mar. 12, 2019).

“Deciphering Antitrust Settlements,” Antitrust Roundtable, Competition, Antitrust, Law & Innovation Forum (CALIF), Irvine, CA (Mar. 8, 2019).

“The Burden of Proof: A Town Hall on Sexual Assault & Law,” Buffalo, NY (Oct. 24, 2018).

“When the Patient Isn’t the One Who is Sick: How Procedural Changes in Antitrust Enforcement Stymie Healthcare Reform,” New Orleans, LA, ClassCrits X: Mobilizing for Resistance, Solidarity & Justice (Nov. 10-11, 2017).

“Exorcising the Clergy Privilege,” Excited Utterance Podcast (Sept. 18, 2017).

October 27, 2022

“*Twiqbal* in Context,” New York City, NY, AALS Teaching Methods Section Program (co-sponsored by the Civil Procedure Section), *The Pedagogy of Procedure: Using Civil Procedure to Showcase Innovative* (Jan. 8, 2016).

“The Failed Superiority Experiment,” Knoxville, TN, Class Crits VIII—Emerging Coalitions: Challenging the Structures of Inequality (Oct. 23-24, 2015).

“The Inferiority of Superiority,” Lexington, KY, University of Kentucky School of Law’s Developing Ideas Conference (May 19-20, 2015).

“Bridging the Gap,” SUNY Buffalo School of Law, Buffalo, NY (March 4, 2015).

“Redefining Prey and Predator in Class Actions,” Davis, CA, ClassCrits VII—Poverty, Precarity, and Work: Struggle and Solidarity in an Era of Permanent (?) Crisis (Nov. 14-15, 2014).

“Saving Charitable Settlements,” Syracuse, NY, Syracuse University College of Law Faculty Workshop (Nov. 6, 2014).

“*Time: An Empirical Analysis of Law Student Time Management Skills*” Grundy, VA, Appalachian Law School’s Faculty Development Workshop Series (Oct. 8, 2014).
“Past, Present, and Future of NYCAL,” Buffalo, NY, Civil Justice Symposium 2014: Recent Developments in Tort Law & Practice (Oct. 6, 2014) (moderator).

“Saving Charitable Settlements,” Topeka, KS, Washburn Junior Legal Writing Scholars Workshop (July 27-28, 2014).

“Redefining Prey and Predator in Class Actions,” Buffalo, NY, Vulnerability, Resilience, and Public Responsibility for Social and Economic Justice Conference (June 13-14, 2014).

“Finding Time,” Washington, D.C., American University College of Law’s Igniting Law Teaching Conference (April 4, 2014).

“Finding Time to Learn: An Empirical Analysis of 1L’s Time Management Deficiency,” Buffalo, NY ALWD Scholars Forum (June 22, 2012).

“Finding Time to Learn: An Empirical Analysis of 1L’s Time Management Deficiency,” Honolulu, HI, Law & Society Annual Meeting (June 7, 2012).

“Time Management for 1Ls,” SUNY Buffalo School of Law, Buffalo, NY (November 2010) (presentation now given annually in 1L orientation program).

“Normalizing Trepidation & Anxiety,” Pittsburgh, PA, Colonial Frontier Legal Writing Conference, Duquesne University (December 5, 2009).

AMICUS BRIEFS

October 27, 2022

TransUnion LLC v. Ramirez, No. 20-297 (U.S. 2021) (co-lead author of Brief of Complex Litigation Law Professors as Amici Curiae in Support of Respondent).

Robertson v. U.S. District Court, No. 18-1341 (U.S. 2019) (co-lead author of Brief of Amici Curiae Scholars in Support of Petition for Certiorari).

AFMS LLC v. United Parcel Services, Inc. & FedEx Corp., No. 17-1092 (U.S. 2018) (lead author of Brief of Amici Curiae Antitrust Law Professors in Support of Petition for Certiorari).

AFMS LLC v. United Parcel Services, Inc. & FedEx Corp., No. 15-55778 (9th Cir. 2017) (contributing author of Brief of Law Professors as Amicus Curiae in Support of Plaintiff-Appellant's Petition for Rehearing or, In the Alternative, Rehearing *En Banc*).

PROFESSIONAL AFFILIATIONS

- American and California Bar Associations
- Admitted to practice law in the United States Court of Appeals for the Ninth Circuit, United States District Court for the Central District of California, the United States District Court for the Northern District of California, the United States District Court for the Eastern District of California, and in all California state courts

UNIVERSITY SERVICE

- Committee on Diversity, Equity, and Inclusion (2020-21, co-chair 2021)
- Advocacy Institute Board Member (2019-present)
- Mitchell Lecture Committee (2019-present)
- Faculty-Student Engagement Committee (2019-2020)
- Faculty-Student Engagement Committee, Co-Chair (2018-2019)
- Committee on Committees (2018-2019; 2020-2021)
- Director of Law Review (2018-present)
- Academic Integrity Committee, Professional Schools Subcommittee (2016)
- Academic Integrity Committee (2016-2017)
- Director of Journals (2015-18)
- Chair, Law Journals Committee (2017)
- Curricular Innovation and Pedagogy Committee (chair 2016-17, co-chair 2020-present)
- Class Size Implementation Subcommittee (2015-16)
- Academic Support Implementation Subcommittee (2015-16)
- Faculty Senate (2014)
- Niagara Cup Moot Court Coach (2009, 2010, 2011, 2012)
- Desmond Moot Court Competition, Judge (2010-2013, 2019)
- Career Services Office Committee Member (2010-2016)
- Career Services Office, Judicial Externship Subcommittee Member (2009-present)
- LAWR Fellow Orientation (2011)
- Moot Court Committee (2010-2016)
- Mugel Moot Court Competition, Judge (2014)

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PROFESSIONAL SERVICE

- Association of Legal Writing Directors, Representative (2009-2011, 2013-2014)
- Journal of the Association of Legal Writing Directors, Peer Editor (2009-2012, 2014)
- International Law in Review Journal, Peer Editor (2009, 2011, 2013, 2014, 2017, 2018)
- AALS, Pink Ink Committee (2011)
- AALS, Website Committee (2012, 2013)
- Empire State Legal Writing Conference, Site Committee Chair (2012)
- Frederick Douglass Moot Court Competition, Memorial Grader (2009-2012)

GRANTS

ALWD Scholars Forum, Association of Legal Writing Directors, December 2011 (competitive grant for Law School to host a scholarship workshop in June 2012).

MEDIA COVERAGE AND APPEARANCES

- Interviewed for and quoted in, “Grocery Prices Could Increase for Millions Under Proposed Store Merger,” Newsweek (Nov. 29, 2022).
- Interviewed for and quoted in, “There’s a Big Problem with the Kroger-Albertsons Supermarket Merger,” CNN Business (Nov. 29, 2022).
- Interviewed for and quoted in, “Merger of Grocery Titans: Cause for Concern or a Boon for Consumers?” Denver Post (Nov. 11, 2020).
- Interviewed for and quoted in, “Kroger and Albertsons change is ‘Incredibly Dangers’ and ‘Could Leave People Without Grocery Stores,’ Expert Warns,” The U.S. Sun (Oct. 30, 2022).
- Interviewed for and quoted in, “Here’s Why the Kroger-Albertsons Merger Could Spell Major Trouble for Customers,” Yahoo! Life (Oct. 28, 2022).
- Interviewed for and quoted in, “Could a \$4B Dividend Wreck Kroger’s \$25.6B Deal with Albertsons?” Springfield News-Sun (Oct. 27, 2022).
- Interviewed for and quoted in, “Kroger-Albertsons Mega-Merger Could Cause More U.S. Food Deserts, Experts Say,” The Guardian (Oct. 27, 2022).
- Interviewed for and quoted in, “Could a \$4B Dividend Wreck Kroger’s \$25.6B Deal with Albertsons?” WCPO News (Oct. 26, 2022).

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- Interviewed for and quoted in, “Senators Push Back on \$25 billion Kroger-Albertsons Grocery Giant Merger,” NationofChange.org (Oct. 21, 2022).
- Interviewed for and quoted in, “A Grocery Megamerger Could Exacerbate Food Insecurity,” Nextcity.org (Oct. 20, 2022).
- Interviewed for and quoted in, “Will the Kroger-Albertsons Deal Get Past Regulators?” GroceryDive.Com (Oct. 20, 2022).
- Interviewed for and quoted in, “What Does the Deal Mean for Grocery Shoppers?” DarikNews (Oct. 19, 2022).
- Interviewed for and quoted in, “What could the Kroger-Albertsons Merger Mean for Grocery Shoppers?” U.S.A. Today (Oct. 19, 2022).
- Interviewed for and quoted in, “U.S. Senate to Put Kroger-Albertsons Merger Under Microscope,” Supermarket News (Oct. 19, 2022).
- Interviewed for and quoted in, “Kroger-Albertsons Divestiture Team Tackles Regulatory Challenge,” Axios (Oct. 17, 2022).
- Interviewed for and quoted in, “Burger King Loss Tees Up Test of Franchise No-Poach Liability,” Bloomberg (Sept. 2, 2022).
- Interviewed for and quoted in, “Ask the Experts: Best No Credit Check Credit Cards,” wallethub.com (Apr. 12, 2022).
- Interviewed for and quoted in, “Suburban Parents are Going to Courtrooms to Get Their Kids Back in School,” Buffalo News (Apr. 3, 2021).
- Interviewed for and quoted in, “Legal Expert from UB Weighs in on Case Involving a Buffalo Man Who Stormed the Capital,” WIVB Buffalo News (Mar. 15, 2021).
- Interviewed for and quoted in, “Statues from Christ the King Seminary Went Missing, Only to Reappear for Sale at an Antique Store,” WKBW Buffalo (Feb. 26, 2021).
- Interviewed for and quoted in, “Douglas Jemal vows to make whole all couples that lost Hotel Henry wedding deposit,” Buffalo News (Feb. 22, 2021).
- Interviewed for and quoted in, “Local Developer Looking to Help Couples Who Lost Their Security Deposit at Hotel Henry,” WIVB Buffalo News (Feb. 22, 2021).
- Interviewed for and quoted in, “A Literal Child and His Mom Sue Nintendo Over ‘Joy-Con Drift,’” Wired (Oct. 4, 2020).

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- Interviewed for and quoted in, “Class-action Lawsuit Targets Niagara Falls Hotel,” WKBW Buffalo News (Sept. 16, 2020).
- Interviewed for and quoted in, “Restaurants and Bars Serving Up Lawsuits Over Coronavirus Shutdowns,” WHAM Rochester News (Sept. 8, 2020).
- Quoted in, “Mujer Demanda a Una Iglesia Que Informó a la Policía de la Confesión que Hizo Su Esposo Sobre un Abuso Sexual,” CNN Estados Unidos (Jan. 20, 2020).
- Quoted in, “Mormon Lawsuit Could Change How Houses of Worship Report Abuse,” Religion News Service (Jan. 9, 2020).
- Interviewed for and quoted in, “Child Molester’s Wife Sues Mormon Church for \$9.5 million,” Oregon News (Jan. 8, 2020).
- Interviewed for and quoted in, “Speed Skater & Abuse Survivor Bridie Farrell Headlines UB Law Panel on Child Victims Act,” WBFO (Oct. 8, 2019).
- Interviewed for and quoted in, “UB Hosts Panel on Child Victims Act to Discuss Next Steps,” Spectrum News (Oct. 7, 2019).
- Interviewed for and quoted in, “Balance Transfer Credit Cards,” wallethub.com (Sep. 30, 2019).
- Interviewed for and quoted in, “Cloaked in Secrecy,” Green Bay Press Gazette (Aug. 21, 2019).
- Interviewed for and quoted in, “Wisconsin Catholic Leaders Vow to Tell Truth on Abuse Priests, As Victims Call for State Investigation,” Green Bay Press Gazette (Aug. 20, 2019).
- Interviewed for and quoted in, “Should Clergy Be Required to Report Abusers Who Confess?” Mother Jones (Aug. 5, 2019).
- Interviewed for and quoted in, “Pope Decrees Bishops Must be Directly Accountable for Sex Abuse or Cover-Ups,” Reuters (May 9, 2019).
- Interviewed for and quoted in, “‘Clergy Privilege’ Study Shapes Proposed Law on Protecting Abused Children,” UB News Center (Apr. 25, 2019).
- Interviewed for and quoted in, “CARE Act to Require Clergy Members to Report Child Abuse,” Lancaster Bee (Mar. 20, 2019).
- Interviewed for and quoted in, “Wallace Introduces Law that Makes Clergy Mandatory Reporters of Sex Abuse,” Cheektowaga Chronicle (Mar. 15, 2019).

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- Interviewed for and quoted in, “Proposal Requires Clergy to Report Child Abuse,” WKBW (Mar. 15, 2019).
- Interviewed for and quoted in, “Cheektowaga Democrat Wants Clergy to Be Legally Required to Report Child Abuse,” WGRZ (Mar. 15, 2019).
- Interviewed for and quoted in, “Wallace Proposed Clergy Required to Report Abuse,” WBEN (Mar. 15, 2019).
- Interviewed for and quoted in, “UB Law Professor Studies Clergy Privilege, Potential Impacts in Buffalo,” WIVB (Nov. 12, 2018).
- Interviewed for and quoted in, “Clergy recast ‘privilege’ for peers accused of sex abuse,” UBNOW (Nov. 8, 2018).
- Interviewed for and quoted in, “Will the Catholic Diocese Whistleblower Face Legal Ramifications?” Spectrum News (Oct. 30, 2018).
- Interviewed for and quoted in, “Local Law Professor Talks ‘Clergy Privilege’ Rule,” WIVB (Oct. 22, 2018).
- Interviewed by James Varney, The Washington Times (June 13, 2018).
- Interviewed by Jon Hill, Law 360 (May 23, 2018).
- Interviewed for and quoted in, “Credit Inquiries—Soft vs. Hard Inquiry & Score Impact,” wallethub.com (May 18, 2018).
- Interviewed for and quoted in, “Opioid Lawsuits Are Stacking Up. Buy Will They Pay Off for NY Counties?” North County Public Radio (Nov. 21, 2017).
- Interviewed for and quoted in, “Andreatta: Who Can Sue Weisner?,” Democrat & Chronicle (Jan. 29, 2016).
- Interviewed for and quoted in, “Court Ruling on Class Actions Seen as Pro-Consumer,” The Daily Record (Jan. 25, 2016).
- Interviewed for and quoted in, “UB law expert calls Supreme Court’s decision on class action lawsuits a ‘big win for consumers’,” UB Reporter (Jan. 20, 2016).
- Interviewed for and quoted in, “Comcast Plans to Nix Time Warner Cable Deal,” WGRZ (May 26, 2015).

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- Interviewed for and quoted in, “The Most Common Debt Collection Scams and How to Avoid Them,” *cardhub.com* (May 7, 2015).
- Interview for and quoted in, “Charter Buys Time Warner Cable for \$55.5 Billion,” WGRZ (Apr. 23, 2015).
- Interviewed for and quoted in, “Federal Judge Rejects Preliminary NCAA Concussion Settlement,” USA Today (Dec. 18, 2014).
- Interviewed for and quoted in, “NFL Concussion Lawsuit Could Have Wide Impact on Other Athletes, says UB Expert on Class Action Litigation,” UB News Center (Oct. 2014).
- Interviewed for and quoted in, “Majority of Former NFL Players Accept League’s Concussion Settlement,” The Guardian (Oct. 15, 2014).
- Interviewed for and quoted in, “NFL Class Action Settlement May Affect Other Professional Athletes,” Time Warner Cable News, (Oct. 8, 2014).
- Interview for and quoted in, “NFL Concussion Lawsuit Could Have Wide Impact on Other Athletes,” UB Reporter (Oct. 6, 2014).
- Interviewed for and quoted in, “NFL Concussion Lawsuit Could Have Wide Impact on Other Athletes, says UB Expert on Class Action Litigation,” Health News Digest (Oct. 6, 2014).

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JOHN D. CRAIK

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jdcraik@gmail.com | www.linkedin.com/in/johncraik

SENIOR EXECUTIVE – HEALTH AND HUMAN SERVICES LEADERSHIP

High energy, dynamic relationship builder with strong local network. History of driving innovation, growth and change, and achieving business growth through extensive community outreach, network development, and relationship building. Successful at developing high-performing teams and leading enterprise-wide initiatives. High standards of honesty and integrity, accountability and independence. Excellent strategic thinking, public speaking and influencing skills; active in community leadership.

- **Relationship Management:** Expert in building alliances and coalitions; repeatedly successful in establishing, deepening, and maintaining strong, collaborative relationships with board members and stakeholders.
- **Transformational Leadership:** Proven ability to coach and develop highly motivated, energized teams, and lead to success. Superb communication, presentation, research, analytical, and relationship-building skills.
- **Strategic Organizational Planning:** Skilled at leveraging leadership, strategic thinking, communication, and analytical skills to develop and execute strategic direction, instill creative vision, and attain organizational objectives.
- **Business Development:** Create and develop innovative business solutions and drive organizational expansion. Build partnerships and alliances through an extensive network of contacts across diverse business and community organizations.

PROFESSIONAL EXPERIENCE

POPULATION HEALTH COLLABORATIVE (P³ COLLABORATIVE OF WNY) | Buffalo, NY 2015 – Present

A regional health improvement collaborative serving the eight counties of Western New York by improving health, healthcare quality and lowering healthcare costs. Key activities involve creating a vision for change and building coalitions to adopt and execute that vision.

- ▶ **Executive Director:** Oversees a number of health and community programs around population health, convenes diverse groups of community leaders as a “neutral facilitator.” Assumed leadership after a period of significant organizational trauma and unrest.
 - Measurably improved **organization’s standing in the community** by clarifying mission and building more collaborative and transparent relationships with partners. Increased stakeholder buy-in and support from 40% to more than 85% of partners
 - Improved relationships with local funders (foundations), partners, healthcare providers and other key stakeholders
 - Measurably improved **staff morale and corporate culture** (360 degree evaluation) by clarifying mission, roles and establishing a culture of camaraderie, professionalism with a servant-based leadership style
 - **Successfully diversified** the organization’s staff and board of directors, established new and meaningful presence in underserved communities
 - Effectively **built diverse and impactful coalitions** of decision makers including a coalition to prevent chronic disease and a coalition to enhance end of life care planning
 - Successfully led efforts to secure more than **\$2 million in grant-funding** in less than four years

BAKER VICTORY SERVICES | Lackawanna, NY

2006 – 2014

A highly complex \$58M behavioral health agency of 1,300 employees and 3 unions, with numerous regulatory and funding sources

- ▶ Vice President, Administrative Services & Medicaid Redesign Planning (2011 – 2014)
- ▶ Interim Vice President – Office for People with Developmental Disabilities (OPWDD) Program (2011)
- ▶ Corporate Compliance Officer (2009 – 2014)
- ▶ Director, Program Development (2006 – 2009)

Member of executive leadership team recognized as a key player in optimizing performance, enhancing productivity, and driving revenue and profit growth. Led business and program development and expansion efforts, serving as primary point of contact with healthcare and social service providers, foundations and government funders.

Business Development:

- Created and led “Program Development/Healthcare Reform” Initiative to develop new and expand existing programs in anticipation of move to a managed care environment.
- Implemented *Bridges to Health (B2H)*, a highly effective program serving 85 children, with 50+ employees, and generating than \$800K+ in annual revenues. Established a network of subcontracted service providers.
- Created *Wraparound program*, a community-based program serving children with mental health issues. Developed a network of service providers and instituted measurable quality objectives.
- Helped lead creation of a community-wide “Trauma Informed Care Initiative,” with representatives from education, social services, law enforcement, and healthcare.
- Identified opportunities for program expansion, authored grants that generated more than \$1M in grant and contract funding for behavioral health, educational, vocational, and social service programs.

Organizational Leadership:

- Strategically improved and led all administrative functions including Human Resources, Facilities, Quality Improvement, Compliance, Support Services, and a self-funded health insurance plan.
- Implemented new employee recruiting and screening process, applying Six Sigma principles to increase new hire retention rate from 28% to 78%. Also implemented an employee recognition and engagement program.
- Established a comprehensive corporate compliance program and delivered training across the organization, working collaboratively with agency leaders.

BOYS AND GIRLS CLUB OF THE NORTHTOWNS | Buffalo, NY

2004 – 2005

▶ Executive Director

Led organizational turnaround during an aggressive reengineering initiative. Provided leadership and direction to a 4-member management team and 80 full- and part-time employees who served 2,000 children across seven locations.

- Increased grant revenue 43% by identifying grant opportunities and collaborating with a staff grant writer.
- Revitalized and improved key functions including programming, human resources, strategic planning, financial operations, and community outreach.
- Improved accountability across the organization; established and tracked measureable benchmarks to ensure accomplishment of organizational mission and objectives.
- Boosted membership 34% by implementing aggressive grass-roots outreach campaigns.

PASTORAL COUNSELING CENTER | North Tonawanda, NY

2002 – 2004

▶ Executive Director

Provided vision and established financial sustainability of a behavioral health organization. Acted as a business consultant, providing guidance in compliance, diversification, grant writing, development, marketing and public relations. Increased revenue 18% by creating and implementing a targeted growth plan.

BUFFALO PREP | Buffalo, NY

1996 – 2002

► Executive Director

Oversaw all aspects of organizational planning, management, and sustainability. Partnered with community stakeholders and business leaders to expand programs for gifted minority students, preparing them for college through successful completion of an effective academic enrichment program.

- **Drove significant organization growth (300%).** Expanding program reach and increasing program participation from 30 to more than 150 students per year.
- **Doubled the number of partner schools** participating in program
- **Developed programs that exceeded metrics,** boosting revenue generation more than 100%.

EDUCATION & EXECUTIVE TRAINING

Juris Doctorate, *magna cum laude*, School of Law, State University of New York at Buffalo, Buffalo, NY
Bachelor of Science, Organizational Development & Labor Relations, Cornell University, Ithaca, NY

Fellow, Health Foundation for Western & Central New York

- Elected by peers to serve on the Fellows Action Network (FAN) Steering Team
- Co-Chair FAN Professional Development Committee

Certified Practice Facilitator

John R. Oishei Foundation, “Young Leaders Group” – Cohort I

Certificate, Not-for-Profit Management Development Program, Harvard Business School Club of Buffalo

Center for Professional Development Workshops, Canisius College

Six Sigma and Business Planning, United Way of Buffalo and Erie County

Leadership Buffalo – Class of 1990

PROFESSIONAL /COMMUNITY LEADERSHIP

Co-Chair, Live Well Erie County |Erie County, NY| 2019-Present

Selected by Erie County Executive to co-chair a comprehensive and long-term plan to improve the lives of children, seniors and low-income working families in Erie County.

Action Collaborative on Business Engagement In Building Health Communities, National Academy of Sciences |Washington, DC| September 2019

Panel participant at national conference addressing healthy communities and a thriving economy

Adjunct Professor, D'Youville College | Buffalo, NY | 2010 – Present

Develop curriculum and teach graduate and undergraduate classes on healthcare leadership and emotional intelligence, change management and leadership communication in a healthcare setting.

Numerous boards and other community leadership positions

Board of Directors – WNY Integrated Care Collaborative (founding board member) YMCA (Delaware Avenue Branch), HEALTHeLINK Board of Advisors, Lothlorien Therapeutic Riding Center (President)

Past Board Member – Tapestry Charter School, Friends of Night People (President), Explore n' More Children's Museum, Food Bank of WNY

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-10	COUNTY EXECUTIVE	Appointments to the EC Arts & Cultural Advisory Board
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	Attachments
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24COMM. 2E-10



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG JAN 12 '24 PM 3:23

January 11, 2024

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

Re: Appointments to Erie County Arts & Cultural Advisory Board

Dear Honorable Members:

Please be advised that, pursuant to Article 22, Section 2205 of the Erie County Charter, I hereby appoint the following individuals to the Erie County Arts & Cultural Advisory Board. Their terms shall expire **December 31, 2026**.

Matthew Clohessy
9510 Wehrle Drive
Clarence, NY 14031
Re-Appointment

Mary Craig
11 Winslow Avenue
Buffalo, NY 14208
New Appointment

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

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Daniel Castle, Commissioner of Environment and Planning
Appointees

Erie County Legislature

Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-11

COUNTY EXECUTIVE

Appointments to the VBN & BNCC Board of
Directors

Attachments

24COMM. 2E-11



EC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 11, 2023

Visit Buffalo Niagara
403 Main Street, Suite 630
Buffalo, NY 14203

Dear Directors of Visit Buffalo Niagara and Buffalo Niagara Convention Center,

Please be advised that, pursuant to Article 3, section 3b of the By-laws of the Buffalo Niagara Convention & Visitors Bureau, I hereby re-appoint the following individuals to the board for a term of one year ending on 12/31/2024:

Anthony J. W. Chase
350 Linwood Avenue
Buffalo, NY 14209

Mark Alnutt
120 Glendon Place, Unit B
Williamsville, NY 14221

Thomas Beauford, Jr.
118 Surrey Run
Williamsville, NY 14221

Melissa Brown
8406 Maplewood Drive
Gasport, NY 14067

Cindy Abbott Letro
90 Chapin Parkway
Buffalo, NY 14209

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Erie County Legislature
Patrick Kaler, President and CEO

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-12 COUNTY EXECUTIVE Appointment to the Board of Health

Attachments

24COMM. 2E-12



EC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

January 11, 2024

Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, New York 14202

Dear Honorable Members:

I, Mark C. Poloncarz, Erie County Executive, pursuant to Erie County Charter Section 503, do hereby appoint the following individual to the Board of Health, for a term expiring December 31, 2029.

Appointment:

Kathleen M. Dyson, MD, FAAP
9 Birdsong Parkway
Orchard Park, NY 14127

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

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/oo

cc: Commissioner Gale R. Burstein, M.D., MPH, Department of Health
Appointee

KATHLEEN M. DYSON, MD, FAAP

9 Birdsong Parkway • Orchard Park, New York 14127 • katiedyson@yahoo.com • (716) 818-1590

EDUCATION

STATE UNIVERSITY OF NEW YORK AT BUFFALO
GRADUATE MEDICAL EDUCATION CONSORTIUM
Pediatric Residency Program at The Children's Hospital of Buffalo (1999)

STATE UNIVERSITY OF NEW YORK AT BUFFALO
SCHOOL OF MEDICINE AND BIOMEDICAL SCIENCES
Doctor of Medicine (1996)

STATE UNIVERSITY OF NEW YORK AT BUFFALO
B.S. Chemistry; B.S. Biochemistry; Minor Mathematics (1992)

PROFESSIONAL EXPERIENCE

Orchard Park Pediatrics & Young Adult Medicine
Managing Partner: 2014-Present
Physician: 1999-Present

PROFESSIONAL ACTIVITIES

Buffalo Pediatric Society
Executive Committee Member: 2010-Present
President: 2014-2016; Vice President: 2012-2014; Secretary: 2010-2012

Community Pediatric Associates of WNY
President: 2013-Present
Member: 1999-Present

Jacobs School of Medicine and Biomedical Sciences
Admission Committee Interviewer: 2015-Present; Screener 2019-Present Preceptor for Medical Students and Residents: 1999-Present
Assistant Professor of Pediatrics 2000-Present

Blue Cross and Blue Shield Credentialing Committee
Member: 2001-Present

Central New York Pediatric Club
President: 2017-2019
Member: 2014-Present

Women's and Children's Hospital of Buffalo
Physician Business and Project Development Committee Member: 2017-2018 Physician Alumni Liaison 2016-2017
Volunteer Faculty: 2015-Present

American Academy of Pediatrics NYS HPV Study & QI Project
Practice Leader: 2018

University at Buffalo's Plan with Families
Obesity Study Practice Coordinator and Leader: 2018

NYS Chlamydia Screening Quality Improvement Study *Project
Liaison and Forum Presenter: 2016-2017*

Daemen College
Preceptor for NP and PA Students: 2015-Present

D'Youville College
Preceptor for NP and PA Students: 2015-Present

IPA/WNY Board of Directors
Member: 2020-Present

Catholic Medical Partners Board
Member: 2021-Present

Catholic Medical Partners Membership Committee
Member: 2021-Present

Catholic Medical Partners Pediatrics Lead
2021-Present

COMMUNITY ACTIVITIES

Kaely's Kindness Foundation
Board Member: 2017-Present
Glamor Glitz & Gold Gala Chair: 2019

West Seneca Raising Readers Program
Executive Committee Member: 2015-2017

Albright-Knox Art Gallery: The Art of Dining
Chair: 2017 & 2018

Festival of Trees to Benefit Children's Hospital of Buffalo *Volunteer:
2014-2017*

American Heart Association
National and State Governmental Policy Advocate: 2011-2015

Hands Down with Heart
Co-founder: 2011-2018

Help Me Grow Program
Physician Consultant and Advocate: 2018-present

Light House Clinic
Physician Volunteer: 2018

PROFESSIONAL LICENSES AND MEMBERSHIPS

Board Certified Fellow of the American Academy of Pediatrics
Member of the American Academy of Pediatrics
Member Buffalo Pediatric Society
Member Catholic Medical Partners
Member Central New York Pediatric Society
Member Erie County Medical Society
Member of the American Medical Association

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-13	COUNTY EXECUTIVE	Appointment to the ECSD Boards of Managers
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24COMM. 2E-13	Attachments
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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG JAN 12 '24 PM 3:23

January 11, 2024

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

Re: Appointment to Erie County Sewer District Boards of Managers

Dear Honorable Members:

Please be advised that, pursuant to Section 2204 of the Erie County Charter, I hereby appoint the following individual to the Erie County Sewer District Boards of Managers, Sewer District No. 2:

Ray Ashton, Supervisor
Town of Evans
8787 Erie Road
Angola, NY 14006

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Joseph Fiegl, P.E., Deputy Commissioner
Appointee

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-14

COUNTY EXECUTIVE

EC Emergency Medical Services Advisory
Board

Attachments

24COMM. 2E-14



EC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 11, 2024

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

Re: Erie County Emergency Medical Services Advisory Board

Dear Honorable Members:

Pursuant to the power vested in me by Article 14, Section 1403 of the Erie County Charter, I hereby appoint the following individual to the Erie County Emergency Medical Services Advisory Board:

Luke Wochensky
115 South Grove Street
East Aurora, New York 14052

Term Expiration: December 31, 2025

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

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Melissa Calhoun, Special Assistant to the Deputy Commissioner - EMS
Appointee

LUKE WOCHENSKY

PROFESSIONAL EXPERIENCE

Experienced attorney with a high level of experience and expertise representing multinational companies in cross-border disputes, advising clients on commercially-sensitive and practical responses to corporate crime and integrity issues, conducting internal investigations, and advising on day-to-day legal matters and risk management in high-risk jurisdictions.

CONTACT

lew3@buffalo.edu



716.208.6376



115 S. Grove St.
E. Aurora, NY 14052



University at Buffalo School of Law

Buffalo, NY
Juris Doctor
GPA: 3.927 (top 5%),
magna cum laude
Feb. 2021

Herzen University

St. Petersburg, Russia
Degree in Law
Oct. 2013

The Ohio State University

Columbus, OH
Master of Arts in Slavic and
East European Studies
GPA: 4.0
June 2006

Union College

Schenectady, NY
Bachelor of Arts
in Political Science
and Modern Languages
GPA: 3.6
cum laude
June 2002

Middlebury College

Middlebury, VT
Certificate in the
Russian Language
Aug. 2001

ARBITRATION AND DISPUTE RESOLUTION

Represented multinationals as lead counsel in arbitration (primarily SCC rules) and civil and criminal proceedings in Russia in contract, intellectual property, labor, compliance, and insolvency-related disputes; devised and implemented multi-jurisdictional dispute resolution plans; negotiated settlements; supervised and led dispute resolution practice in Moscow.

- Represented **voestalpine Group** in SCC arbitration and civil proceedings in 3 jurisdictions.
- Represented **Czech Export Bank** as majority creditor in insolvency proceedings, including as Chairman of the Creditor's Committee and as lead counsel in several related court cases.
- Represented **Subway** in SCC arbitration dispute related to rogue stores.
- Represented **TeamQuest Corporation USA** in a dispute with a major Russian bank in relation to an over-deployment of software.
- Represented **Toshiba** in an investigation and challenge of tender procedures and related corruption charges.
- Represented **Reima**, a clothing manufacturer and distributor, in a corporate and labor dispute in Russia with final decision at the Supreme Commercial Court.
- Represented **Fiskars** in administrative proceedings with a potential violator of Fiskars' registered international trademarks.

CORPORATE CRIME & INVESTIGATIONS

Founded and led corporate crime and investigations practice in Russia; conducted investigations of whistleblower allegations related to commercial bribery and violations of U.S., European, and local laws; conducted government-mandated audits and research for filings.

- Conducted FCPA-related investigation for **Fortune 200 company** and represented company in civil and criminal proceedings.
- Conducted internal investigations for **Fortune 500 company**, introduced compliance program, and conducted anti-bribery trainings.
- Advised major **Russian industrial company listed on LSE** on a major bribery and corruption scheme across more than 10 jurisdictions.
- Conducted anti-bribery audits.

COMPLIANCE AND RISK MANAGEMENT

Led and participated in business, legal and organizational audits, including financial compliance, anti-trust, commercial bribery, and violations of U.S., European and local laws; conducted trainings related to group compliance policies and U.S. and local laws and regulations for U.S. and European multinationals; designed and implemented programs to improve corporate compliance culture; assisted attorneys, accountants, CEOs and other key employees in implementing compliance programs without impacting business efficiencies.

- Represented **Bobcat Doosan** regarding regulatory matters, product recall and establishing new procedures to mitigate discovered risks.
- Represented **LyondellBasell** in HR audit and implementation of compliance procedures.
- Represented **Fortune 200** company in full internal legal and organizational audit and implementation of compliance measures.
- Represented **Subway** in internal compliance audit and implementation of good business practices.
- Represented **Fortune 500** company in regulatory review, report, and risk mitigation plan.

RELATED EMPLOYMENT HISTORY

Pillsbury Winthrop Shaw Pittman LLP
New York, NY
Special Counsel

May 2022 – present

Eversheds Sutherland
Moscow, Russia / Stockholm, Sweden
Partner, Director of Moscow Office
Negotiated acquisition of Hannes Snellman's Russian office by Eversheds Sutherland; managed and led Moscow office, including personnel, budgeting and client development; increased annual gross revenue of practice by \$1,800,000; oversaw addition of ten attorneys.

Sep. 2017 – Jun. 2019

Hannes Snellman
Helsinki, Finland / Moscow and St. Petersburg, Russia
Head of Moscow, Counsel 2015-2017, Senior Associate 2013-2015, Associate and Client Relations Manager 2008-2013

Oct. 2008 – Sep. 2017

Reima USA, Inc.
Company Secretary, Interim Director, Deputy Country Manager
Established U.S. and Canadian operations of largest children's activewear manufacturer worldwide; responsible for legal, finance, compliance, and operations; set up corporate and tax structure; advised on regulatory aspects of proposed business, including product marketing, consumer loyalty programs, and product technologies; negotiated major contracts; implemented group policies and advised regarding local compliance issues.

Jun. 2019 – May 2022

ADMISSIONS

Moscow Bar Association
Register No. 77/13267
Advokat (Barrister)

New York State Bar

LANGUAGES

English
(native)

Russian
(full professional proficiency)

OTHER

Town of Aurora
East Aurora, NY
Councilmember (Nov. 2019)
Jan. 2020 – present

Higher School of Economics
Moscow, Russia
Lecturer,
International Private Law
Sep. 2016 – June 2017

American Chamber of Commerce in Russia
Moscow, Russia
Chair,
Legal & Investment Committee
Jan. 2016 – June 2018

The Ohio State University
Columbus, OH
Assistant Director/Lecturer
June 2006 – June 2007

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-15	COUNTY EXECUTIVE	Establish Benefit Enrollment Center 2024-2025 Grant Funding
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Attachments

24COMM. 2E-15



EC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

January 12, 2024

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

RE: Establish Benefit Enrollment Center 2024-2025 Grant Funding

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Senior Services requesting authorization to accept \$125,000 of Benefit Enrollment Center grant funding from the National Council on Aging, for the period January 1, 2024 to December 31, 2025 to provide benefit enrollment services.

Should your Honorable Body require further information, I encourage you to contact Commissioner Angela Marinucci at the Department of Senior Services. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/md
Enclosure

cc: Angela Marinucci, Commissioner, Department of Senior Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Senior Services
Re: Establish Benefit Enrollment Center 2024-2025 Grant Funding
Date: January 12, 2024

SUMMARY

Approve the attached resolution to allow the Department of Senior Services to accept \$125,000 of Benefit Enrollment Center (BEC) grant funding from the National Council on Aging (NCOA), for the period January 1, 2024 to December 31, 2025, to provide benefit enrollment assistance services.

FISCAL IMPLICATIONS

The grant is 100% federally funded with no required County match.

REASONS FOR RECOMMENDATION

The Department of Senior Services applied for competitive grant monies from the NCOA and was informed that our application to offer Benefit Enrollment Assistance to Medicare beneficiaries in Erie County was awarded funding.

The Department of Senior Services, in partnership with our community partners, will continue to expand our outreach and referral network to link residents with five core benefits (HEAP, SNAP, Low Income Subsidy, Medicare Saving Program, and Medicaid) by targeting lower income and hard to reach communities and providing person-centered, culturally competent case management support to older adults and persons with disabilities throughout the entire County of Erie.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Senior Services would be unable to expand our outreach and access to information on benefits available to Medicare beneficiaries in Erie County.

STEPS FOLLOWING APPROVAL

The Department of Senior Services will establish the budget for the NCOA Benefit Enrollment Center grant and work with our community partners to expand outreach services and benefit enrollment assistance.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SENIOR SERVICES**

RE: Establish Benefit Enrollment Center 2024-2025 Grant Funding

WHEREAS, the National Council on Aging's (NCOA) Benefit Enrollment Center (BEC) initiative is a national program that supports efforts by community-based organizations and agencies to assist Medicare recipients in applying for, enrolling and maintaining benefits in financial assistance programs; and

WHEREAS, the Department of Senior Services submitted a competitive grant application to NCOA for BEC Grant funding to increase current outreach and enrollment assistance to hard-to-reach Erie County Medicare Beneficiaries, including rural, Hispanic, and refugee communities in the County of Erie; and

WHEREAS, NCOA awarded the Department of Senior Services \$125,000 of BEC grant funds for the period January 1, 2024 to December 31, 2025; and

WHEREAS, no additional County funds are required, as the grant is 100% funded by the grantor.

NOW, THEREFORE, BE IT

RESOLVED, the County Legislature hereby authorizes the County Executive to enter into a contract with NCOA to accept the \$125,000 of BEC funding for the period January 1, 2024 to December 31, 2025; and be it further

RESOLVED, the authorization is hereby given to enter into contracts and amendments with the NCOA to effectuate changes to funding levels or grant period; and be it further

RESOLVED, that the Benefit Enrollment Center (163BEC2425) grant be established in grant fund 281 fund center 1632010 as follows:

REVENUES		BUDGET
Account	Description	
414000	Federal Revenue	\$125,000
APPROPRIATIONS		BUDGET
Account	Description	
505000	Office Supplies	\$ 1,750
510000	Local Mileage	2,500
510100	Out of Area Travel	2,500
516020	Pro Ser Cent and Fees	42,500
530000	Other Expenses	750
561410	Lab & Technical Equipment	2,000
916390	ID Senior Services Grant	70,000

980000	ID DISS Services	<u>\$ 2,000</u>
	TOTAL APPROPRIATIONS	<u>\$125,000</u>

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust the budget as required to comply with the NCOA approved funding levels; and be it further

RESOLVED, that authorization is hereby given to apply any unused balance from one grant program to the same grant program of a subsequent year with the approval of the grantor; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor.

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

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-16

COUNTY EXECUTIVE

Authorization to Enroll Electric Utility
Accounts into Community Solar

Attachments

24COMM. 2E-16



EC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

January 12, 2024

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

Re: Authorization to Enroll Electric Utility Accounts into Community Solar

Dear Honorable Members:

Please find attached a resolution requesting legislative authorization to enter into Community Solar Agreements for the County's electric utility accounts.

If your Honorable Body requires any further information, please contact Deputy Commissioner Tracy Cichocki at the Department of Public Works – Buildings and Grounds Division. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in black ink that reads "Mark Poloncarz". The signature is fluid and cursive, with the first name "Mark" and last name "Poloncarz" clearly distinguishable.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mc
Enclosure

cc: Deputy Commissioner of Buildings & Grounds Tracy Cichocki

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Public Works
Re: Authorization to Enroll Electric Utility Accounts into Community Solar
Date: January 12, 2024

SUMMARY

Erie County currently has 168 electric accounts that are eligible to sign up for NYSERDA's Community Solar program. This program allows certain utility accounts to get free credits from Community Solar developments. These credits amount to an approximate 10% discount in the cost of electricity. Through a competitive solicitation, the County has selected PowerMarket to provide these services.

FISCAL IMPLICATIONS

All funding for would be from external sources. No County tax dollars are necessary to support this request.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

In 2015, NYSERDA began the Community Distributed Generation program now known as Community Solar. This program allows residents, businesses and organizations to access solar energy through an off-site solar array. Companies, such as PowerMarket, subscribe commercial and residential electric utility accounts to a solar project. The developer gets paid for the energy that's generated and the subscriber gets a discount of approximately 10% on their electric bill.

Erie County currently has 168 accounts that are eligible to sign up for the Community Solar program. Enrolling these accounts will save approximately \$75,000 annually.

Additionally, Erie County runs a utility aggregate that purchases electricity for other municipalities. This selection will serve as the competitive solicitation for these entities as well as enable them to enroll their electric accounts into Community Solar. The County will get a small referral fee for every aggregate account that gets enrolled.

CONSEQUENCES OF NEGATIVE ACTION

Not authorizing the acceptance of the bill credits would prevent the County from saving approximately \$75,000 annually on its electricity bills.

STEPS FOLLOWING APPROVAL

The Department of Public Works will work with PowerMarket to enroll Erie County's utility accounts into a Community Solar program.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

Re: Authorization to Enroll Electric Utility Accounts into Community Solar

WHEREAS, community solar programs offer subscribers solar credits which provide a discount to an electric utility bill; and

WHEREAS, the County has 168 electric utility accounts that could be enrolled into a Community Solar program; and

WHEREAS, enrolling these accounts is projected to save the County approximately \$75,000 in electric utility expenses; and

WHEREAS, Project Economics, d/b/a PowerMarket, a New York company that provides services to the community solar industry, was selected from a competitive solicitation to provide Community Solar services; and

WHEREAS, the County operates a utility aggregate involving other municipalities who can also work with PowerMarket to enroll into Community Solar for which this competitive solicitation can satisfy procurement requirements; and

WHEREAS, the County will receive a small fee for each aggregate account that gets enrolled.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Department of Public Works to enroll electric accounts for the purpose of reducing utility expenses; and be it further

RESOLVED, that the County will accept all related grants, awards, fees and funds related to the enrollment of utility accounts into Community Solar and authorizes the Department of Budget and Management to add funds to the budget in A.20007 – Energy Conservation Implementation Measures, Fund 410, Funds Center 122; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, and also one copy each to the, Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-17

COUNTY EXECUTIVE

SUNY ECC North Campus Bell Sports Center
Roof Repairs

Attachments

24COMM. 2E-17



COLLEGE JAN 12 '24 PM 3:23

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 12, 2024

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

**RE: SUNY Erie Community College North Campus Bell Sports Center Roof Repairs,
Recoating, Roof and AHU Replacement – 2nd A/E Amendment**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a Second Agreement Amendment with Bell & Spina Architects Planners P.C. to increase their A/E base fee for the SUNY Erie Community College North Campus Bell Sports Center Roof Repairs, Recoating, Roof and AHU Replacement project. The County will receive 50% reimbursement from New York State for this project.

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

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nt
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: SUNY Erie Community College North Campus Bell Sports Center Roof Repairs, Recoating, Roof and AHU Replacement – 2nd A/E Amendment
Date: January 12, 2024

SUMMARY

The Department of Public Works (DPW) is requesting authorization for the County Executive to enter into a Second Agreement Amendment with Bell & Spina Architects Planners P.C. to increase their A/E base fee for the SUNY Erie Community College North Campus Bell Sports Center Roof Repairs, Recoating, Roof and AHU Replacement project, located at 6205 Main Street, Williamsville, NY 14221.

Bell & Spina Architects Planners P.C. previously completed A/E design and construction administration services for the Spring Student Center Roof Replacement project (COMM. 20E-10 on December 7, 2017). An Agreement Amendment was approved for design services for roof repairs, recoating and replacement work at Bell Sports Center (COMM. 20E-6 on November 15, 2018). The fee for construction administration was excluded at that time as the roof replacement work for both buildings was intended to be phased together. The additional A/E design fee is for additional design services to replace the (2) existing AHU's and associated mechanical penthouses, re-bidding, and construction administration services to complete the entire project. The project involves the repairs, recoating and replacement of the existing roof system at Bell Sports Center, replacement of (2) original AHU's, and other miscellaneous work.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted Erie County Capital Budget, Fund 480, Funds Center 122 as follows:

E.17002	2017 ECC Roof Replacement, Exterior Waterproofing and Masonry Collegewide	\$ 41,498.25
E.19001	2019 Collegewide Improvements and Renovations	\$ 80,161.75
For a Total Amount Not to Exceed		\$ 121,660.00

The County will receive 50% reimbursement from New York State for this project.

REASONS FOR RECOMMENDATION

The existing roof system and (2) AHU's serving the gymnasium have far exceeded their useful lives and to reduce maintenance costs associated with temporary "stop-gap" measures to keep the building weather tight and functioning, a full roof and AHU replacement are warranted.

BACKGROUND INFORMATION

The Bell Sports Center building was originally constructed in 1958 and the roof was replaced in 1989. The existing flat roof is now over 34 years old. The (2) AHU's serving the main gymnasium hall are original to the building..

Bids for roof replacement scope were received by DPW on December 18, 2020 but due to funding restrictions from SUNY resulting from the COVID pandemic, the project could not proceed. A recent moisture scan indicates further signs of severe deterioration that is evident with significant entrapped insulation, roof gashes and extensive standing water on the roof, with a failed status for 82% to 100% of the existing flat roofs.

The replacement of the AHU's are part of a larger multi-phased Power Distribution/Wiring and Mechanical upgrade project as capital funds are secured and become available, and is now an additional scope.

CONSEQUENCES OF NEGATIVE ACTION

If this project is not completed, the roof and AHU's will continue to deteriorate and ultimately result in closure of the facility because it will become unsafe to occupy.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter a Second Agreement Amendment with Bell & Spina Architects Planners P.C. to increase their A/E base fee by a total amount not to exceed \$121,660.

COMPTROLLER'S OFFICE REVIEW

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

 12/29/23

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

E.17002 2017 ECC Roof Replacement, Exterior Waterproofing and Masonry Collegewide

E.19001 2019 Collegewide Improvements and Renovations

File Copy (DPW Resolution BG ECCN Bell Roof + AHU Repl_2nd AE Amend.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: SUNY Erie Community College North Campus Bell Sports Center Roof Repairs,
Recoating, Roof and AHU Replacement – 2nd A/E Amendment

WHEREAS, the existing 29 year old roof system and two air-handling units (AHU) at SUNY Erie Community College North Campus Bell Sports Center have far exceeded their useful lives and to reduce maintenance costs associated with temporary “stop-gap” measures to keep the building weather-tight and functioning, a full roof and AHU replacement are warranted; and

WHEREAS, Bell & Spina Architects Planners P.C. previously completed professional design and construction administration services for Erie Community College North Campus 2017 Spring Student Center Roof Replacement project (COMM. 20E-10 on December 7, 2017), and an Agreement Amendment was approved for design services for roof repairs, recoating and replacement work at Bell Sports Center (COMM. 20E-6 on November 15, 2018); and

WHEREAS, bids for roof replacement scope were received by DPW on December 18, 2020 but due to funding restrictions from SUNY resulting from the COVID pandemic, the project could not proceed; and

WHEREAS, the additional A/E design fee is for increased design costs from the previous agreements as referenced above as well as additional design services to replace the two existing AHU’s and associated mechanical penthouses, re-bidding and construction administration services to complete the entire project; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the County Executive is requesting authorization to issue a Second Agreement Amendment to Bell & Spina Architects Planners P.C. to increase their A/E base fee by a total amount not to exceed \$121,660 for the SUNY Erie Community College North Campus Bell Sports Center Roof Repairs, Recoating and Roof and AHU Replacement project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to issue a Second Agreement Amendment to Bell & Spina Architects Planners P.C. to increase their A/E base fee and design contingency for the SUNY Erie Community College North Campus Bell Sports Center Roof Repairs, Recoating and Roof and AHU Replacement project; and be it further

RESOLVED, that authorization is hereby give to Comptroller’s Office to make payment for all the above from the approved Capital Budgets, Fund 480, Funds Center 122, as follows:

E.17002	2017 ECC Roof Replacement, Exterior Waterproofing and Masonry Collegewide	\$ 41,498.25
E.19001	2019 Collegewide Improvements and Renovations	\$ 80,161.75
For a Total Amount Not to Exceed		\$ 121,660.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and one copy to Erie Community College of the Chief Administrative and Financial Officer.

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>Bell & Spina Architects Planners, P.C.</u> |
| 2. | AMOUNT OF CONTRACT | <u>\$121,660.00</u> |
| 3. | PROJECT NUMBER | <u>E.17002 - 2017 ECC Roof Replacement,
Exterior Waterproofing and Masonry
Collegewide
E.19001 - 2019 Collegewide Improvements and
Renovations</u> |
| 4. | PROJECT TITLE | <u>SUNY Erie Community College North Campus
Bell Sports Center Roof Repairs, Recoating,
Roof and AHU Replacement
2nd A/E Amendment</u> |
| 5. | DEPARTMENT CONTACT | <u>Funding questions: Kristofer Straus, PE at
x7294
Letter pickup: Christy Weber at x8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|----|------------------------------------|---|
| 6. | AVAILABILITY OF FUNDS | <u>\$ 336,594.16</u> |
| 7. | PERFORMED BY | <u></u> |
| | Date Sent to Comptroller's Office: | <u>December 28, 2023</u> |

[55 compt_10]

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-18 COUNTY EXECUTIVE PILOT Agreement for Solar Energy Systems

24COMM. 2E-18

Attachments



SC LEG JAN 12 '24 PM 3:23

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 12, 2024

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems - 2595
Whitehaven Road, Town of Grand Island**

Dear Honorable Members:

Please find an enclosed resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for a Solar Project in the Town of Grand Island. The resolution authorizes the County Executive to execute an agreement with NYSOLAR06 LLC.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel Castle, A.I.C.P. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", followed by a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle A.I.C.P., Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 2595 Whitehaven Road, Town of Grand Island
Date: January 12, 2024

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with NYSOLAR06 LLC.

The owner is seeking a PILOT agreement from Erie County in connection with the development and operation of an approximately 3.45-megawatt solar photovoltaic facility (“Project”) located at 2595 Whitehaven Road (SBL: 36.00-1-28) in the Town of Grand Island (“Site”). The PILOT agreement is multi-jurisdictional including the Town of Grand Island and the Grand Island Central School District as signatories. Given the nature of the Project it is otherwise exempt from taxation pursuant to Real Property Tax Law § 487 unless the taxing jurisdictions enter into a PILOT Agreement with the owner.

FISCAL IMPLICATIONS

Under Real Property Tax Law § 487(2), solar energy facilities are tax exempt. Notwithstanding such exemption, Real Property Tax Law § 487(9)(a) states that certain taxing jurisdictions, including counties and cities, may require the owner of a property that includes a solar energy system to enter into a PILOT agreement that provides for annual payments to the taxing jurisdictions.

The PILOT agreement proposed by NYSOLAR06 LLC provides for total annual payments to Erie County of \$7,475.00. This is based on a price of \$6,500 based per megawatt, divided equally among all three taxing jurisdictions as per the determination and approval of the Town of Grand Island Board and Grand Island School District, with an annual escalation factor of 2%. These payments will be made each year over a 15-year term.

The intent of entering into the PILOT agreement with the owner is for the County to receive tax payments that it would not otherwise receive due to the tax exemption applicable to the Project.

REASONS FOR RECOMMENDATION

The Town of Grand Island and Grand Island Central School District supports the PILOT agreement. The Town Board approved the proposed PILOT agreement on November 20, 2023 and Grand Island Central School District Board of Educations approved it on December 11, 2023. The proposed agreement conforms to the provisions of Real Property Tax Law § 487 and was negotiated between the project owner and taxing jurisdictions. The Project otherwise conforms to the Town of Grand Island Comprehensive Plan and zoning ordinance and makes productive use of an otherwise underutilized property.

BACKGROUND INFORMATION

NYSOLAR06 LLC is proposing the development of an approximately 3.45-megawatt solar photovoltaic facility totaling approximately 20 acres of land, located at 2595 Whitehaven Road (SBL: 36.00-1-28) in the Town of Grand Island, Erie County.

Due to the size and nature of the Project, it is considered a Type 1 action for the purposes of the NYS State Environmental Quality Review Act and the Town of Grand Island conducted a Coordinated Review. On December 5, 2022, the Town Board of the Town of Grand Island issued a Negative Declaration, noting the lack of significant environmental concerns associated with the Project.

The Site is located within the M-1 Light Industrial and Research District. Solar energy systems are permitted, subject to the issuance of a Special Use Permit, in the M-1 District.

On December 5, 2022, the Town Board of the Town of Grand Island issued a Special Use Permit and approved the Site Plan for the Project.

Under Real Property Tax Law (“RPTL”) § 487, a partial tax exemption is available for properties which are developed for solar and wind renewable energy systems. RPTL § 487(2) exempts from real property taxation “any increase in the value [of real property] by reason of the inclusion of a [solar and wind energy system] for a period of fifteen years.” Erie County has not opted out of the RPTL § 487 exemptions and therefore may require renewable energy systems to enter into a PILOT agreement to replace a portion of the tax revenue. Erie County was notified of the project owner’s intent to construct a solar project in February 2022.

CONSEQUENCES OF NEGATIVE ACTION

Without the PILOT, pursuant to RPTL § 487, the County would receive no property taxes from the solar development project.

STEPS FOLLOWING APPROVAL

The County Executive will enter into a PILOT Agreement with the noted parties.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems- 2595
Whitehaven Road, Town of Grand Island

WHEREAS, consistent with Erie County's Commitment to Paris goals, the County encourages the development of solar facilities which reduce dependence upon fossil fuels and further climate goals to mitigate global warming; and

WHEREAS, Project Owner (NYSOLAR06 LLC), has submitted a Notice of Intent to the Taxing Jurisdictions that it plans to build and operate a Solar Energy System as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) (the "Project") with an expected nameplate capacity ("Capacity") of approximately 3.45 Megawatts AC on one parcel totaling approximately 35.6 acres of land located within the Town of Grand Island, identified as 2595 Whitehaven Road, SBL: 36.00-1-28; and

WHEREAS, the County has not opted out of RPTL § 487; and

WHEREAS, pursuant to RPTL § 487(9)(a) the County has indicated their intent to require a Payment in Lieu of Taxes Agreement ("PILOT") with the Project Owner, under which the Project Owner will be required to make annual payments to the Taxing Jurisdictions for each year during the term of this Agreement; and

WHEREAS, the Project Owner has submitted or will submit to the Assessor of the Town of Grand Island an Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems ("Form RP-487"); and

WHEREAS, the Real Property not part of the Project will be assessed for any statutory real property taxes levied by the Taxing Jurisdictions;

WHEREAS, Project parcel identification numbers and/or addresses may be amended;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with NYSOLAR06 LLC, and any other associated legal entities necessary to complete this PILOT Agreement, pertaining to the 35.6 acre parcel located at 2595 Whitehaven Road, SBL: 36.00-1-28; and be it further

RESOLVED, that said Agreement shall include an annual approximate PILOT payment to Erie County in the amount \$7,475.00, subject to annual escalation of 2%; and be it further

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

RESOLVED, authorization is hereby given to the Director of Real Property Tax Services to amend said Agreement based on revisions to parcel identification numbers and/or addresses in a manner consistent with the description of land, set forth in the P.I.L.O.T. Agreement; 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 Office of the Comptroller, the Department of Real Property Tax Services, the Department of Law, and the Department of Environment and Planning.

Schedule A

PILOT Schedule

Note: The following schedule is for illustrative purposes only. The PILOT will commence in accordance with Section 2(b) of this Agreement and the payment schedule is subject to adjustment if the capacity of the Project changes.

Agreement Year	Year	Payment Amount Erie County	Payment Amount Town	Payment Amount School District	Payment Amount Total
1	2024	\$7,475.00	\$7,475.00	\$7,475.00	\$22,425.00
2	2025	\$7,624.50	\$7,624.50	\$7,624.50	\$22,873.50
3	2026	\$7,776.99	\$7,776.99	\$7,776.99	\$23,330.97
4	2027	\$7,932.53	\$7,932.53	\$7,932.53	\$23,797.59
5	2028	\$8,091.18	\$8,091.18	\$8,091.18	\$24,273.54
6	2029	\$8,253.00	\$8,253.00	\$8,253.00	\$24,759.00
7	2030	\$8,418.06	\$8,418.06	\$8,418.06	\$25,254.19
8	2031	\$8,586.43	\$8,586.43	\$8,586.43	\$25,759.28
9	2032	\$8,758.15	\$8,758.15	\$8,758.15	\$26,274.46
10	2033	\$8,933.32	\$8,933.32	\$8,933.32	\$26,799.95
11	2034	\$9,111.98	\$9,111.98	\$9,111.98	\$27,335.95
12	2035	\$9,294.22	\$9,294.22	\$9,294.22	\$27,882.67
13	2036	\$9,480.11	\$9,480.11	\$9,480.11	\$28,440.32
14	2037	\$9,669.71	\$9,669.71	\$9,669.71	\$29,009.13
15	2038	\$9,863.10	\$9,863.10	\$9,863.10	\$29,589.31

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-19 COUNTY EXECUTIVE Adoption of Community Climate Action Plan

24COMM. 2E-19

Attachments



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG JAN 12 '24 PM 3:23

January 12, 2024

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

RE: Adoption of Community Climate Action Plan

Dear Honorable Members:

Please find enclosed the Erie County Community Climate Action Plan and a resolution from the Department of Environment and Planning seeking legislative adoption of this plan, just as the Internal Operations Climate Action and Sustainability Plan was adopted in 2019.

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 black ink, reading "Mark C. Poloncarz", followed by a long horizontal flourish.

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: Adoption of Community Climate Action Plan
Date: January 12, 2024

SUMMARY

The Erie County Department of Environment and Planning (DEP) requests legislative adoption of the Community Climate Action Plan (CCAP), which builds on earlier work, including the Internal Operations Climate Action and Sustainability Plan to identifying ways the County can reduce climate pollution and protect residents and businesses from the impacts of climate change. The plan is equity-centered and includes a focus on investing in and protecting both urban and rural communities that historically have been left behind and are also most vulnerable to climate impacts. The plan emphasizes actions that provide multiple benefits by providing cost and energy savings, air quality improvement, better health outcomes, job creation, resource conservation, and making Erie County more climate resilient. Finally, the plan and its adoption will make the County better able to compete for the unprecedented state and federal funding opportunities that have become available.

BACKGROUND

In 2019 the Legislature adopted an Internal Operations Climate Action and Sustainability Plan (CASP) which has guided the County's climate action efforts and has resulted in significant reductions in climate pollution from government facilities and vehicles. During that planning process, DEP identified the need for a community-facing climate plan as a complement to the internal operations plan. DEP then secured a New York State Department of Conservation (NYSDEC) grant through the Climate Smart Communities program, which partially paid for one staff to coordinate the planning efforts.

Development of the CCAP effort was led by the Erie County Environmental Management Council, which with authorization from Executive Order 20 formed the Climate Change Task Force (C3TF) to advise the County on the creation of the plan. The C3TF worked with DEP to create a plan scope and then identify ten topical working groups to develop the plan. DEP coordinated the working groups, which were made up of County staff from several Departments, community-based organizations, university experts, businesses, municipalities, and a utility, to develop the plan. Other County Departments that provided meaningful input into the CCAP include Departments of Public Works, Health, Social Services, Parks, EEO, and Purchasing.

The planning process had a strong emphasis on community engagement, with DEP enlisting more than 100 volunteers from 70 organizations, presenting to 75 organizations, attended more than 100 community events, and having about 11,000 residents sign up to receive regular updates. This extensive outreach earned the County an award from the New York Upstate Chapter of the American Planning Association.

In the spring of 2023, a draft plan was released for a three-month public comment period. DEP received 300 public comments, the great majority of which were supportive of the effort. In December 2023, the County released the final plan to the public.

FISCAL IMPLICATIONS

No County or other tax dollars are necessary to support this request. Implementation of recommendations in the plan will be subject to budget availability. It is anticipated that there will be extensive state and federal funding for implementation. Many actions will reduce or avoid costs to the County in the future.

REASONS FOR RECOMMENDATION

Adoption of the plan will demonstrate the County's commitment to climate action and make the County more competitive for grant funding to take actions highlighted within the plan, including actions to protect life and property within the County.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would forgo an opportunity to formalize its commitment to reduce climate pollution and protect the community from climate impacts and would be less competitive for state and federal funding opportunities.

STEPS FOLLOWING APPROVAL

The County will work to raise awareness about the plan, secure funding, and implement the plan. An annual CCAP progress report will be sent to the Legislature each year.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Adoption of Community Climate Action Plan

WHEREAS, climate change is a real and increasingly urgent threat that demands action at every level of government; and

WHEREAS, actions taken to address climate change provide multiple benefits through energy and cost savings, improved air quality and public health, local jobs creation, resource conservation, climate resilience, and enhanced equity; and

WHEREAS, in 2014 the Erie County Legislature resolved to become a Climate Smart Community, and to set goals and implement sustainability actions (COMM. 12E-5, 2014); and

WHEREAS, in 2019 the Erie County Legislature adopted the Climate Action and Sustainability Plan for internal operations (COMM. 3E-4, 2019); and

WHEREAS, in 2020 the Erie County Legislature resolved to accept a grant from the NYSDEC Climate Smart Communities program (COMM. 11E-17, 2020), which funded coordination of the Community Climate Action Plan; and

WHEREAS, with the authority from Executive Order 20, the Erie County Environment Management Council convened a Community Climate Change Task Force made up of a broad group of experts and stakeholders which advised the County on the development of an equity-centered Community Climate Action Plan (CCAP); and

WHEREAS, New York State government and the federal government have created unprecedented grant funding opportunities for climate action, and this plan and its adoption will make the County more competitive and better able to secure funding for local projects; and

WHEREAS, by adopting the CCAP, the Legislature will reinforce the County's commitment to assertive leadership to address the climate crisis and protect the community.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature hereby adopts the Community Climate Action Plan, including the goals, strategies and actions contained therein; and be it further

RESOLVED, that Erie County will continue to work to reduce climate pollution and to increase the health and resilience of social, natural, and built resources to withstand the impacts of climate change; and be it further

RESOLVED, that the Department of Environment and Planning shall provide a public update on progress on the CCAP actions annually with a report sent to the Legislature; 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 Comptroller, and the Department of Environment and Planning.

[Erie County Climate Action Plan - Full Document](#)

SUBJECT

COMM. 2E-20	COUNTY EXECUTIVE	2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs
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	Attachments
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24COMM. 2E-20



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 12, 2024

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

**RE: 2024 Annual Action Plan for the Community Development Block Grant,
Emergency Solutions, and HOME Investment Partnership Programs**

Dear Honorable Members:

Enclosed please find a resolution from the Department of Environment and Planning regarding the 2024 Annual Action Plan for the federal Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs. The resolution authorizes submittal of the plan to the federal Department of Housing and Urban Development as well as execution of all necessary agreements with HUD, local governments, property owners, non-profit and for-profit organizations necessary to implement the programs.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel R. Castle. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jw
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: 2024 Annual Action Plan for the Community Development Block Grant,
Emergency Solutions and HOME Investment Partnership Programs
Date: January 12, 2024

SUMMARY

The action authorizes the County Executive to submit the resolution as supplementary material to the 2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs. The Plan is scheduled for submittal to the federal Department of Housing and Urban Development (HUD) on or about February 14, 2024 and pertains to the following programs and approximate amounts: \$3,085,828 in the Erie County Consortium Community Development Block Grant Program (CDBG) funds; \$435,000 in Town of Hamburg Community Development Program funds; \$1,117,772 in HOME Investment Partnership Program funds; and \$244,521 in Emergency Solutions Program funds.

The resolution also authorizes the County Executive to execute any and all agreements with HUD, local governments, property owners, non-profit and for-profit organizations necessary to implement the programs. The County Executive will undertake the above action on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium.

FISCAL IMPLICATIONS

There are no County funds involved, thus there is no fiscal impact to Erie County.

REASONS FOR RECOMMENDATION

The abovementioned programs benefit the communities illustrated in Attachment A of this memorandum. Funds are targeted toward low-and moderate-income people and aid in furthering a variety of housing, economic development, planning and community development activities. Attachment B lists the budget and projects for the various Program areas.

BACKGROUND INFORMATION

This is an annual program through the federal Department of Housing and Urban Development. It represents the 47th year of funding for the Erie County Consortium.

CONSEQUENCES OF NEGATIVE ACTION

The Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium would be unable to obtain approximately \$5,000,000 in federal funds.

STEPS FOLLOWING APPROVAL

The resolution will be forwarded to HUD for inclusion in the 2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs and HUD will undergo their review process.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: 2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the federal Department of Housing and Urban Development; and

WHEREAS, the Erie County Community Development Block Grant Consortium and HOME Consortium approved the 2024 Annual Action Plan at their session held on January 25, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2024 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs having estimated dollar amounts as indicated.

- | | |
|--|-------------|
| 1. Erie County Consortium Community Development Program: | \$3,085,828 |
| 2. Emergency Solutions Program: | \$ 244,521 |
| 3. HOME Investment Partnership Program: | \$1,117,772 |
| 4. Town of Hamburg Community Development Program: | \$ 435,000 |

and be it further

RESOLVED, that authorization is hereby given to the County Executive to, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

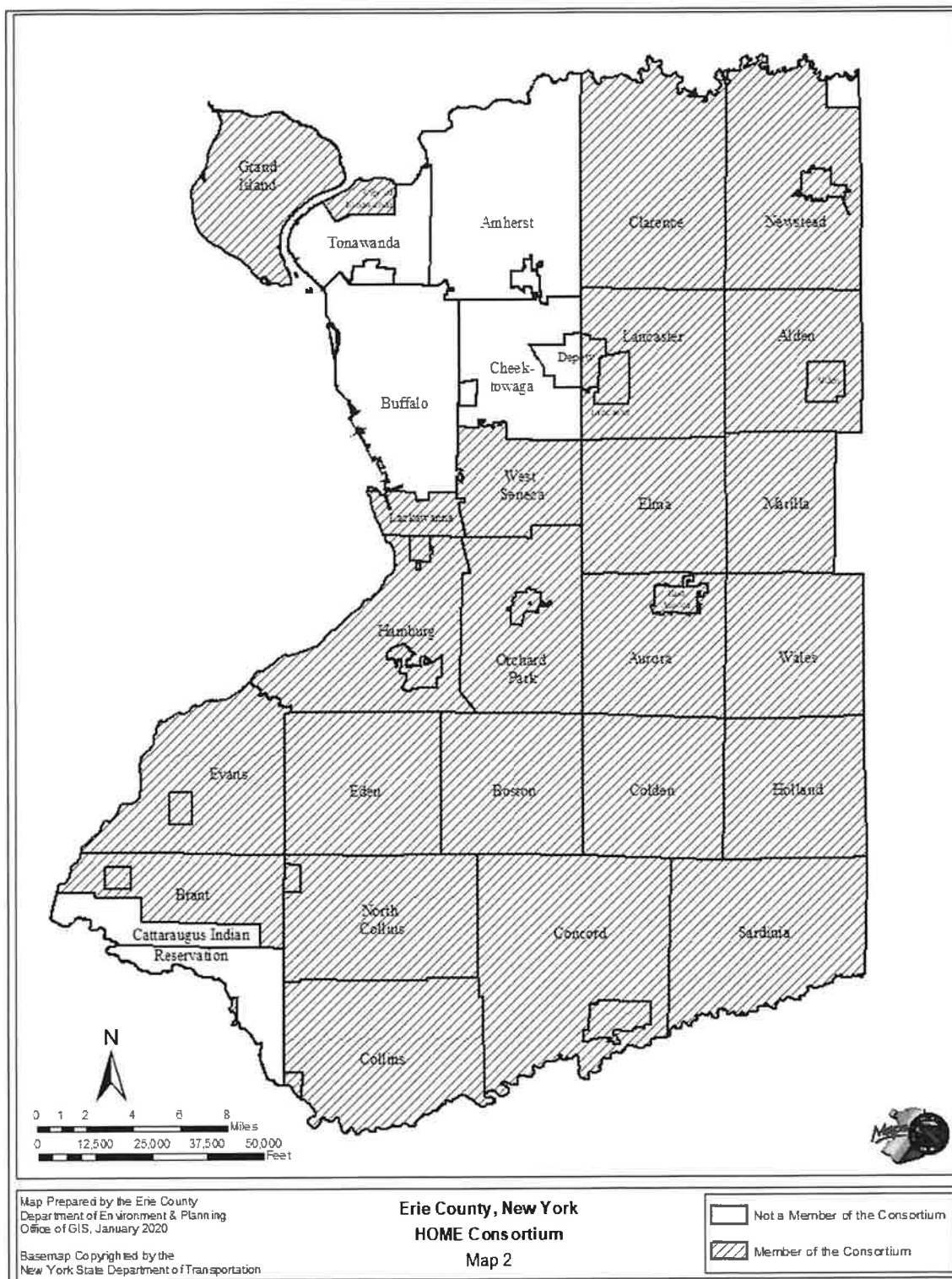
RESOLVED, that authorization is hereby given to the Commissioner of the Department of Environment and Planning to execute any and all HOME Agreements with property owners

participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that authorization is hereby given to the Commissioner of the Department of Environment and Planning to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the federal Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

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

ATTACHMENT A
HOME INVESTMENT CONSORTIUM MAP



ATTACHMENT B

2024 ACTION PLAN AND PROJECTS ERIE COUNTY CDBG/HOME CONSORTIUM

ATTACHMENT B

2024 YEAR - CONSOLIDATED BUDGET SORTED												
Project #	PROGRAMMED PROJECT'S	HOME	CDBG-Admin	Emergency Solutions	Community Project	Economic Development	Project Support	Housing-CDBG	Future/Program Income	Prior Year Funds	Other Funds	Total
1	CDBG24 - Program Administration		\$ 617,165.00									\$ 617,165.00
2	HOME24 - Program Administration	\$ 111,777.00										\$ 111,777.00
3	ESG24 - Program Administration			\$ 18,539.00								\$ 18,539.00
4	H24 - Fair Housing- Housing Opportunities Made Equal							\$ 42,720.00				\$ 42,720.00
5	H24 - Housing Support Services - Housing Counseling - Bohmst Stedler Corp.							\$ 26,716.00				\$ 26,716.00
6	H24 - CDBG/HOME Consortium Owner Occupied Housing Rehab Program							\$ 32,100.00	\$ 434,836.00			\$ 466,936.00
6	H24 - CDBG/HOME Consortium Owner Occupied Housing Rehab Program	\$ 467,789.00							\$ 174,887.00			\$ 642,676.00
7	H24 - CDBG/HOME Consortium Owner Occupied Housing Rehab Program- Targeted Areas							\$ 17,370.00	\$ 112,389.00			\$ 129,759.00
7	H24 - CDBG/HOME Consortium Owner Occupied Housing Rehab Program- Targeted Areas	\$ 136,661.00							\$ 27,220.00			\$ 163,881.00
8	H24 - CDBG/HOME West Seneca Housing Rehab Loan Program							\$ 12,875.00	\$ 68,369.00			\$ 81,244.00
8	H24 - CDBG/HOME- West Seneca Homeowner Rehab	\$ 98,939.00							\$ 23,500.00			\$ 122,439.00
9	HOME24 - Hamburg - Homeowner Rehab	\$ 138,225.00										\$ 138,225.00
10	H24 - Emergency Rehab Program							\$ 175,000.00				\$ 175,000.00
11	H24 - Rental Rehab Program							\$ 121,265.00				\$ 121,265.00
12	H24 - Mobile Home Repair Program							\$ 86,000.00				\$ 86,000.00
13	H24 - Utility Connection Program							\$ 36,000.00				\$ 36,000.00
14	H24 - Lead Abatement Program							\$ 121,000.00				\$ 121,000.00

ATTACHMENT B

[illegible]

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-21

COUNTY EXECUTIVE

ECSD Nos. 2, 3, 6 & 8 - Construction
Inspection Term Contract Agreement

Attachments

24COMM. 2E-21



EC LEG JAN 12 '24 PM 3:22

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

January 12, 2024

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

**RE: Erie County Sewer District Nos. 2, 3, 6 & 8
Construction Inspection Term Contract Agreement
DiDonato Engineering & Architectural Professionals
Work Order: DI-2**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on December 15, 2022, related to 3-year Term Agreements.

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 black ink, reading "Mark C. Poloncarz", followed by a long horizontal flourish.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:bp
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 2, 3, 6 & 8
Construction Inspection Term Contract Agreement
DiDonato Engineering & Architectural Professionals
Work Order: DI-2
Date: January 12, 2024

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with DiDonato Engineering & Architectural Professionals (DiDonato) for Erie County Sewer District (ECSD) Nos. 2, 3, 6 & 8 in an amount not to exceed \$50,000.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering inspection work related to this communication will be paid from the Sewer Fund Operating Budget; Sewer Professional Services Accounts (516020) of ECSD Nos. 2, 3, 6 & 8.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order DI-2 to DiDonato to provide resident engineering services. DiDonato will provide inspection for construction and subdivision projects in ECSD Nos. 2, 3, 6 & 8.

BACKGROUND INFORMATION

On December 15, 2022, the Erie County Legislature passed a resolution [Comm. 19E-17 (2022)] authorizing a Term Agreement with DiDonato for construction inspection. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete inspections throughout the ECSDs. Accordingly, the Department has approved work order DI-2 in the amount of \$50,000.00 to provide inspection for various construction and subdivision projects in ECSD Nos. 2, 3, 6, & 8.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NOS. 2, 3, 6 & 8
WORK ORDER NO. DI-2**

ENGINEER: DiDonato Engineering & Architectural Professionals (DiDonato)

CONTRACT DATE: December 15, 2022

1. Title of Proposal:

Provide Resident Engineer for various construction and subdivision sewer installation projects in ECSD Nos. 2, 3, 6 & 8.

2. Company/Address/Principal In-Charge:

John DiDonato, P.E.
DiDonato
689 Main Street
Buffalo, NY 14203

3. Effective Dates of Proposal:

December 12, 2023

4. Brief Description of Work for Which Proposal is Submitted:

The Engineer will provide construction inspection for various construction and subdivision projects in ECSD Nos. 2, 3, 6 & 8.

5. Engineering Cost:

\$50,000.00

6. Source of Funds:

2023 Sewer Fund Operating Budget Professional Services Account 516020 of ECSD Nos. 2, 3, 6 & 8. (\$5,000 from SR Budget, \$5,000 from ECSD No. 6 Budget & \$40,000 from CR Budget)

7. Project No: DI-2

8. Attachments: None

9. File: 0.3.2. DiDonato (23-25/26) Insp

DATE: December 12, 2023

Accepted By: _____

Prepared By: Matt A. Salah, P.E.

Authorized By: Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-22

COUNTY EXECUTIVE

ECSD No. 4 - Depew Pumping Station
Forcemain Replacement at Cayuga Creek

Attachments

24COMM. 2E-22



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG JAN 12 '24 PM 3:22

January 12, 2024

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

**Re: Erie County Sewer District No. 4
Depew Pumping Station Forcemain Replacement at Cayuga Creek
Bid Opening – Contract No. 60**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 4 Contract No. 60 Depew Pumping Station Forcemain Replacement at Cayuga Creek.

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

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: nw

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-23

COUNTY EXECUTIVE

ECSD No. 3 - Southtowns Incinerators Heat
Exchanger Replacement Project

Attachments

24COMM. 2E-23



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG JAN 12 '24 PM 3:22

January 12, 2024

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

**RE: Erie County Sewer District No. 3
Southtowns Incinerators Heat Exchanger Replacement Project
Bid Opening – Contract No. 71**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 71 Southtowns Incinerators Heat Exchanger Replacement Project.

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

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

Sincerely yours,

Mark C. Poloncarz, Esq.

Erie County Executive

MCP: mlp

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2E-24

COUNTY EXECUTIVE

2024 Adopted Budget Grant Fund Personnel
Adjustment

Attachments

24COMM. 2E-24



2024 JAN 12 '24 PM 3:22

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 12, 2024

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

RE: 2024 Adopted Budget Grant Fund Personnel Adjustment
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

The attached resolution from the Division of Budget and Management requests authorization to make an amendment to the 2024 Adopted Budget Grant Fund to allow for two personnel adjustments approved by your Honorable Body within Department of Central Police Services' 165GIVE2425 and Department of Homeland Security and Emergency Services' HS167SHSP2427 grants to be made effective January 1, 2024. These grants do not fall within the standard calendar year and this amendment would align these personnel adjustment effective dates with all others included as part of the 2024 Adopted Budget.

Should your Honorable Body require further information, I encourage you to contact Mark Cornell, Deputy Budget Director. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mc
Enclosure

cc: Daniel Neaverth, Commissioner of Homeland Security & Emergency Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Division of Budget and Management
Re: 2024 Adopted Budget Grant Fund Personnel Adjustment
Date: January 12, 2024

SUMMARY

The attached resolution from the Division of Budget and Management requests authorization to make an amendment to the 2024 Adopted Budget Grant Fund to allow for two personnel adjustments approved by your Honorable Body within Department of Central Police Services' 165GIVE2425 and Department of Homeland Security and Emergency Services' HS167SHSP2427 grants to be made effective January 1, 2024. These grants do not fall within the standard calendar year and this amendment would align these personnel adjustment effective dates with all others included as part of the 2024 Adopted Budget.

FISCAL IMPLICATIONS

Annualized Salary

Firearms Examiner III (JG 12)	\$86,445
Firearms Examiner II (JG 10)	<u>(\$70,637)</u>
Net Increase	<u>\$ 15,808</u>

Salary for Balance of Grant Year (1/1/24 - 6/30/24) \$ 7,904

Funding Source

Grant (74%)	\$ 5,849
County Share (26%)	\$ 2,055

If Grant funded:

Grant Source:	165GIVE2324
Grant Duration:	7/1/23 – 6/30/24
Remaining Grant Funding:	\$181,326
Alternative Source of Funding	
if Grant is not renewed:	Grant is renewed as 165GIVE2425

Annualized Salary

Accounting Analyst (JG 11)	\$81,181
Account (JG 9)	<u>(\$66,217)</u>
Net Increase	<u>\$14,964</u>

Salary for Balance of Grant Year (1/1/24 – 9/1/24) \$11,223

Funding Source

Grant (100%)	\$11,223
County Share (0%)	0

If Grant funded:

Grant Source:	HS167SHSP2326
Grant Duration:	9/1/23 – 8/31/26
Remaining Grant Funding:	\$1,659,172.80
Alternative Source of Funding if Grant is not renewed:	Grant is renewed as HS167SHSP2427

REASONS FOR RECOMMENDATION

All other authorized personnel adjustments within the 2024 Adopted Budget are effective January 1, 2024. However, because these grant periods do not align with the calendar year, these two adjustments would not be effective until 7/1/2024 and 9/1/2024, respectively.

Central Police Services Firearms Examiner II employee has met the promotional requirements and work experience to be upgraded to a Firearms Examiner III. Homeland Security Emergency Services Accountant has met the promotional requirements and work experience to be upgraded to Accounting Analyst.

BACKGROUND INFORMATION

The Central Police Services 165GIVE2425 grant provides the position of Firearms Examiner II (position # 51016628) be upgraded to a Firearms Examiner III when the employee meets the experience and promotional requirements of the position. The Firearms Examiner II position will be deleted from this grant (B-100 13946). The 2024-25 grant period will not begin until 7/1/2024 and as such, the effective date of this personnel adjustment would also not be until 7/1/2024.

The Homeland security Emergency Services HS167SHSP2326 grant provides the position of Accountant (position #51005762) be upgraded to an Accounting Analyst (Emergency Services) when the employee meets the experience and promotional requirements of the position. The Accountant position will be deleted from this grant (B-100 14041). The 2024-25 grant period will not begin until 9/1/2024 and as such, the effective date of this personnel adjustment would also not be until 9/1/2024

CONSEQUENCES OF NEGATIVE ACTION

Failure to allow these personnel adjustments to be effective January 1, 2024 would unfairly prevent two employees from receiving position upgrades for a period of 6 to 9 months past what was originally intended because of a miscommunication during the budget preparation process.

STEPS FOLLOWING APPROVAL

Central Police Services and Homeland Security Emergency Services will work with the Department of Personnel and Division of Budget and Management to implement this request.

RESOLUTION SUBMITTED BY
DIVISION OF BUDGET AND MANAGEMENT

RE: 2024 Adopted Budget Grant Fund Personnel Adjustment

WHEREAS, the 2024 Adopted Budget Grant Fund included two personnel adjustments approved by the Erie County Legislature on December 7, 2023 within the Departments of Central Polices Services' Gun Involved Violence Elimination (GIVE) Grant and Homeland Security and Emergency Services' State Homeland Security Program (SHSP) Grant; and

WHEREAS, the 165GIVE2425 grant period runs from July 1, 2024 to June 30, 2025; and

WHEREAS, the HS167SHSP2427 grant period runs from September 1, 2024 to August 31, 2027; and

WHEREAS, because neither the 165GIVE2425 or HS167SHSP2427 grants authorized as part of the 2024 Adopted Budget have grant periods matching the calendar year, the authorized personnel adjustments would not go into effect until the start of their respective grant periods; and

WHEREAS, in order to make these personnel adjustments effective as of January 1, 2024, as was intended, authorization must be given to make these personnel adjustments within the current 165GIVE2324 and HS167SHSP2327 grants.

NOW, THEREFORE, BE IT RESOLVED

RESOLVED, that the Erie County Legislature hereby authorizes the, already approved, creation of a Firearms Examiner III position (Job Group 12) and deletion of a Firearms Examiner II position (Job Group 10) (B-100 #13946) within the Department of Central Police Services' 165GIVE2425 grant be made effective as of January 1, 2024 within the current 165GIVE2324 grant; and be it further

RESOLVED, that sufficient funding exists within the Central Police Services' Gun Involved Violence Elimination Grant 165GIVE2324 to cover the increased salary of \$5,849 from January 1, 2024 to June 30, 2024; and be it further

RESOLVED, that authorization is hereby given for the, already approved, creation of an Accounting Analyst (Emergency Services) position (Job Group 11) and deletion of an Accountant position (Job Group 9) (B-100 #14041) within the Department of Homeland Security and Emergency Services' HS167SHSP2427 grant be made effective as of January 1, 2024 within the current HS167SHSP2326 grant; and be it further

RESOLVED, that sufficient funding exists within the Homeland Security Emergency Services' State Homeland Security Program Grant HS167SHSP2326 to cover the increased salary of \$11,223 from January 1, 2024 to September 1, 2024; and be it further

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

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive's Office, Comptroller's Office, Department of Personnel, Department of Homeland Security and Emergency Services, Department of Central Police Services and Division of Budget and Management.

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT		
COMM. 2E-25	LORIGO	Objection to New Rules Governing Golf Leagues at County Golf Courses
		Attachments
24COMM. 2E-25		



EC LEG JAN 16 '24 AM 9:54

ERIE COUNTY LEGISLATURE

HON. LINDSAY R. LORIGO
10TH DISTRICT LEGISLATOR

January 16, 2024

Ms. Olivia Owens
Clerk, Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

RE: Objection to New Rules Governing Golf Leagues at County Golf Courses

Dear Madam Clerk:

Please see the enclosed constituent correspondence from residents and golf league officials objecting to new rules governing golf leagues at county-owned golf courses.

The new rules did not require legislative approval and the Erie County Parks Department gave no warning to leagues before implementing the changes. These drastic changes and lack of communication have caused significant stress and challenges for many golf leagues that have supported Erie County-owned courses for decades. Unfortunately, those most impacted by these decisions are some of the county's most loyal golf patrons, the majority of whom are seniors in our community.

I feel it is important that resident's concerns are heard and taken seriously. As such, I respectfully submit these communications for the legislative record. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Lindsay Lorigo". The signature is fluid and cursive, with the first name "Lindsay" and last name "Lorigo" clearly visible.

LINDSAY LORIGO
Erie County Legislature – District 10

Enclosure (1)

December 28, 2023

Hon. James Malczewski

Dear Legislator Malczewski;

Re: Drastic Policy Changes at Elma Meadows & Grover
Cleveland Golf Courses

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses.

Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9

- League players are “the public”. This policy which is supposed to increase “the public’s” access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public’s access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn’t seem that many options other than decreasing league play were considered. There’s no need to destroy the leagues which provide almost guaranteed revenue to the County.

Sincerely,

Johann [redacted]
 [redacted]
 [redacted]
 [redacted]
 [redacted] 14261

December 30, 2023
Honorable James Malczewski
92 Franklin St
Buffalo, N.Y. 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

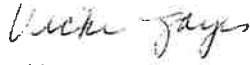
League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years. Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,



Vicki Jayes

[REDACTED]
[REDACTED]
[REDACTED]

12/29/23

Honorable Lindsay Lorig
Lindsay.Lorigo@erie.gov

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses - women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Margaret [Signature]
Margaret [Redacted]

December 28, 2023

Honorable James Malczewski
92 Franklin Street, 4th floor

Dear Legislator Malczewski;

Re: Drastic Policy Changes at Elma Meadows & Grover
Cleveland Golf Courses

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses, *St. Joe's Men's League* & *Grover Cleveland Golf Course*

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

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holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be “grandfathered” relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

- Gerald [redacted]

1.3.2024

Honorable James Malczewski
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator (Last Name):

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

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- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Lynn

December 31, 2023

Honorable James Malczewski
Legislative Office 92 Franklin St.
Buffalo, NY. 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Robert [REDACTED]

3. 11. 2023

Date *January 1, 2024*

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator *Lindsay Lorigo,*

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Kathleen [Signature]
~~_____~~
~~_____~~

Please call me to discuss this matter.
~~_____~~

December 30, 2023

Honorable Lindsay Lorigo
92 Franklin St
4th Floor
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo:

As a resident of Erie County and a member of Elma Meadows Women's Golf Club, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,



Joyce

Date: January 1, 2024

Honorable Lindsey Bratek-Lorigo
Erie County Legislature
92 Franklin Street - 4th Floor
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator (Last Name):

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Maureen [Signature]

West Seneca, NY 14224

Address
Phone #

December 30, 2023

Honorable James Malczewski
Old County Hall
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski,

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

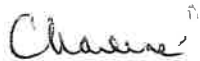
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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,



Mrs. Charlene

South Wales, New York 14139

December 28, 2024

Honorable Jim Malczewski
92 Franklin Street 4th Floor
Buffalo, NEW York 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski,

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely



Ann

West Seneca, New York 14224

12/27/2023

Honorable James Malczewski
92 Franklin St.
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Deborah S. F.
11111 Rd

WEST SENECA, N.Y. 14224

12/27/2023

Honorable James Malczewski
92 Franklin St.
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Joanne Pafford
[Redacted]
West Seneca, N.Y. 14224
(716) [Redacted]

Fwd: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

Lindsay Bratek-Lorigo <lbr159@gmail.com>

Wed 1/3/2024 10:19 AM

To: Lindsay Bratek-Lorigo <lbr159@gmail.com>

You don't often get email from lbr159@gmail.com. [Learn why this is important](#)

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

----- Forwarded message -----

From: **Maryellen [REDACTED]** <reply-to+7b049eb9f41c@crm.wix.com>

Date: Tue, Jan 2, 2024 at 12:17 PM

Subject: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

To: <lbr159@gmail.com>

Maryellen [REDACTED] just submitted your form: Contact Lindsay
on [Lindsay Lorigo \[REDACTED\]](#)

Message Details:

Name: Maryellen [REDACTED]

Email: [REDACTED]

Address: Elma Meadows Golf Course 2024 changes

Message: Vehemently oppose proposed changes to Elma Meadows

Golf Course changes for the 2024 golf season. Please send email

address for Ms Lorigo to attache basis for opposition. Need your

support for this opposition prior asap. Thank you.

Check here to request a lawn sign. Show your support for strong,

conservative leadership!: X Unchecked

Reply directly or go to your site's Inbox:

FW: Erie County Golf Courses Change of Rules

~~Heath, Nancy <Nancy.Heath@eiu.gov>~~

Tue 1/2/2024 11:16 AM

~~To: Gaugler, Mason <Mason.Gaugler@erdc.us>~~

 1 attachments (15 KB)

EC Golf Courses.docx;

From: T [REDACTED] [REDACTED]@aol.com

Sent: Monday, January 1, 2024 8:00 PM

To: **[REDACTED]**

Subject: Erie County Golf Courses Change of Rules

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

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

Honorable Erie County Legislator:

Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo, Johnson, Mills. McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour & Malczewski.

I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses.

The sudden and unsettling notification received by league Presidents in early December has left our golfing community deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members and the Veterans of Foreign Wars golf league.

We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its disproportionate impact on groups that historically face challenges in accessing golf courses—specifically, older women & men and veterans.

Contrary to implications of course overcrowding or monopolization, our league predominantly operates on low-demand weekday mornings, fostering a welcoming environment for seniors and retired individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize available tee times.

It is disheartening to note the absence of restrictions for non-league players, raising fundamental questions about fairness and equity in treatment.

The policy, purportedly aimed at enhancing "public access," paradoxically limits our access and compromises the fundamental enjoyment derived from the game, which traditionally revolves around an 18-hole pursuit and the physical benefits of walking the course. Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and implementing penalties for system abuse, could effectively address concerns about increased public access without dismantling established leagues that contribute significantly to the county's revenue.

Therefore, I respectfully implore your urgent intervention to advocate for the rescission of these league policies or, at the very least, support our plea for existing leagues to be "grandfathered" concerning these detrimental changes. Our leagues are eagerly seeking an audience with the Commissioner on January 10, 2024, to address these pressing concerns.

Your support in this matter would not only safeguard the existence of our leagues but also uphold the value these golf courses hold as integral recreational assets within our community. We are eager to discuss this matter further and would greatly appreciate any assistance or guidance you can provide.

Tom [REDACTED] (hard copy attached)

FW: Changes to Elma league Golf

Heath, Nancy <Nancy.Heath@erie.gov>

Tue 1/2/2024 11:16 AM

Gaugler, Mason <Mason.Gaugler@erie.gov>

-----Original Message-----

From: Joan [REDACTED] <joanpiecho@icloud.com>

Sent: Monday, January 1, 2024 1:06 PM

To: Malczewski, James <James.Malczewski@erie.gov>

Subject: Changes to Elma league Golf

[You don't often get email from [REDACTED]@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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

I've been a resident of Elma for 45 years. I been a member of Elma Meadows Woman's Golf Club for 24 years Bought county passes and T time passes in the past. I can not tell you how disappointed I am whit the new changes at Elma Meadows Golf I think the County did not take into consideration of the leagues that kept the course in the black for many years. Greed has overtaken. Making golfers rent carts is not a solution to improve the quality of play. It takes the same time to play with a cart or walking. Any one that plays golf knows this I suspect the person or persons that implemented this new rules never play a round of golf in their life.

Please take the time to look into this.

Thank You

Joan [REDACTED] and Kenneth [REDACTED]

Sent from my iPad

Date: January 2, 2024

Honorable James Malczewski
Old Erie County Hall
92 Franklin St., 4th Floor
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

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- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
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By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Karen [REDACTED]
[REDACTED]
Marilla, NY 14102
P [REDACTED]

FW: Erie County golf course issue

Heath, Nancy <Nancy.Heath@erie.gov>

Tue 1/2/2024 11:15 AM

To: Gaugler, Mason <[REDACTED]@erie.gov>

From: Bob [REDACTED] <[REDACTED]@aol.com>

Sent: Monday, January 1, 2024 3:48 PM

To: Johnson, Howard <Howard.Johnson@erie.gov>

Subject: Erie County golf course issue

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

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

Honorable Erie County Legislator:

Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo, Johnson, Mills. McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour & Malczewski.

I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses.

The sudden and unsettling notification received by league Presidents in early December has left our golfing community deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members and the Veterans of Foreign Wars golf league.

We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its disproportionate impact on groups that historically face challenges in accessing golf courses—specifically, women, especially older women, men, and veterans.

Contrary to implications of course overcrowding or monopolization, our league predominantly operates on low-demand weekday mornings, fostering a welcoming environment for seniors and retired individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize available tee times.

It is disheartening to note the absence of restrictions for non-league players, raising fundamental questions about fairness and equity in treatment. The policy, purportedly aimed at enhancing “public access,” paradoxically limits our access and compromises the fundamental enjoyment derived from the game, which traditionally revolves around an 18-hole pursuit and the physical benefits of walking the course.

Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and implementing penalties for system abuse, could effectively address concerns about increased

public access without dismantling established leagues that contribute significantly to the county's revenue.

Therefore, I respectfully implore your urgent intervention to advocate for the rescission of these league policies or, at the very least, support our plea for existing leagues to be "grandfathered" concerning these detrimental changes. Our leagues are eagerly seeking an audience with the Commissioner on January 10, 2024, to address these pressing concerns.

Your support in this matter would not only safeguard the existence of our leagues but also uphold the value these golf courses hold as integral recreational assets within our community. We are eager to discuss this matter further and would greatly appreciate any assistance or guidance you can provide.

Thank you sincerely for your attention to this pressing issue.

Robert [REDACTED]

30 [REDACTED] Drive

West Seneca, NY 14224

[REDACTED]

[REDACTED]

FW: Elma Meadows Golf Policy Changes

Heath, Nancy <Nancy.Heath@erie.gov>

Tue 1/2/2024 11:17 AM

T. Gaugler, Mason <Mason.Gaugler@erie.gov>

From: Diana [redacted] <[redacted]@gmail.com>**Sent:** Sunday, December 31, 2023 11:09 PM**To:** Malczewski, James <James.Malczewski@erie.gov>**Subject:** Elma Meadows Golf Policy Changes

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

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

Hon. James Malczewski

92 Franklin St., 4th Floor

Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.

- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Diana [REDACTED]

Diana [REDACTED]

[REDACTED]

Alden, NY 14004

FW: Golf Course Policy~~Heath, Nancy <Nancy.Heath@erie.gov>~~

Tue 1/2/2024 11:17 AM

To: ~~Gaugler, Mason <Mason.Gaugler@erie.gov>~~**From:** Tim ~~Agostini <agostini2@gmail.com>~~**Sent:** Sunday, December 31, 2023 9:40 AM

To: Lindsay.Lorigo@erie.gov; Johnson, Howard <Howard.Johnson@erie.gov>; McCants-Baskin, April <April.McCants-Baskin@erie.gov>; Kooshoian, Michael <Michael.Kooshoian@erie.gov>; Bargnesi, John <John.BargnesiJr@erie.gov>; Vinal, Jeanne <Jeanne.Vinal@erie.gov>; Greene, Christopher <Christopher.Greene@erie.gov>; Timothy.Myers@erie.gov; Todaro, Frank <Frank.Todaro@erie.gov>; Gilmour, John <John.Gilmour@erie.gov>; Malczewski, James <James.Malczewski@erie.gov>; Mills, John <John.Mills@erie.gov>

Subject: Golf Course Policy

Some people who received this message don't often get email from ~~agostini2@gmail.com~~. [Learn why this is important](#)

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December 31, 023

Honorable Erie County Legislator:

Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo, Johnson, Mills. McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour & Malczewski.

I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses.

The sudden and unsettling notification received by league Presidents in early December has left our golfing community deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members (60 yrs), The Veterans of Foreign Wars golf league and The Golden-agers Golf League. We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its disproportionate impact on groups that historically face challenges in accessing golf courses—specifically, women, especially older women, men, and veterans.

Contrary to implications of course; overcrowding or monopolization, our league predominantly operates on low-demand weekday mornings, fostering a welcoming environment for seniors and retired individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize available tee times.

It is disheartening to note the absence of restrictions for non-league players, raising fundamental questions about fairness and equity in treatment. The policy, purportedly aimed at enhancing "public access," paradoxically limits our access and compromises the fundamental enjoyment derived from the game, which traditionally revolves around an 18-hole golf pursuit and the physical benefits of walking the course.

Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and implementing penalties for system abuse, could effectively address concerns about increased public access without dismantling established leagues that contribute significantly to the county's revenue.

Therefore, I respectfully implore your urgent intervention to advocate for the rescission of these league policies or, at the very least, support our plea for existing leagues to be "grandfathered" concerning these detrimental changes. Our leagues are eagerly seeking an audience with the Commissioner on January 10, 2024, to address these pressing concerns.

Your support in this matter would not only safeguard the existence of our leagues but also uphold the value these golf courses hold as integral recreational assets within our community. We are eager to discuss this matter further and would greatly appreciate any assistance or guidance you can provide. Thank you sincerely for your attention to this pressing issue.

Timothy [REDACTED]

President, St Andrew's Senior Golf League

2560 Bulls Rd

Elm, NY 11059

7 [REDACTED]

December 30, 2023

Honorable James Malczewski
92 Franklin St., 4th Floor
Buffalo, NY 14202

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season, their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Karen [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

January 1, 2024

Hon. James Malczewski
Old Erie County Hall
92 Franklin St
Buffalo, NY

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Mr. Malczewski,

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Susan [REDACTED]

[REDACTED]

East Aurora, NY 14052

[REDACTED]

FW: Erie County - Elma Meadows

Heath, Nancy <Nancy.Heath@erie.gov>

Tue 1/2/2024 11:19 AM

To: Gaugler, Mason <Mason.Gaugler@erie.gov>

From: [redacted]@roadrunner.com <[redacted]@roadrunner.com>

Sent: Friday, December 29, 2023 7:37 PM

To: Malczewski, James <James.Malczewski@erie.gov>

Subject: Erie County - Elma Meadows

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

Dear Legislator

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows St Andrew's Senior golf league and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The St Andrew's Group (48 Members) has held its league play at Elma Meadows for more than 30 years.
- Each week we purchase a block of tee times for 36-48 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Weekday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride a cart on the course. Is the Commissioner really proposing to treat these two groups differently?

- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely

Joe [REDACTED]
[REDACTED]
Cheektowaga, NY 14225
[REDACTED]

FW: Elma Meadows & Grover Cleveland Golf Courses

From: [REDACTED] <[REDACTED]@erie.gov>

Tue 1/2/2024 11:19 AM

To: [REDACTED] <[REDACTED]@erie.gov>

1 attachment (16 KB)

malczewski legislator letter.docx;

From: [REDACTED] <[REDACTED]@gmail.com>

Sent: Saturday, December 30, 2023 8:42 PM

To: Malczewski, James <James.Malczewski@erie.gov>

Subject: Elma Meadows & Grover Cleveland Golf Courses

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Date 12/30/2023

Honorable James Malczewski

Address Old Erie County Hall

Address 92 Franklin St. 4th floor

Buffalo, NY 14202

Re Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the women's Buffalo Golf Club at Grover Cleveland Golf course on Monday mornings and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses, Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The WBGC (40 Members) has held its league play at Grover Cleveland for more than 100 years.
- Each week we purchase a block of tee times for our members. There is no discount for league play; we pay exactly what non-league golfers pay..and we show up religiously. We take very good care of the course because we have a vested interest in it which cannot be said for the rest of "the public". • This new policy disproportionately affects groups that don't traditionally have ready access to golf courses — women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Monday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game. When our constitution was established there were only 18 hole players.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness. • And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Judith [REDACTED]

60 [REDACTED]

Cheek.NY 14227

7 [REDACTED]

FW: Elma Women's Thursday Golf League

Heath, Nancy <Nancy.Heath@erie.gov>

Tue 1/2/2024 11:19 AM

To: Gaugler, Mason <Mason.Gaugler@erie.gov>

From: Robert M. Miller <robertmiller4@gmail.com>**Sent:** Friday, December 29, 2023 12:09 PM**To:** Malczewski, James <James.Malczewski@erie.gov>**Subject:** Elma Women's Thursday Golf League

You don't often get email from [robertmiller4@gmail.com](#). [Learn why this is important](#)

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Date Dec 29, 2023

Honorable James Malczewski
Erie County Hall 4th Floor
92 Franklin St
Buffalo any 14202

Re:Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator (Last Name):

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and

retired folks to hit the links; this is a low-demand time.

- We routinely stick around to socialize after completing our round and rarely see “the public” rushing to the tees that are open all afternoon.
- There’s been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are “the public”. This policy which is supposed to increase “the public’s” access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public’s access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn’t seem that many options other than decreasing league play were considered. There’s no need to destroy the leagues which provide almost guaranteed revenue to the County.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be “grandfathered” relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Patricia [REDACTED]

[REDACTED]

Elma, NY 14059

[REDACTED]

FW: Policy changes at Elma Meadows golf Course

[Redacted] <[Redacted]@erie.gov>

Tue 1/2/2024 11:20 AM

Re: Gaugler, Mason <Mason.Gaugler@erie.gov>

From: Eileen [Redacted] <[Redacted]@gmail.com>

Sent: Thursday, December 28, 2023 1:03 PM

To: Malczewski, James <James.Malczewski@erie.gov>

Subject: Policy changes at Elma Meadows golf Course

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Date: 12/28/2023

Honorable Malczewski

Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Malczewski:

As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses.

League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues.

Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.

- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is the Commissioner really proposing to treat these two groups differently?
- League players are "the public". This policy which is supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course.
- Golf is and has always been recognized as an 18-hole game.
- Walking the course provides excellent cardiovascular exercise, improving health and wellness.
- And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County.

I am a member of the Elma Meadows golf club, in addition to the Grover Cleveland women's golf club.

By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024.

Sincerely,

Eileen [REDACTED]
[REDACTED]
[REDACTED]
West Seneca NY 14224
[REDACTED]

Peace and All Good

"Wherever we gaze, the bush burns unconsumed.....How filled with awe is this place, and we did not know it!"

Fwd: Golf course policy

Tim Augustine <augustinetim42@gmail.com>

Wed 1/3/2024 9:15 AM

T. Gaugler, Mason <T.Gaugler@erie.gov>

You don't often get email from augustinetim42@gmail.com. [Learn why this is important](#)

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

----- Forwarded message -----

From: **Tim Augustine** <augustinetim42@gmail.com>

Date: Tue, Jan 2, 2024 at 9:51 AM

Subject: Golf course policy

To: <Lindsay.Lorigo@erie.gov>

Honorable Erie County Legislator:

Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo, Johnson, Mills. McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour & Malczewski.

I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses.

The sudden and unsettling notification received by league Presidents in early December has left our golfing community, deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members and the Veterans of Foreign Wars golf league. We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its

disproportionate impact on groups that historically face challenges in accessing golf courses—

specifically, women, especially older women, men, and veterans.

Contrary to implications of course, overcrowding or monopolization, our league predominantly operates

on low-demand weekday mornings, fostering a welcoming environment for seniors and retired

individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize

available tee times.

It is disheartening to note the absence of restrictions for non-league players, raising fundamental

questions about fairness and equity in treatment. The policy, purportedly aimed at enhancing “public

access,” paradoxically limits our access and compromises the fundamental enjoyment derived from the

game, which traditionally revolves around an 18-hole pursuit and the physical benefits of walking the

course.

Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and

implementing penalties for system abuse, could effectively address concerns about increased public

access without dismantling established leagues that contribute significantly to the county's revenue.

Therefore, I respectfully implore your urgent intervention to advocate for the rescission of these league

policies or, at the very least, support our plea for existing leagues to be “grandfathered” concerning

these detrimental changes. Our leagues are eagerly seeking an audience with the Commissioner on

January 10, 2024, to address these pressing concerns.

Your support in this matter would not only safeguard the existence of our leagues but also uphold the

value these golf courses hold, as integral recreational assets within our community.

We are eager to

discuss this matter further and would greatly appreciate any assistance or guidance you can provide.

Thank you sincerely for your attention to this pressing issue.

Timothy R. Augustine

President, Ancient Golf Club

2024-2025

Elma, NY 14059

Fwd: [Lindsay Lorigo ██████] Contact Lindsay - new submission

Lindsay Bratek-Lorigo <████████@gmail.com>

Wed 1/3/2024 10:16 AM

To: Gaugler, Mason <Mason.Gaugler@eriecountynyc.org>

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

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

----- Forwarded message -----

From: **Tim ██████** <reply-to+5ffa52c0df1d@crm.wix.com>

Date: Fri, Dec 29, 2023 at 1:55 PM

Subject: [Lindsay Lorigo ██████] Contact Lindsay - new submission

To: <████████@gmail.com>

Tim ██████ just submitted your form: Contact Lindsay
on [Lindsay Lorigo ██████](#)

Message Details:

Name: Tim [REDACTED]

Email: [REDACTED]@gmail.com

Address: 20 [REDACTED] Elma, NY 14059

Message: Date: 12/29/2023 Honorable Lindsay Lorigo Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator Lorigo: As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows St Andrew's Senior golf league and other leagues playing the County's two golf courses. League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues. Some considerations: The St Andrew's Group (48 Members) has held its league play at Elma Meadows for more than 30 years. Each week we purchase a block of tee times for 36-48 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously. This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans. We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Weekday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time. We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon. There's been no mention of non-league golfers being limited to 9 holes or being required to ride a cart on the course. Is the Commissioner really

proposing to treat these two groups differently? League players are “the public”. This policy which is supposed to increase “the public’s” access is actually reducing our access to and enjoyment of the course. Golf is and has always been recognized as an 18-hole game. Walking the course provides excellent cardiovascular exercise, improving health and wellness. And finally, there are any number of ways to increase the public’s access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn’t seem that many options other than decreasing league play were considered. There’s no need to destroy the leagues which provide almost guaranteed revenue to the County. By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be “grandfathered” relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024. Sincerely, Timothy [REDACTED] Elma, NY 14059 Phone # 7 [REDACTED]

Check here to request a lawn sign. Show your support for strong, conservative leadership!: X Unchecked

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Fwd: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

Lindsay Bratek-Lorigo <[REDACTED]>

Wed 1/3/2024 10:17 AM

To: [REDACTED]

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

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

----- Forwarded message -----

From: **Larry [REDACTED]** <reply-to+05c93ee527b7@crm.wix.com>

Date: Tue, Jan 2, 2024 at 7:27 PM

Subject: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

To: <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

Larry [REDACTED] just submitted your form: Contact Lindsay
on [Lindsay Lorigo \[REDACTED\]](#)

Message Details:

Name: Larry [REDACTED]

Email: [REDACTED]@gmail.com

Address: Drastic changes to Erie County Parks Golf Leagues

Message: January 2, 2024 Honorable Erie County Legislator(s): Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses Dear Legislator(s) Lorigo, Johnson, Mills, McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour. I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses. [If you are unaware of the changes please click on this link to read the letter 2023 League Presidents and Erie County Season Pass holders received from the Erie County Parks Dept] <https://www3.erie.gov/parks/sites/www3.erie.gov.parks/files/2023-12/dec-2023-letter-to-leagues-and-tournaments-about-changes.pdf> The sudden and unsettling notification received by league Presidents in early December has left our golfing community deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members and the Veterans of Foreign Wars golf league. We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its disproportionate impact on groups that historically face challenges in accessing golf courses—specifically, women, especially older women, men, and veterans.

Contrary to implications of course overcrowding or monopolization, our

league predominantly operates on low-demand weekday mornings, fostering a welcoming environment for seniors and retired individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize available tee times. It is disheartening to note the absence of restrictions for non-league players, raising fundamental questions about fairness and equity in treatment. The policy, purportedly aimed at enhancing "public access," paradoxically limits our access and compromises the fundamental enjoyment derived from the game, which traditionally revolves around an 18-hole pursuit and the physical benefits of walking the course. Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and implementing penalties for system abuse, could effectively address concerns about increased public access without dismantling established leagues that contribute significantly to the county's revenue. Therefore, I respectfully implore your urgent intervention to advocate for the rescission of these league policies or, at the very least, support our plea for existing leagues to be "grandfathered" concerning these detrimental changes. Our leagues are eagerly seeking an audience with the Commissioner on January 10, 2024, to address these pressing concerns. Your support in this matter would not only safeguard the existence of our leagues but also uphold the value these golf courses hold as integral recreational assets within our community. We are eager to discuss this matter further and would greatly appreciate any assistance or guidance you can provide. Thank you sincerely for your attention to this pressing issue. Lawrence [REDACTED] Lancaster, NY 14086

[REDACTED] Sent from my iPhone

Check here to request a lawn sign. Show your support for strong, conservative leadership!: X Unchecked

Fwd: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

Lindsay Bratek-Lorigo <[REDACTED]@gmail.com>

Wed 1/3/2024 10:18 AM

[REDACTED] <[REDACTED]@gmail.com>

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

----- Forwarded message -----

From: **Thomas [REDACTED]** <reply-to+0f10492a26b4@crm.wix.com>

Date: Tue, Jan 2, 2024 at 12:07 PM

Subject: [Lindsay Lorigo [REDACTED]] Contact Lindsay - new submission

To: <[REDACTED]@gmail.com>

Thomas [REDACTED] just submitted your form: Contact Lindsay
on [Lindsay Lorigo \[REDACTED\]](#)

Message Details:

Name: Thomas [REDACTED]

Email: [REDACTED]@aol.com

Address: [REDACTED], Orchard Park, NY 14127

Message: Honorable Erie County Legislator: Re: Concerns Regarding Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses Dear Legislator Lorigo, Johnson, Mills. McCants-Baskin, Kooshoian, Bargnesi, Vinal, Greene, Meyers, Todaro, Gilmour & Malczewski. I am writing to urgently bring to your attention a matter of significant concern within our golfing community regarding recent and drastic policy changes set to impact Elma Meadows and Grover Cleveland Golf Courses. The sudden and unsettling notification received by league Presidents in early December has left our golfing community deeply troubled. The announced policy, mandating a shift from enjoying a full 18 holes to restricting league play to just 9 holes, along with the compulsory requirement for all members to ride in carts, has sparked widespread dismay among our leagues, particularly affecting the longstanding presence of the St. Andrews Golf League for over 30 years with 48 members, the Elma Meadows Women's Golf Club with 130 members and the Veterans of Foreign Wars golf league. We, as league players, have consistently honored reservations and contributed to league play while paying the exact fees as non-league golfers. What is most concerning about this new policy is its disproportionate impact on groups that historically face challenges in accessing golf courses—specifically, women, especially older women, men, and veterans. Contrary to implications of course overcrowding or monopolization, our league predominantly operates on low-demand weekday mornings, fostering a welcoming environment for seniors and retired individuals. Moreover, socializing post-game rarely witnesses a rush from the general public to utilize available tee times. It is disheartening to note the absence of restrictions for non-league players.

raising fundamental questions about fairness and equity in treatment.

The policy, purportedly aimed at enhancing "public access," paradoxically limits our access and compromises the fundamental enjoyment derived from the game, which traditionally revolves around an 18-hole pursuit and the physical benefits of walking the course.

Alternative measures, such as adjusting tee time intervals, optimizing reservation systems, and implementing penalties for system abuse, could effectively address concerns about increased public access without dismantling established leagues that contribute significantly to the county's revenue.

Check here to request a lawn sign. Show your support for strong, conservative leadership!: X Unchecked

Reply directly or go to your site's Inbox:

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

To: <IndiraS99@gmail.com>

Mark F. [REDACTED] just submitted your form: Contact Lindsay on [Lindsay Lorigo \[REDACTED\]](#)

Message Details:

Name: Mark [REDACTED]

Email: [REDACTED]@gmail.com

Address: [REDACTED]

Message: Date 1/1/2024 Honorable Lindsay Lorig Re: Drastic Policy Changes at Elma Meadows & Grover Cleveland Golf Courses

Dear Legislator (Legislator Lorigo, As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows Women's Golf Club (EMWGC) and other leagues playing the County's two golf courses. League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues. Some considerations:

- The EMWGC (130 Members) has held its league play at Elma Meadows for more than 60 years.
- Each week we purchase a block of tee times for 80-100 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously.
- This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans.
- We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Thursday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time.
- We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon.
- There's been no mention of non-league golfers being limited to 9 holes or being required to ride the course. Is

Fwd: [Lindsay Lorigo [REDACTED] Contact Lindsay - new submission

Lindsay Bratek-Lorigo <[REDACTED]@gmail.com>

Wed 1/3/2024 10:18 AM

[REDACTED]

You don't often get email from [REDACTED]. [Learn why this is important](#)

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----- Forwarded message -----

From: **Dan [REDACTED]** <reply-to+fe32cd06fd50@crm.wix.com>

Date: Fri, Dec 29, 2023 at 7:55 PM

Subject: [Lindsay Lorigo [REDACTED] Contact Lindsay - new submission

To: <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

Dan [REDACTED] just submitted your form: Contact Lindsay
on [Lindsay Lorigo \[REDACTED\]](#)

Message Details:

Name: Dan [REDACTED]

Email: [REDACTED]

Address: St.. Andrew's Golf Club at Elma Meadows

Message: Dear Legislator Lorigo: As a resident of your district, I am bringing the above-referenced matter to your attention in hopes that you will find reason to advocate on behalf of the Elma Meadows St Andrew's Senior golf league and other leagues playing the County's two golf courses. League Presidents were notified in early December that beginning next season their members will no longer be permitted to play 18 holes of golf, nor will they be permitted to walk the course. The new policy states that all league play will be limited to 9 holes and everybody must ride in a cart! The rationale for these changes seems to be a perceived need to increase "the public's" access to the golf courses. Unfortunately, this short-sighted solution will cause irreparable harm to the leagues. Some considerations: The St Andrew's Group (48 Members) has held its league play at Elma Meadows for more than 30 years. Each week we purchase a block of tee times for 36-48 members. There is no discount for league play; we pay exactly what non-league golfers pay...and we show up religiously. This new policy disproportionately affects groups that don't traditionally have ready access to golf courses – women, particularly older women, and veterans. We might understand the Commissioner's concern if we were monopolizing the course on weekends but, in reality, Weekday mornings are an appropriate time for seniors and retired folks to hit the links; this is a low-demand time. We routinely stick around to socialize after completing our round and rarely see "the public" rushing to the tees that are open all afternoon. There's been no mention of non-league golfers being limited to 9 holes or being required to ride a cart on the course. Is the Commissioner really proposing to treat these two groups differently? League players are "the public". This policy which is

supposed to increase "the public's" access is actually reducing our access to and enjoyment of the course. Golf is and has always been recognized as an 18-hole game. Walking the course provides excellent cardiovascular exercise, improving health and wellness. And finally, there are any number of ways to increase the public's access to the courses, such as shortening the interval between tee times, simplifying the tee time reservation system and penalizing those who abuse the system. It doesn't seem that many options other than decreasing league play were considered. There's no need to destroy the leagues which provide almost guaranteed revenue to the County. By this letter, I respectfully request your assistance in getting these league policies rescinded or, at the very least, that you support our request that current leagues be "grandfathered" relative to these changes. The leagues hope to meet with the Commissioner on January 10, 2024. Sincerely, Dan Sullivan, 29 Commerce Center, West Seneca, NY 14224-7100

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Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2D-1

COUNTY ATTORNEY

Transmittal of New Claims Against Erie
County

Attachments

24COMM. 2D-1



EC LEG JAN 5 '24 PM 12:51

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

MEMORANDUM

gcj/ald

TO: Robert M. Graber, Clerk, Erie County Legislature
FROM: Jeremy C. Toth, Erie County Attorney
DATE: January 3, 2024
RE: Transmittal of New Claims Against Erie County

Mr. Graber:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), attached please find 19 new claims brought against the County of Erie. The claims are as follows:

Claim Name

1. Rachel Battaglia v. County of Erie, et al.;
2. Doris Bowden v. County of Erie, et al.;
3. Angelique Harris v. County of Erie, et al.;
4. Joyce Harris v. County of Erie, et al.;
5. Donna Holler v. County of Erie, et al.;
6. Jessica Netherland v. County of Erie, et al.;
7. Krista Schultz v. County of Erie, et al.;
8. Linda Tally v. County of Erie, et al.;
9. Jessica Todaro v. County of Erie, et al.;
10. James Greenberg v. Child Protective Services, et al.;
11. Mariah Gierlinger v. County of Erie;
12. Christopher Whalen v. County of Erie, et al.;
13. Kayla Monique Marshall v. County of Erie, et al.;
14. Elijah Watkins v. County of Erie, et al.;
15. Trisia Hammond v. County of Erie, et al.;
16. Darlene & Robert Bojarski v. County of Erie, et al.;

17. Zakaria Bashir v. County of Erie, et al.;
18. Tracy Maracle v. County of Erie, et al.; and
19. LG 105 Doe v. County of Erie, et al.

JCT:dld
Attachments



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Battaglia, Rachel v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Rachel Battaglia
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a faint, larger blue outline of the signature.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

RACHEL BATTAGLIA, X

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

X

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
RACHEL BATTAGLIA,

Plaintiff,

Index No.:

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.
-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Bowden, Doris v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Doris Bowden
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a faint, larger signature.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

DORIS BOWDEN,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

X

Date Index No. Purchased:

Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
DORIS BOWDEN,

Plaintiff,

Index No.:

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.
-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Harris, Angelique v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Angelique Harris
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over the typed name.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

ANGELIQUE HARRIS,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X

ANGELIQUE HARRIS,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.

-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Harris, Joyce v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Joyce Harris
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

JOYCE HARRIS,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X

JOYCE HARRIS,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.

-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Holler, Donna v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Donna Holler
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jer Toth", is written over a horizontal line.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

DONNA HOLLER,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

Date Index No. Purchased:

Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X

DONNA HOLLER,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.

-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Netherland, Jessica v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Jessica Netherland
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over the printed name of Jeremy C. Toth.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

JESSICA NETHERLAND,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

X

X

Date Index No. Purchased:

Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X

JESSICA NETHERLAND,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.

-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

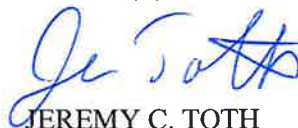
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Schultz, Krista v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Krista Schultz
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

KRISTA SCHULTZ,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

_____X

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 24, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X

KRISTA SCHULTZ,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.

-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

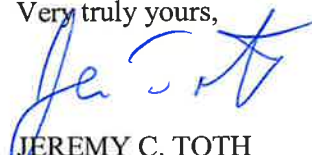
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Tally, Linda v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Linda Tally
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

LINDA TALLY,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
LINDA TALLY,

Plaintiff,

Index No.:

VERIFIED COMPLAINT

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.
-----X

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

November 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

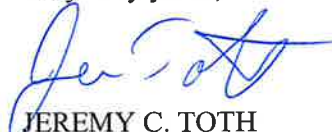
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Todaro, Jessica v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Jessica Todaro
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

JESSICA TODARO, X

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

X

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 23, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: **COUNTY OF ERIE**
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
JESSICA TODARO,

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE

Defendants.
-----X

Index No.:

VERIFIED COMPLAINT

Plaintiff, by and through its attorneys, SLATER SLATER SCHULMAN LLP,
respectfully shows and alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Adult Survivors Act under Civil Practice Law and Rules ("CPLR") § 214-j, as it alleges physical, psychological, or other injury or condition suffered as a result of conduct, which would constitute a sexual offense as defined in Article 130 of the New York Penal Law ("Penal Law"), committed against such person who was 18 years of age or older.

2. Plaintiff was 18 years of age or older at the time of the sexual abuse alleged herein.

3. At all times relevant herein, defendant COUNTY OF ERIE (hereinafter "the COUNTY") was and is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. At all times relevant herein, defendant ERIE COUNTY SHERIFF'S OFFICE was and is the branch of the municipal government of defendant COUNTY OF ERIE responsible for the custody, control and care of the COUNTY's penal institutions and imprisoned population



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 4, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Greenberg, James v. Child Protective Services, Katherine LaVean, et al.</i>
Document Received:	Summons and Complaint
Name of Claimant:	James Greenberg 23 Manhasset Street West Seneca, New York 14210
Claimant's attorney:	Claimant is proceeding <i>pro se</i> .

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

James Greenberg

Plaintiff,

Child Protective Services against-

Jacqueline Hannon

Katherine Lavean Defendant,

Index No. 813613 /2023

COMPLAINT

The Bar Association/Assigned council program
Kevin Condon

Pathways
Andrea Fitzsimmons

Dr. David Nathanson

Ladies and Gentlemen,

FIRST CAUSE OF ACTION

TO THE SUPREME COURT OF THE STATE IF NEW YORK

The complaint of the Plaintiff James Greenberg, respectfully shows and alleges as follows:

1. Plaintiff, James Greenberg, is a resident of the state of New York and resident at 23 Manhasset Street West Seneca, New York 14210.
2. Defendant, Jacqueline, herein after referred to, as defendant "Hannon," is a child protective worker at 2875 Union Road Cheektowaga New York 14227.
3. Plaintiff let defendant into into his home for a home-study at 149 Duerstien Street West Seneca, New York 14210.
4. Plaintiff told Defendant how Christy Dersam (Plaintiffs daughters grandmother) gave Juliana (Plaintiffs daughter) a birthday card from Plaintiffs daughters mothers boyfriend (Sean Leonard) and how Juliana felt uncomfortable about it. The card was given back by a female.
5. Sean Leonard threatened to hurt Plaintiff in front of Plaintiff daughter Juliana this was reported to the south park police station.
6. Defendant took returning the birthday card as a threat and called Plaintiff the following week advising Plaintiff to do a "safe weekend" Plaintiff could not pick up daughter Juliana that day for the visit. (December 13, 2019.) and a court order was violated
7. Due to Defendants poor choices Plaintiff was founded on cps case. This list was used to take Plaintiffs daughter away from Plaintiff and supervised visits were put in place by the family court.
8. Plaintiff appealed his CPS case, the results were changed to unfounded. Plaintiffs name was taken off the list.

9. Due to Defendants poor decision making Plaintiffs daughter suffered mental and emotional trauma as a result.

10. Juliana and Plaintiff have endured mental torture panic attacks and financial trauma as a result

11. Plaintiff has interest in seeking justice for Juliana and himself as we were both mentally tortured by all the Defendants for almost four years due to their bad decision making.

12. Plaintiffs daughter was around HERION and drugs, drug dealers and involved in violent deadly attacks while at her moms home Anna Dersam. 91 Saranac ave Buffalo New York 14216 Plaintiff discovered 3 police reports and CPS reports

13. Juliana was injected with Covid shots in direct contrast to my opinion and since then she has been sick a number of times since. Plaintiff believes in natural ways to get better such as drinking soup, eat healthy, stay warm, get fresh air, go 4 walks, hot steam, keep distant from people wear a mask when necessary.ect

By reason of the facts and circumstances state, above Defendant Hannon breached the contract at Child protective services abusing her powers as a case worker.

By reason of the facts and circumstances stated, above Plaintiff has been damaged by Defendant Hannon in the sum of \$40,000.

Wherefore, Plaintiff demands judgment against Defendant Hannon in the sum of \$40,000 plus interest from pain and suffering costs and disbursements together with any other relief the court finds to be just and proper

Plaintiff James Greenberg is a resident of the state of New York residing at 23 Manhasset Street West Seneca, New York 14210.

Defendant, Katherine, herein after referred to, as defendant "Lavean,"s a CPS supervisor at 2875 Union Road Cheektowaga, New York 14227.

1. Plaintiff was founded on a CPS case by Defendant by using false information.

2. Defendants decision caused Plaintiff and Plaintiffs daughter to be separated for the past four years. Plaintiffs Daughter was placed around HERION and violent deadly attacks do to Defendants poor decision making.

3. Defendant caused mental anguish. Financial trama, panic attacks!

4. Plaintiff appealed CPS case and won or unfounded because there was not any evidence.

By reason of the facts and circumstances state above defendant has breached the contract.

By reason of the facts and circumstances state above, Plaintiff has been damaged by the Defendant in the sum of \$40,000

Wherefore Plaintiff demands judgment against Defendant for 40,000 from pain and suffering costs and disbursements together with any other relief the court finds just and proper.

Second Cause of Action

1. Plaintiff James Greenberg is a resident of the state of New York and resides at 23 Manhasset Street West Seneca New York 14210.
2. Defendant, Kevin, herein after referred to, as defendant "Condon" at the Assigned Council Program and law guardian for family court and resides at 9001 Notre Dame Drive Eden New York 14057.
3. On 8/27/21 Plaintiff met Defendant at the 4th floor help desk V.I.P. Assigned Council program, perhaps Defendant took Plaintiffs case with out permission from superiors Plaintiff told Defendant his life story (attached is petition Defendant started filling out.) Then Defendant told Plaintiff I cant help you and you don't have a case unless the Grandmother trys to move Juliana in with her mom Anna Dersam that is on drugs. Defendant is in denial and says he doesn't recall this happened.
4. A week later Defendant became Plaintiffs daughters law guardian at family court. This is unethical as Defendant was originally assigned to interview Plaintiff
5. Plaintiff brought his daughter Juliana to Defendants office on 8558 N Main Street for her first interview with Defendant
6. The first time Defendant came to court, The first thing Defendant said in family court was "I cannot make any decisions today because I didn't get to talk to the child and that was a lie." That day Plaintiffs daughter Juliana was taken away .
- 6.5 Defendant asked plaintive if he likes children so much why don't you go have another one! That statement was to antagonize me and very uncalled for & unprofessional
7. Defendant spoke to Plaintiffs daughter three times in four years. Defendant said he didn't recall himself being my volinter layer and that was a lie.
8. Defendant formed a twelve hour drug order stating Plaintiffs daughter's mother Anna Dersam could have her unsupervised overnight access. Defendants poor decision put Juliana around HEROIN AS STATED ON CPS REPORTS
9. Hayden Kirlew attacked Plaintiffs daughter's mother Anna Dersams house 91 Saranac ave buffalo NY 14216 .the car and home. Bricks were thrown threw Plaintiffs daughters bedroom window and several other windows and siblings window. C.P.S. found Needles in the house next to the baby formula in the cupboards. Plaintiffs daughters mother Anna Dersam was found slumped over by Juliana Dersam, along with her boyfriend James Calabrese found unresponsive with a broken jaw. all this happened on the Defendants watch. and Plaintiff discovered C.P.S. reports 3 police reports 9.5
- Anna Dersam and James Calabrese did not press charges on Hayden Kirlew
10. If it weren't for the Defendant creating 12 hour drug order this would not have happened to Juliana. She should not have been there in the home or around Anna Dersam and Jim Calabrese

11. Defendant financially, mentally, tortured Plaintiff and Juliana for more than three years.
- 11.5 Plaintiff and his daughter suffered from lots of panic attacks due to Defendant's poor decision making.
12. Due to Defendant's poor decision making and lies Juliana was put in great danger.
13. Defendant does not do what is in the best interest of the child.
14. Defendant objected to the Plaintiff having access to more time with said child. Defendant believes Plaintiff will argue with teachers, Defendant also believes Plaintiff won't co-parent or work with Grandma Dersam, Juliana's other Guardian.
15. Defendant posts on Facebook social media that he "likes Dick" While in a group hug with two other men, Does the Defendant discuss this with his clients?, Either way Plaintiff thinks this is not professional.
16. Defendant mentally tortured a father and his daughter for almost 4 years? With his bad decision making. Defendant put Juliana in a very bad dangerous environment. Plaintiff has interest in seeking justice for daughter and himself. As they were mentally tortured by Defendant.
17. Defendant failed to serve and protect in fact he did the exact opposite.
18. I am asking for the Defendant to be Disbarred for all of the above. By reason of the facts and circumstances stated above Plaintiff has damaged in the sum of \$40,000. Wherefore, Plaintiff demands judgment against defendant in the sum of \$40,000 plus interest from pain and suffering costs and disbursements together with and other relief the court finds to be just and proper.

Third Cause of Action

Plaintiff James Greenberg is a resident of the state of New York and resides at 23 Manhasset Street West Seneca New York 14210.

Defendant, Andrea, herein after referred to, as defendant "Fitzsimmons," Pathways supervisor place of business 40 Gardenville Parkway Suite 100 West Seneca, New York 14224

1. Plaintiff spoke with Defendant on the phone trying to get signed up 4 pathways during the Covid virus. Defendant said she couldn't get my signature due to Carona. Then on marketplace when Defendant bought appliance from Plaintiff without identifying herself. At a house in West Seneca at the end of a dead end street last house on left side by Harlem rd and Seneca st. area. Defendant couldn't get Plaintiff's signature but Defendant was able to buy a washer off of Plaintiff on marketplace.
2. Six months later Defendant and Plaintiff met in person for the second time at Pathways 40 Gardenville parkway suite 100 West Seneca ny 14224.
3. Defendant tortured Plaintiff and Plaintiff's daughter Juliana by not letting them do video chats during Covid. Everyone else was doing video chats and she took it upon herself to not let Plaintiff and Plaintiff's daughter speak for six months.
4. Defendant had Plaintiff and Plaintiff's daughter playing with broken toys in a tiny room with three people including Plaintiff behind a glass window laughing at Plaintiff and Plaintiff's daughter. Plaintiff offered to buy and donate some new toys for everyone to use, Defendant said no.

6. \$75.00 an hour was the rate, roughly \$1000 was spent.
7. Defendant abused her powers and for her personal gratification.
8. During Plaintiffs last visit Defendant gave 5 minutes to do a video chat. Plaintiff has a old slow laptop and by the time it was loaded Defendant ended the video chat and said im charging you full price for this session. Defendant ended session because Plaintiff needed 2 or 3 more minutes for the laptop to turn on stood up for himself.
9. Defendant doesn't do whats in the best intrest of the child , Defendant doesn't have patience to work with families.

Plaintiff has interest in seeking justice for his daughter Juliana. Dersam and himself.

10. Plaintiffs daughter was placed around HERION involved in violent attacks with drug dealer Hayden kirlew at 91 Saranac ave Buffalo NY 14216 as a result of defendants decision making . Plaintiff discovered 3 police reports and CPS reports..

By reason of the facts and circumstances state above defendant has breached the contract at Pathways,

By reason of the facts and circumstances state above Defendant have been damaged by Plaintiff in the sum of \$40,000

Wherefore Plaintiff demands judgment against Defendant in the sum \$40,000 plus interest from pain and suffering costs and disbursements, together with any other relief the court finds just and proper.

Fourth Cause of Action

Plaintiff James Greenberg is a resident of the state of New York and resides at 23 Manhasset Street West Seneca New York 14210.

Defendant, David, herein after referred to, as defendant "Nathanson," is a psychiatrist at 2839 Elmwood Avenue Tonawanda, New York 14217.

1. Plaintiff paid Defendant \$2500 dollars to be evaluated for family court (02/24/2021)
2. Defendant Nathanson designed his report to make Plaintiff look bad by using Plaintiffs arrests record though Defendant was not convicted of anything, and has a clean record.
3. Defendant Nathanson used his reports to make Plaintiff look bad by using false information or only parts of a story.
4. Defendant recommended that Plaintiffs daughter stay with her mother Anna Dersam and then Hayden Kirlew attacked the mother Anna Dersams home 91 saranac ave Buffalo NY 14216. Plaintiff discovered C.P.S. and 3 Police reports Defendant put Juliana around HERION and rite in to a violent attack by a drug dealer Plaintiff discovered pics of Hayden Kirlew holding drugs and guns !
5. As a result Plaintiff has paid nearly \$40,000 and missed almost 4 years of our life were stolen from us.
6. Defendant has caused panic attacks, mental anguish ,from his mental abuse and his negativeness, Defendant failed to serve and protect.
7. Plaintiffs Daughter was forced to get injected with covid vaccine against Plaintiffs own will and has ben sick with covid 2 times

By reason of the facts and circumstances stated above Defendant has breached his contract working with families.

By reason of facts and circumstances stated above Defendant has damaged the Plaintiff in the amount of \$40,000

Wherefore Plaintiff demands judgment against Defendant in the amount of \$40,000 plus interests from pain and suffering costs and disbursements together with any other relief the court finds just and proper.

Dated: _____, 20____
_____, New York

Signature

Print Name

STATE OF NEW YORK)
) ss.:
COUNTY OF)

I, James Greenberg, am the Claimant in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

Signature

Sworn to before me on this
day of _____, 20____.

Notary Public



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 6, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Gierlinger, Mariah v. County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Mariah E. Gierlinger 4052 Coventry Green Circle Williamsville, New York 14221
Claimant's attorney:	Tiffany M. Kopacz, Esq. Chiacchia & Fleming, LLP 5113 South Park Avenue Hamburg, New York 14075

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Claim of:

MARIAH E. GIERLINGER,
4052 Coventry Green Circle
Williamsville, New York 14221

Claimant,

-against-

NOTICE OF CLAIM

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

Respondent.

**TO: COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202**

PLEASE TAKE NOTICE, that MARIAH E. GIERLINGER, hereby claims damages against the COUNTY OF ERIE, its officers, agents and/or employees for damages incurred by her, as a result of the wrongful, negligent and careless acts of the respondent, its officers, agents and/or employees on or about June 18, 2023, and in support thereof submits the following:

1. The claimant is MARIAH E. GIERLINGER, whose post office address is 4052 Coventry Green Circle, Williamsville, New York, 14221, and telephone number (716) 382-8343.
2. The attorney for the claimant herein is CHIACCHIA & FLEMING, LLP, Tiffany M. Kopacz, Esq., whose post office address is 5113 South Park Avenue, Hamburg, New York, 14075, and telephone number (716) 648-3030.
3. At approximately 4:34 p.m. on or about the June 18, 2023, MARIAH E. GIERLINGER sustained severe personal injuries while riding her bicycle on the lower bike

path/trail located along Interstate 190 nearing the Peace Bridge in the City of Buffalo, County of Erie, State of New York. On said date and time, MARIAH E. GIERLINGER was thrown violently from her bicycle due to the dangerous, uneven, unsafe and defective condition of the paved path/trail. As a result of this incident, MARIAH E. GIERLINGER sustained severe injuries to her left knee and right elbow, as well as fracturing her right wrist. Attached hereto as Exhibit A are photographs identifying the aforementioned path/trail and depicting the approximate location of the subject defective condition.

4. The negligence and/or unlawful acts of the respondent, its officers, agents and/or employees included, but is not limited to, the following: failing to maintain said path/trail, and areas appurtenant thereto in a reasonably safe condition and free of unreasonably hazardous conditions; failing to repair or correct the deteriorated, dangerous and defective conditions of the path/trail; failing to adequately, properly and sufficiently monitor and inspect the subject path/trail and with such reasonable frequency as necessary to repair or correct the deteriorated, dangerous and defective condition of the path/trail which caused injury to the claimant; allowing the path/trail to deteriorate and/or fall into such a state of disrepair and thereby creating and maintaining a dangerous and hazardous condition to exist to those users of the public trail, namely, the claimant; failing to warn, by sign or other readily visible markings, those lawfully using the path/trail of such dangerous and hazardous condition, despite having notice of such foreseeable harm; failing to take reasonable precautions to protect those lawfully using the path/trail, specifically MARIAH E. GIERLINGER, and prevent such occurrence; failing to properly, securely and adequately isolate, block off, barricade or cover the dangerous and hazardous condition on the path/trail to avoid unnecessarily exposing individuals to the harm and the very occurrence complained of by the claimant; failing to hire or retain appropriate and

sufficient personnel and individuals to inspect, repair and correct the deteriorating, dangerous and defective condition on the path/trail; hiring and/or retaining inexperienced, inadequate and/or improper personnel and individuals to inspect, repair and/or correct the deteriorating, dangerous and defective condition on the path/trail; failing to adequately supervise personnel charged with repairing and/or correcting the path/trail; failing to ensure the subject path/trail was repaired and/or corrected in a proper and safe manner; failing to properly and adequately design, construct and shore the path/trail to prevent the eroded, deteriorating, dangerous and defective condition complained of; and otherwise acting in a negligent manner.

5. As a result of the negligence of the defendant, MARIAH E. GIERLINGER sustained serious bodily injury when she fractured her right wrist on June 18, 2023 and that by reason of the aforesaid negligence by respondent, the claimant incurred damages in an amount to be determined after trial and/or after further analysis of the physical injuries and the costs of treating same.

6. This notice is made and served on behalf of said claimant in compliance with the provisions of Section 50-e of New York State General Municipal Law and such other laws and statutes as are in the case made and provided.

PLEASE TAKE FURTHER NOTICE, that the claimant, MARIAH E. GIERLINGER, demands payment of said claims, and unless said claims are paid within a reasonable time, it is the intention of the claimant to commence suit against the COUNTY OF ERIE .

Dated: August 30, 2023
Hamburg, New York



Mariah E. Gierlinger
Claimant



Tiffany M. Kopacz, Esq.
CHLACCHIA & FLEMING, LLP
Attorneys for the Claimant
Office and Post Office Address
5113 South Park Avenue
Hamburg, New York 14075
Telephone: (716) 648-3030
Facsimile: (716) 648-0810
Email: tmk@cf-legal.com

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:


MARIAH E. GIERLINGER, being duly sworn, deposes and states:

1. That deponent is the claimant in the instant cause.
2. That deponent has read the foregoing Notice of Claim and knows its contents.
3. That the same is true to deponent's personal knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes them to be true.



MARIAH E. GIERLINGER

Sworn to before me this
30th day of August, 2023.



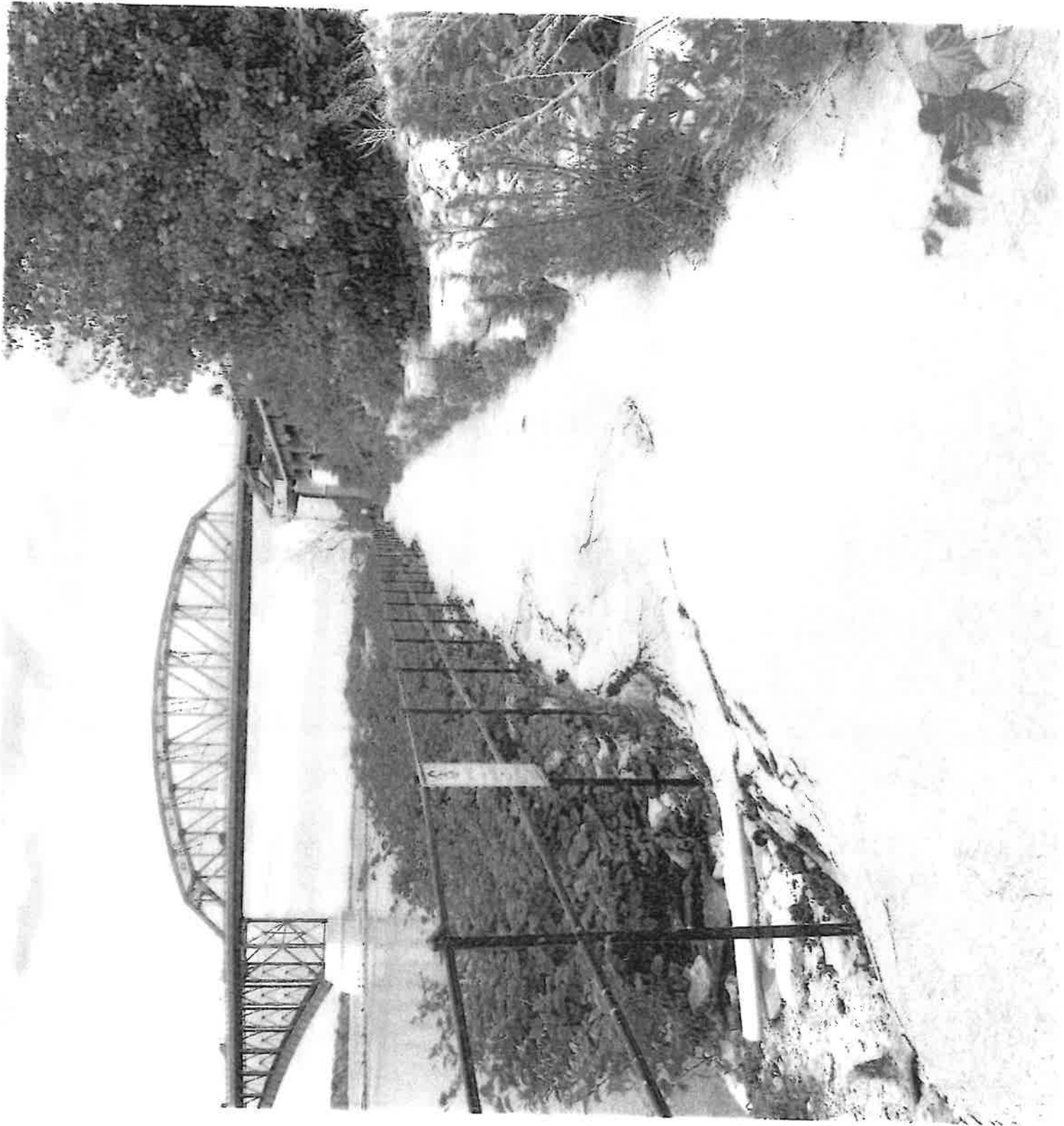
Notary Public

MARIA E. DOLAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 3, 2026

EXHIBIT

A







COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 6, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Whalen, Christopher v. County of Erie, Erie County DPW, Erie County Parks</i>
Document Received:	Notice of Claim
Name of Claimant:	Christopher Whalen 35 Orchard Avenue Blasdell, New York 14219
Claimant's attorney:	R. Colin Campbell, Esq. Campbell & Associates 38 Lake Street Hamburg, New York 14075

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a faint, larger version of the same signature.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

CHRISTOPHER WHALEN
35 Orchard Avenue
Blasdell, NY 14219

NOTICE OF CLAIM

Claimant,

-VS-

COUNTY OF ERIE
95 Franklin Street
Buffalo, NY 14202

**ERIE COUNTY DEPARTMENT OF
PUBLIC WORKS**
95 Franklin Street
Buffalo, NY 14202

**ERIE COUNTY PARKS, RECREATION
AND FORESTRY DEPARTMENT**
95 Franklin Street
Buffalo, NY 14202

Respondents.

TO: ERIE COUNTY CLERK
92 Franklin Street
Buffalo, NY 14202

ERIE COUNTY DIRECTOR OF PUBLIC WORKS
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY DIRECTOR OF PARKS, RECREATION
AND FORESTRY
95 Franklin Street
Buffalo, NY 14202

PLEASE TAKE NOTICE that CHRISTOPHER WHALEN has a claim against the
COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE

COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, for personal injuries, medical expenses, and damages generally sustained by her, and in support thereof, the Claimant states:

FIRST: The name and post office address of Claimant is CHRISTOPHER WHALEN, 35 Orchard Avenue, Blasdell, NY 14219.

SECOND: The name and address of Claimant's attorney is R. Colin Campbell, Esq., CAMPBELL & ASSOCIATES, 38 Lake Street, Hamburg, New York 14075.

THIRD: The date, time, and location of the occurrence wherein the Claimant sustained injury was September 6, 2023, at approximately 8:00 or 9:00 p.m., on the Empire State Trail, near Porter Avenue in the City of Buffalo, County of Erie, and State of New York. The incident occurred in the area shown in the photo attached as Exhibit A.

FOURTH: The claim of CHRISTOPHER WHALEN is for personal injuries sustained by him through the negligence, carelessness, and/or recklessness of the COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, and their agents, servants, and/or employees.

FIFTH: The nature of the claim is for personal injuries Claimant sustained when he was caused to fall off his bicycle after encountering a significant defect and/or dangerous condition on property owned and maintained by the Respondents, COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, more specifically raised, broken and weak pavement possibly due to tree roots without any markings or warnings. It is alleged, upon information and belief, the incident was caused by the negligence of the Respondents, COUNTY OF ERIE, ERIE

COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, by and through their employees, agents, and/or representatives and without any fault on the part of the Claimant. It is alleged, upon information and belief, that the Respondents, COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, by and through their employees, agents, and/or representatives, created the dangerous condition and/or had actual and/or constructive notice of the dangerous condition and were negligent, careless and/or reckless by: creating the dangerous condition; causing or contributing to the dangerous condition; failing to perform proper and appropriate inspection, repairs, and maintenance in the park; failing to repair the condition; in permitting the dangerous condition to exist in a high traffic area where it was foreseeable that park visitors would encounter it; failing to provide notice or warning to the Claimant and others regarding the defective condition; and in being negligent in the design, construction, repair, maintenance, planning, and upkeep of the park. Said actions on the part of the Respondents, COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF PUBLIC WORKS, and ERIE COUNTY PARKS, RECREATION AND FORESTRY DEPARTMENT, and through their employees, agents, and/or representatives, resulted in a significant defect and/or dangerous condition caused solely by the aforesaid which resulted in the Claimant, CHRISTOPHER WHALEN, suffering serious injuries.

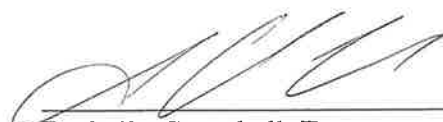
SIXTH: The items of damages and injuries sustained by the Claimant, as known at this juncture, include injuries to his right ankle, including but not limited to a fractured left clavicle and head injuries. Claimant also may sustain lost wages due to lost opportunity to work and medical expenses associated with care and treatment of his said injuries. Upon information and

belief, the aforementioned injuries are permanent and progressive in nature, will require future medical care and treatment and possible surgical intervention, together with the risks attendant thereto, as well as the development of traumatic arthritis, pain and suffering.

The undersigned presents this claim and demand for adjustment and payment and notifies you that unless adjusted and paid within thirty (30) days from the date of its presentation, it is the intention of the Claimant to commence an action thereon.

Dated: October 27, 2023


CHRISTOPHER WHALEN


R. Colin Campbell, Esq.
CAMPBELL & ASSOCIATES
Attorneys for Claimant
38 Lake Street
Hamburg, New York 14075
(716) 992-2222

VERIFICATION

STATE OF NEW YORK

)

SS:

COUNTY OF ERIE

)

CHRISTOPHER WHALEN, being duly sworn, deposes and says that he is the claimant in the within action; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, deponent believes it to be true.

Arwen

CHRISTOPHER WHALEN

Sworn to before me on this 27th
day of October, 2023.

Ann M. Berdaque
Notary Public

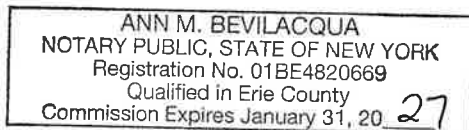


EXHIBIT A





COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 6, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

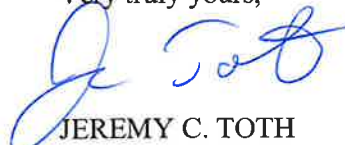
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Marshall, Kayla Monique v. County of Erie and City of Buffalo</i>
Document Received:	Notice of Claim
Name of Claimant:	Kayla Monique Marshall 196 LaSalle Avenue Buffalo, New York 14214
Claimant's attorney:	Jill C. Trembath, Esq. Cantor, Wolff, Nicastro & Hall LLC 350 Main Street, Suite 2140 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

KAYLA MONIQUE MARSHALL,

Claimant,

**VERIFIED
NOTICE OF CLAIM**

vs.

COUNTY OF ERIE, and
CITY OF BUFFALO,

Respondents.

TO: Jeremy C. Toth, Esq.
Erie County Attorney
COUNTY OF ERIE
Erie County Hall
95 Franklin Street
Buffalo, NY 14202

CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

Claimant, KAYLA MONIQUE MARSHALL, by and through her attorneys, Cantor, Wolff, Nicastro & Hall, LLC, as and for her Verified Notice of Claim against the Respondents herein, COUNTY OF ERIE and CITY OF BUFFALO, state as follows:

1. The name and post office address of the Claimant is as follows: Kayla Monique Marshall, 196 Lasalle Avenue, Buffalo New York 14214.
2. The attorneys for the Claimants are Cantor, Wolff, Nicastro & Hall, LLC, Jill C. Trembath, Esq., 350 Main Street, Suite 2140, Buffalo, New York 14202.
3. Upon information and belief, and at all times herein mentioned, the respondents COUNTY OF ERIE and CITY OF BUFFALO had control over the events, including concerts

and festivals taking place at the Outer Harbor Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203.

4. Upon information and belief, at all times and hereinafter mentioned, respondents COUNTY OF ERIE and CITY OF BUFFALO maintained responsibility, supervision, control, and authority over their agents, servants, and employees, and are liable to the claimants for the acts complained of herein under the theories of respondeat superior and vicarious liability.

5. The claim arose as follows: On or about August 13, 2023, Claimant, KAYLA MONIQUE MARSHALL attended the 2023 Drumwork Fest at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203. The concert was under the supervision of COUNTY OF ERIE and CITY OF BUFFALO and/or their agents, servants, and/or employees who had a duty to maintain the reasonable safety of the general public during an ongoing event. The Claimant, KAYLA MONIQUE MARSHALL, was caused to serious injuries including, but not limited to a left knee ACL tear with surgical intervention.

6. This incident was caused by the negligence, carelessness, and recklessness of the COUNTY OF ERIE and CITY OF BUFFALO, and/or their agents, servants and/or employees as follows:

- a. Negligently failing to properly supervise and/or monitor the August 13, 2023 concert;
- b. Negligently failing to take reasonable steps in case of an emergency;
- c. Negligently failing to require Fire Marshals and police officers to be present at the concert;
- e. Negligently failing to timely inspect the premises;

f. Negligently failing to properly and adequately train their agents, servants, and/or employees;

g. Negligently failing to ensure safe ingress/egress of concert attendees; and

h. Negligently failing to enforce codes and/or approving dangerous conditions in obvious violation of said codes, including but not limited to requirements regarding exits, lighting, handrails, and fire safety and evacuation plans;

i. Negligently failing to provide an adequate number of Security Officers and/or Buffalo police department officers as special event detail at the August 13, 2023 concert at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203;

j. Negligently failing to reasonably and/or adequately train the security and/or Buffalo Police Department officers that were placed on special event detail at the August 13, 2023 concert at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203;

k. Negligently failing to limit the number of concert attendees to what was reasonable and safe under the circumstances;

l. Negligently failing to intervene, despite undertaking an affirmative duty do so, when security personal and/or Buffalo police department officers observed a large number of individuals pushing toward toward the back of the concert;

m. Negligently failing to intervene, despite undertaking an affirmative duty do so, when security personal and/or Buffalo police department officers observed the massive stampede of attendees attempting to exit the concert;

n. Negligently failing to reasonably assist and/or provide medical care to attendees during the stampede despite undertaking an affirmative duty of care;

o. Negligently failing to provide medical treatment to the claimant after sustaining injuries as a result of the incident;

p. Unreasonably endangering the claimants' physical safety and/or causing the claimant to fear for their safety; and

q. Being otherwise careless, negligent, and/or reckless.

7. This Claim is for personal injuries, conscious physical and emotional pain.

8. That the Claimant, KAYLA MONIQUE MARSHALL has incurred various medical expenses and is continuing to treat with her physicians.

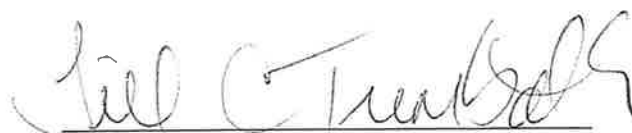
9. By virtue of the negligence and carelessness of the respondents, the Claimant, KAYLA MONIQUE MARSHALL was caused to suffer serious, significant, and permanent injuries. Claimant, KAYLA MONIQUE MARSHALL, suffered conscious pain and suffering, serious and permanent personal injuries, and lost time from work. Claimant, KAYLA MONIQUE MARSHALL, also suffered other injuries and complications as yet undetermined as a result of this accident and, and by reason of the same, Claimant KAYLA MONIQUE MARSHALL, sustained damages in an amount which cannot be reasonably calculated at this time. All personal injuries attendant to this claim, including but not limited to fractures, cuts and gashes, infections, sprains, bruises, internal injuries, aggravation of previous injuries and conditions, psychological trauma, emotional distress, post-traumatic stress disorder, and other physical and psychological injuries; medical, hospital, and other treatment expenses incurred; lost income; past, present and future pain and suffering, disability, and emotional distress; other special and general damages as they manifest themselves subsequent to the date of this notice; and any other damages as recognized and/or permitted by law.

10. That the Claimant, KAYLA MONIQUE MARSHALL hereby makes a claim against the COUNTY OF ERIE and CITY OF BUFFALO for her personal injuries and permanency incurred as a result of her injuries; for her past and future pain and suffering; for all of the medical expenses that have been incurred and will be incurred in the future; for permanent restriction and limitation of motion, function, and use of her injured body parts; for the impairment of her ability to perform her usual and customary activities of daily living; for her loss of enjoyment of life; for her past and future lost earnings; and for future expenses that will be incurred.

11. The Claimant respectfully reserves the right to amend this Notice of Intention to File Claim if necessary.

PLEASE TAKE NOTICE, that in the event the Respondents fail to resolve this matter, the Claimant intend to commence an action to recover damages in an amount which is currently undetermined, together with the costs and disbursements of the action and for such other and further relief as the Court deems just and proper.

Dated: October 11 2023
Buffalo, New York



Jill C. Trembath, Esq.
Cantor, Wolff, Nicastro & Hall LLC
Attorneys for Claimant
350 Main St. Suite 2140
Buffalo, New York 14202
(716) 848-8000

VERIFICATION

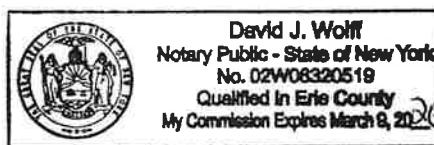
STATE OF NEW YORK)
COUNTY OF ERIE) ss:

JILL C. TREMBATH, being duly sworn, deposes and says that he is the attorney for the Claimants herein; that he has read the foregoing Notice of Intention to File Claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes them to be true.


JILL C. TREMBATH

Sworn to before me this
16 day of Oct, 2023.







COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 6, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Watkins, Elijah v. County of Erie and City of Buffalo</i>
Document Received:	Notice of Claim
Name of Claimant:	Elijah Watkins 1370 Southwestern Boulevard West Seneca, New York 14224
Claimant's attorney:	Jill C. Trembath, Esq. Cantor, Wolff, Nicastro & Hall LLC 350 Main Street, Suite 2140 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a light blue circular stamp.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

ELIJAH WATKINS,

Claimant,

**VERIFIED
NOTICE OF CLAIM**

vs.

COUNTY OF ERIE, and
CITY OF BUFFALO,

Respondents.

TO: Jeremy C. Toth, Esq.
Erie County Attorney
COUNTY OF ERIE
Erie County Hall
95 Franklin Street
Buffalo, NY 14202

CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

Claimant, ELIJAH WATKINS, by and through her attorneys, Cantor, Wolff, Nicastro & Hall, LLC, as and for her Verified Notice of Claim against the Respondents herein, COUNTY OF ERIE and CITY OF BUFFALO, state as follows:

1. The name and post office address of the Claimant is as follows: ELIJAH WATKINS, 1370 Southwestern Boulevard, West Seneca, New York 14224..
2. The attorneys for the Claimants are Cantor, Wolff, Nicastro & Hall, LLC, Jill C. Trembath, Esq., 350 Main Street, Suite 2140, Buffalo, New York 14202.
3. Upon information and belief, and at all times herein mentioned, the respondents COUNTY OF ERIE and CITY OF BUFFALO had control over the events, including concerts

and festivals taking place at the Outer Harbor Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203.

4. Upon information and belief, at all times and hereinafter mentioned, respondents COUNTY OF ERIE and CITY OF BUFFALO maintained responsibility, supervision, control, and authority over their agents, servants, and employees, and are liable to the claimants for the acts complained of herein under the theories of respondeat superior and vicarious liability.

5. The claim arose as follows: On or about August 13, 2023, Claimant, ELIJAH WATKINS attended the 2023 Drumwork Fest at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203. The concert was under the supervision of COUNTY OF ERIE and CITY OF BUFFALO and/or their agents, servants, and/or employees who had a duty to maintain the reasonable safety of the general public during an ongoing event. The Claimant, ELIJAH WATKINS, was caused to suffer serious injuries including, but not limited to a left ankle fracture with surgical intervention.

6. This incident was caused by the negligence, carelessness, and recklessness of the COUNTY OF ERIE and CITY OF BUFFALO, and/or their agents, servants and/or employees as follows:

- a. Negligently failing to properly supervise and/or monitor the August 13, 2023 concert;
- b. Negligently failing to take reasonable steps in case of an emergency;
- c. Negligently failing to require Fire Marshals and police officers to be present at the concert;
- e. Negligently failing to timely inspect the premises;

f. Negligently failing to properly and adequately train their agents, servants, and/or employees;

g. Negligently failing to ensure safe ingress/egress of concert attendees; and

h. Negligently failing to enforce codes and/or approving dangerous conditions in obvious violation of said codes, including but not limited to requirements regarding exits, lighting, handrails, and fire safety and evacuation plans;

i. Negligently failing to provide an adequate number of Security Officers and/or Buffalo police department officers as special event detail at the August 13, 2023 concert at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203;

j. Negligently failing to reasonably and/or adequately train the security and/or Buffalo Police Department officers that were placed on special event detail at the August 13, 2023 concert at Lakeside Event Lawn, located at 825 Fuhrmann Boulevard, Buffalo, New York 14203;

k. Negligently failing to limit the number of concert attendees to what was reasonable and safe under the circumstances;

l. Negligently failing to intervene, despite undertaking an affirmative duty do so, when security personal and/or Buffalo police department officers observed a large number of individuals pushing toward toward the back of the concert;

m. Negligently failing to intervene, despite undertaking an affirmative duty do so, when security personal and/or Buffalo police department officers observed the massive stampede of attendees attempting to exit the concert;

n. Negligently failing to reasonably assist and/or provide medical care to attendees during the stampede despite undertaking an affirmative duty of care;

o. Negligently failing to provide medical treatment to the claimant after sustaining injuries as a result of the incident;

p. Unreasonably endangering the claimants' physical safety and/or causing the claimant to fear for their safety; and

q. Being otherwise careless, negligent, and/or reckless.

7. This Claim is for personal injuries, conscious physical and emotional pain.

8. That the Claimant, ELIJAH WATKINS has incurred various medical expenses and is continuing to treat with his physicians.

9. By virtue of the negligence and carelessness of the respondents, the Claimant, ELIJAH WATKINS was caused to suffer serious, significant, and permanent injuries. Claimant, ELIJAH WATKINS, suffered conscious pain and suffering, serious and permanent personal injuries, and lost time from work. Claimant, ELIJAH WATKINS, also suffered other injuries and complications as yet undetermined as a result of this accident and, and by reason of the same, Claimant ELIJAH WATKINS, sustained damages in an amount which cannot be reasonably calculated at this time. All personal injuries attendant to this claim, including but not limited to fractures, cuts and gashes, infections, sprains, bruises, internal injuries, aggravation of previous injuries and conditions, psychological trauma, emotional distress, post-traumatic stress disorder, and other physical and psychological injuries; medical, hospital, and other treatment expenses incurred; lost income; past, present and future pain and suffering, disability, and emotional distress; other special and general damages as they manifest themselves subsequent to the date of this notice; and any other damages as recognized and/or permitted by law.

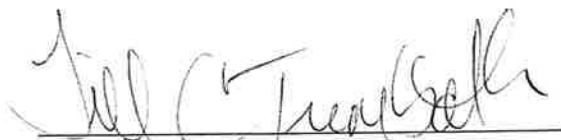
10. That the Claimant, ELIJAH WATKINS hereby makes a claim against the COUNTY OF ERIE and CITY OF BUFFALO for his personal injuries and permanency incurred

as a result of his injuries; for his past and future pain and suffering; for all of the medical expenses that have been incurred and will be incurred in the future; for permanent restriction and limitation of motion, function, and use of his injured body parts; for the impairment of his ability to perform his usual and customary activities of daily living; for his loss of enjoyment of life; for his past and future lost earnings; and for future expenses that will be incurred.

11. The Claimant respectfully reserves the right to amend this Notice of Intention to File Claim if necessary.

PLEASE TAKE NOTICE, that in the event the Respondents fail to resolve this matter, the Claimant intend to commence an action to recover damages in an amount which is currently undetermined, together with the costs and disbursements of the action and for such other and further relief as the Court deems just and proper.

Dated: October 16, 2023
Buffalo, New York



Jill C. Trembath, Esq.
Cantor, Wolff, Nicastro & Hall LLC
Attorneys for Claimant
350 Main St. Suite 2140
Buffalo, New York 14202
(716) 848-8000

VERIFICATION

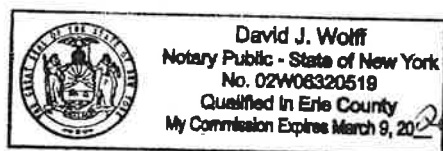
STATE OF NEW YORK)
COUNTY OF ERIE) ss:

JILL C. TREMBATH, being duly sworn, deposes and says that he is the attorney for the Claimants herein; that he has read the foregoing Notice of Intention to File Claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes them to be true.


JILL C. TREMBATH

Sworn to before me this
16 day of Oct., 2023.







COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 7, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Hammond, Trisia v. County of Erie and ECSO</i>
Document Received:	Summons and Complaint
Name of Claimant:	Trisia Hammond
Claimant's attorney:	Adam P. Slater, Esq. Slater Slater Schulman LLP 488 Madison Avenue, 20th Floor New York, New York 10022

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a circular embossed seal.

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

TRISIA HAMMOND, X

Plaintiff,

-against-

COUNTY OF ERIE and
ERIE COUNTY SHERIFF'S OFFICE,

Defendants.

X

Date Index No. Purchased:
Index No.:

SUMMONS

Plaintiff designates ERIE
County as the place of trial.

The basis of venue is the
county where claims alleged
herein occurred.

The Above-Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
November 6, 2023

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

TO: COUNTY OF ERIE
County Attorney
Edward A. Rath County Office Building
95 Franklin Street, Room 1634
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, NY 14202



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 7, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Bojarski, Darlene and Robert v. County of Erie and Town of Hamburg</i>
Document Received:	Notice of Claim
Name of Claimant:	Darlene and Robert Bojarski 55 West Cherboug Drive Cheektowaga, New York 14227
Claimant's attorney:	Philipp L. Rimmler, Esq. Paul William Beltz, P.C. 36 Church Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.



IN THE MATTER OF THE CLAIM of
DARLENE BOJARSKI and ROBERT BOJARSKI

ERIE COUNTY
DEPARTMENT OF LAW

Claimants,

NOTICE OF CLAIM

vs.

ERIE COUNTY and
TOWN OF HAMBURG,

Respondents.

PLEASE TAKE NOTICE that, claimants, DARLENE BOJARSKI and ROBERT BOJARSKI, pursuant to statutes in such cases made and provided, do hereby make claim against ERIE COUNTY and TOWN OF HAMBURG, and in support of such claim do state the following:

1. Claimants' Post Office address is 55 West Cherbourg Drive, Cheektowaga, New York 14227. The claimants' attorneys are: Paul William Beltz, LLC, 36 Church St., Buffalo, NY 14202. Ms. Bojarski is on Medicare and her social security number [REDACTED]

2. The claim is for a fall arising out of a negligent parking barrier located in the parking lot of the Hamburg Casino. The fall occurred due to the improper placement of the barrier, among other factors, that precluded the Claimant, DARLENE BOJARSKI, from being aware of the obstruction, thus causing her to fall and sustain multiple serious injuries.

3. The claim first arose on July 13, 2023 in the parking lot of the Hamburg Casino. The manner in which the claim arose is as follows: On July 13, 2023, the claimant, DARLENE BOJARSKI, parked her car in the Hamburg Casino parking lot. Ms. Bojarski got out of her car and walked around the front of the car so that she could assist her friend out of the car. While she was in the process of moving around the car, she came into contact with a concealed parking

barrier and fell. As a result of the negligent parking barrier, Ms. Bojarski sustained multiple fractures to her pelvis, among other injuries. As a result of her injuries, Ms. Bojarski had a lengthy hospitalization and had to go to in-patient rehabilitation because her injuries precluded any weightbearing. She still continues to have pain and suffering from the injuries she sustained. To date, claimant has not yet been discharged from care. Upon information and belief, the negligence and carelessness of ERIE COUNTY and TOWN of HAMBURG, either jointly or severally, was in the improper selection of a parking barrier, placement of the subject parking barrier in such a manner that the parking barrier was not visible to users of the parking lot, failing to have adequate warnings, and in failing to use due care in creating and allowing a condition that was not reasonably safe to exist in the parking lot.

4. Claimant DARLENE BOJARSKI'S damages include permanent loss of use of nerves, muscles, tissue, blood vessels; scarring, loss of range of motion, pain, physical changes and deformities from the fall, body image changes due to muscle and tissue damage; past and future pain and suffering from unnecessary medical treatment; and permanent loss of muscle and body tissue; past and future loss of ability to engage in activities, enjoy life, and perform household tasks; and expenses for past and future household services and past and future medical care. Claimant ROBERT BOJARSKI suffered a loss of consortium, past and future, by reason of his wife's injuries.

WHEREFORE, claimants request that the claim be allowed and paid for by the respondents, pursuant to General Municipal Law §§50-e, and CPLR §3017(c), together with interest, costs and disbursements in this action.


VERIFICATION

DARLENE BOJARSKI, being duly sworn, deposes and says:

That I am the claimant in this action; that I have read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters I believe them to be true.


DARLENE BOJARSKI

Sworn to before me this
10th day of October, 2023



Notary Public PHILIPP L. RIMMLER
No. 02R16403470
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 01/27/2024

ROBERT BOJARSKI, being duly sworn, deposes and says:

That I am the claimant in this action; that I have read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters I believe them to be true.


ROBERT BOJARSKI

Sworn to before me this
10th day of October, 2023


Notary Public PHILIPP L. RIMMLER
No. 02R16403470
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 01/27/2024



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 12, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

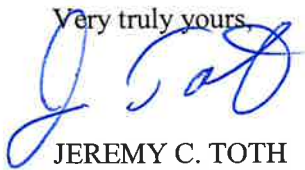
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Bashir, Zakaria v. County of Erie, ECSO, Deputy Oroszi</i>
Document Received:	Notice of Claim
Name of Claimant:	Bashir Zakaria 35 Humphrey Street Buffalo, New York 14207
Claimant's attorney:	Andrew T. Gill, Esq. Cantor Wolfe Nicastro & Hall 350 Main Street, Suite 2140 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

ZAKARIA BASHIR
35 Humphrey Road
Buffalo, New York 14207

Claimant,

NOTICE OF CLAIM

vs.

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

ERIE COUNTY SHERIFF'S DEPARTMENT
10 Delaware Avenue
Buffalo, New York 14202

DEPUTY JOSEPH L. OROSZI
10 Delaware Avenue
Buffalo, New York 14202

Respondents.

TO: COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

ERIE COUNTY SHERIFF'S DEPARTMENT
10 Delaware Avenue
Buffalo, New York 14202

DEPUTY JOSEPH L. OROSZI
10 Delaware Avenue
Buffalo, New York 14202

PLEASE TAKE NOTICE that ZAKARIA BASHIR as Claimant, by and through his attorneys, Cantor, Wolff, Nicastro & Hall, claims damages for pain and suffering, economic loss, and medical expenses sustained by reason of the wrongful, negligent and careless acts and/or

omissions of COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT, and DEPUTY JOSEPH L. OROSZI, and in support thereof, Claimant states:

1. The claimant, ZAKARIA BASHIER, resides at 35 Humphrey Road, Buffalo, New York 14207. The Claimant is currently in the custody of the Erie County Sheriff's Department at the Erie County Correctional Facility, 11581 Walden Avenue, Alden, New York 14004.

2. The name and address of the Claimant's attorneys is:

Cantor Wolff Nicastro & Hall
350 Main Street, Suite 2140
Buffalo, New York 14202
(716) 848-8000

3. The nature of the claim is negligence.

4. Upon information and belief, the date of the happening of the incident in which the serious injuries were sustained by ZAKARIA BASHIER, and the time when such the claim that arose was on or about the 17th day of October 2023, at or about 11:03 a.m. on that date.

5. Upon information and belief, the facts and circumstances of this claim are as follows: that on October 17, 2023, the Claimant was a passenger in a vehicle registered to ERIE COUNTY SHERIFF and being driven by DEPUTY JOSEPH L. OROSZI as a member of the ERIE COUNTY SHERIFF'S DEPARTMENT with New York license plate number "POLICE." Said vehicle was traveling northwest on Church Street approaching the entrance to Interstate I90 in the left lane in the City of Buffalo, County of Erie, and State of New York. A 2014 Jeep with New York license plate number "KBL4511" was traveling at the same location in the center lane, slightly in front of the ERIE COUNTY SHERIFF vehicle. The 2014 Jeep attempted to make a U-turn at the break in the concrete median from the center lane and turned into the ERIE COUNTY SHERIFF vehicle which caused a collision. DEPUTY JOSEPH L. OROSZI did not avoid the collision. This caused the Claimant to suffer serious and permanent injuries. See **Exhibit A** for the police accident report related to this collision.

6. Upon information and belief, the incident was caused by the wrongful, negligent and careless acts and/or omissions of the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S

DEPARTMENT, and DEPUTY JOSEPH L. OROSZI.. The acts of negligence at the time of and leading up to the the subject incident include, but are not limited to:

- a. Failure to keep a proper lookout;
- b. Failure to exercise reasonable due care and caution in the operation and control of his motor vehicle;
- c. Failure to see what there was to be seen;
- d. Failure to keep the motor vehicle under proper control;
- e. Failure to sound a signal, horn, or provide another type of warning or take other evasive action of any kind as to avoid the car crash;
- f. Failure to properly brake, slow down, and/or stop the vehicle with the necessary requisite care and diligence upon approaching the place where the car crash occurred;
- g. Failure to timely apply the brakes;
- h. Carelessly and negligently operating a motor vehicle as to cause a collision with the other vehicle;
- i. Failure to maneuver the vehicle from the proximity of the car crash by moving to the left or right to avoid the car crash; and
- j. Failure to keep safe the Claimant who was in the custody and control of the Respondents.


7. As a result of said incident, the Claimant suffered certain severe, permanent and serious injuries, was rendered sick, sore, and lame, and sustained pain and suffering. The serious and permanent injuries sustained include, but are not limited to injury and damage to his shoulders, back, neck, head, and other trauma. The Claimant will be compelled to spend large sums of money for future medical expenses and was caused to be incapacitated from performing his usual and customary activities.

8. As a result of said incident, Claimant claims damages against the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT, and DEPUTY JOSEPH L. OROSZI for future pain and suffering, loss of enjoyment of life, past and future lost wages, past and future medical bills and the permanent effect of his injuries, in an amount in excess of the jurisdictional limits of all lower courts.

9. This notice is made and served on behalf of said Claimant, ZAKARIA BASHIER, in compliance with the provisions of 50-h of the General Municipal Law and such other laws and statutes as are in the case made and provided.

10. You will take further notice that Claimant, ZAKARIA BASHIER, demands payment of said claim and unless said claim is paid within a reasonable time, it is the intention of the Claimant to commence suit against COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT, and DEPUTY JOSEPH L. OROSZI.

DATED: November 16, 2023
Buffalo, New York



Andrew T. Gill Esq.
Attorneys for Claimant
Cantor Wolff Nicastro & Hall
350 Main Street, Suite 2140
Buffalo, New York 14202
(716) 848-8000

VERIFICATION

STATE OF NEW YORK)
 : SS:
COUNTY OF ERIE)

Andrew T. Gill, being duly sworn, deposes and says that he is a member of Cantor Wolff Nicastro & Hall, attorneys for the Claimant, ZAKARIA BASHIR, herein; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except to the matters therein stated to be alleged upon information and belief, and that to those, deponent believes same to be true.

The sources of deponent's information and the grounds for his belief are reports and correspondence from representatives of the Claimant presently in the file of this case in deponent's office.



ANDREW T. GILL, ESQ.

Sworn to before me this
16th day of November, 2023.



Notary Public

JENNIFER I. HALL
NOTARY PUBLIC-STATE OF NEW YORK
No. 01HA6342545
Qualified in Niagara County
My Commission Expires 05-23-2024



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 12, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Maracle, Tracy v. County of Erie, ECSO and Sheriff Garcia</i>
Document Received:	Notice of Claim
Name of Claimant:	Tracy Maracle 103 North Clinton Street, Apt. 1 Buffalo, New York 14706
Claimant's attorney:	Nicholas J. Shemik, Esq. The Dietrich Law Firm 101 John James Audubon Parkway Buffalo, New York 14228

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

TRACY MARACLE,

NOTICE OF CLAIM

Claimant,

vs.

COUNTY OF ERIE, ERIE COUNTY SHERIFF'S
DEPARTMENT, and SHERIFF JOHN C. GARCIA,
in his official capacity as Sheriff of Erie County,

Respondents.

PLEASE TAKE NOTICE that the above-named Claimant claims and demands from the County of Erie, State of New York, Erie County Sheriff's Department and Sheriff John C. Garcia, in his official capacity as Sheriff of Erie County, recompense for personal injuries sustained by the Claimant by reason of the wrongful, unlawful, negligent and careless acts and omissions of the Respondents, their agents, servants and/or employee, and in support thereof the Claimant states:

1. The address of the Claimant is 103 North Clinton Street, Apartment 1, Buffalo, New York 14706.
2. The Claimant is represented by The Dietrich Law Firm P.C., 101 John James Audubon Parkway, Buffalo, New York 14228 (716-839-3939).
3. The incident in which personal injuries were sustained by the Claimant occurred on or about October 17, 2023 at approximately 11:03 a.m. on

Church Street near its intersection with Lower Terrace, in the City of Buffalo, the County of Erie, and the State of New York. Said incident is described in the attached **Exhibit A - Police Report** - wherein it notes that the Claimant was a passenger, as an incarcerated person under the care, custody, and control of the Respondents, in a certain 2020 Ford Erie County Sheriff vehicle being driven by Sheriff Joseph L. Oroszi when it collided with a certain 2014 Jeep driven by Dar-Vel K. Beaner bearing New York License Plate KBL4511. As a result of said collision, the Claimant sustained permanent and severe injuries.

4. Following the above-mentioned collision, while the Claimant was under the care, custody, and control of the Respondents, said Claimant was delayed, denied, or otherwise withheld from medical care and/or attention which further aggravated, exacerbated and/or caused the Claimant to sustain permanent and severe injuries.

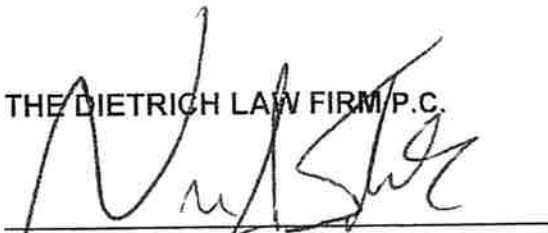
5. By virtue of the recklessness and/or negligence of the employees, agents and/or servants of the respondent, the Claimant has incurred medical and hospital expenses, which are to date undetermined, and will incur loss of earnings, impairment of health and permanent injuries.

6. Upon information and belief, the Claimant will be obligated further medical expenses including drugs, medicines and prosthetic devices, the amount of which cannot be reasonably calculated at this time.

TAKE NOTICE that the Claimant demands payment of his claim as set forth above.

Dated: November 2, 2023

By:

THE DIETRICH LAW FIRM P.C.


Nicholas J. Shemik, Esq.
Attorneys for Claimant
101 John James Audubon Parkway
Buffalo, New York 14228
(716) 839-3939

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

TRACY MARACLE,

Claimant,

VERIFICATION

VS.

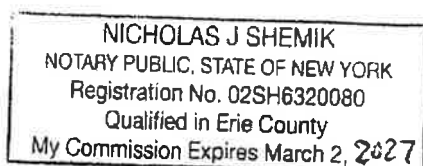
COUNTY OF ERIE, ERIE COUNTY SHERIFF'S
DEPARTMENT, and SHERIFF JOHN C. GARCIA,
in his official capacity as Sheriff of Erie County,

Respondents.

TRACY MARACLE, being duly sworn, deposes and says, that the deponent is the Claimant in the within action; that the deponent has read the foregoing Notice of Claim and know the contents hereof; that the same is true to the deponent's knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes them to be true.

Tracy Maracle
TRACY MARACLE

Sworn to before me this 2nd day
of November, 2023



[Signature]
NOTARY PUBLIC



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

December 14, 2023

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

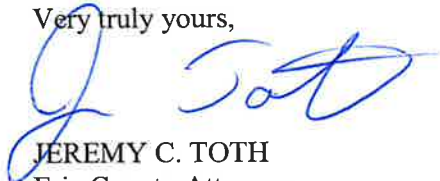
Dear Mr. Graber:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Doe, LG 105 v. Countyof Erie, ECSO, et al.</i>
Document Received:	Summons and Complaint
Name of Claimant:	LG 105 Doe (a pseudonym for a male plaintiff)
Claimant's attorney:	Amy C. Keller, Esq. Lipsitz Green Scime Cambria LLP 42 Delaware Avenue - Suite 120 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,



JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

LG 105 DOE,

Plaintiff,

vs.

SUMMONS

ERIE COUNTY
95 Franklin Street
Buffalo, New York 14202

Index No:

ERIE COUNTY SHERIFF'S OFFICE
10 Delaware Avenue
Buffalo, New York 14202

JOHN C. GARCIA, Individually and in his Current Official
Capacity of Sheriff of Erie County, New York,
10 Delaware Avenue
Buffalo, New York 14202

TIMOTHY B. HOWARD, Individually and in his Former
Official Capacity of Sheriff of Erie County, New York,
11523 Carpenter Road
South Wales, New York 14139

JANE DOE MEDICAL PROVIDER (on duty during the
sexual assaults occurring in November 2014),

JOHN DOE CORRECTIONAL OFFICERS 1-5 (on duty
during the sexual assaults occurring in November 2014),
and

JOHN DOE INMATES/DETAINEES 1-3 (incarcerated at
Erie County Holding Center and the perpetrators in the sexual
assaults occurring in November 2014),

Defendants.

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your answer, or, if the Complaint is not served with this Summons, to serve a notice of appearance, on the Plaintiff's Attorneys within TWENTY (20) DAYS after the service of this Summons, exclusive of the day of service (or within THIRTY (30) DAYS after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Erie County is designated as the place of trial on the basis on the Defendant Erie County's place of business located in Buffalo, New York.

DATED: November 17, 2023
Buffalo, New York

LIPSITZ GREEN SCIME CAMBRIA LLP

By: 

AMY C. KELLER, ESQ.

Attorneys for Plaintiff

42 Delaware Avenue, Suite 120

Buffalo, New York 14202-3924

(716) 849-1333

[ACK: # 73266.0001]

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2D-2	DEPUTY COMPTROLLER OF AUDIT	EC Comptroller's Office Audit of the Real Property Tax Services
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24COMM. 2D-2	Attachments
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ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

EC LEG JAN 12 '24 AM 11:11

January 12, 2024

Mr. Scott A. Bylewski, Esq.
Director of Real Property Tax Services
Department of Real Property Tax Services
95 Franklin Street Room 100
Buffalo, New York 14202

Re: Erie County Comptroller's Office Audit of the Real Property Tax Services

Dear Director Bylewski:

The Erie County Comptroller's Office is commencing an audit of the Real Property Tax Services Collection Process. The audit will include testing and evaluating Real Property revenue transactions in the Countywide Revenue - Fund Center 140. The audit will also include an evaluation of the internal controls for the systems and processes employed by the Department of Real Property Tax Services in collecting Erie County taxes. The audit will cover the period January 1, 2023 through December 31, 2023.

In conjunction with this audit, we request access to department records, personnel, and documentation as necessary. The scope of this audit will not be expanded without written notice.

We will contact your office to arrange a meeting to review the Real Property Tax Services processes and audit procedures. If there are any concerns that you would like us to examine, please feel free to bring them to our attention. Please contact me at 858-6927 or by email at Mary.Nytz-Hosler@Erie.gov if you have any questions or concerns. Thank you in advance for your assistance and cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Mary Nytz-Hosler".

Mary Nytz-Hosler
Deputy Comptroller – Audit

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Erie County Legislature
Hon. Kevin Hardwick, Erie County Comptroller
Robert W. Keating, Director, Division of Budget and Management
Erie County Fiscal Stability Authority

Erie County Legislature
Meeting Date: 01/25/2024

SUBJECT

COMM. 2M-1	CEO - PEACEPRINTS OF WNY	Access East Ferry Detention Center
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24COMM. 2M-1	Attachments
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**Administration:**

1001 E. Delavan Ave, Buffalo, NY 14215
(716) 856-6131

www.PeaceprintsWNY.org

January 3, 2024

Legislator Howard Johnson, Jr.
Erie County District 1 Representative
Chair of the Erie County Public Safety Committee
1367 Fillmore Avenue
Buffalo, NY 14211

Re: Access East Ferry Detention Center

Legislator Johnson,

Peaceprints of WNY is a Buffalo-based non-profit helping individuals returning to the community from incarceration. Although we have been providing reentry services to Erie County for nearly four decades, we have grown tremendously since 2018, when we were awarded Erie County's first Federal Second Chance Act Grant. The \$1M award enabled us to pilot out "Project Blue", a collaboration between the Erie County Sheriff's Office and Peaceprints of WNY to provide intensive, individualized case management to individuals while they are incarcerated and continuing for one-year post-release.

I am proud to report that in the five years since we first launched Project Blue, we have expanded from serving 100 medium-to-high risk Project Blue clients a year to over 700 individuals across both county jails in 2023. Despite this tremendous growth, our recidivism rate has consistently remained below 10% year after year. When compared to the 2018 county recidivism rate of 81%, our results are outstanding and due in no small part to the transparency, partnership, and accountability Peaceprints holds ourselves and our partners to.

These unprecedented results have since warranted three additional federal investments to Peaceprints, including a \$750,000 grant awarded on September 27, 2022, by the Office of Justice Programs and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The award will be dispersed over three years to pilot a program for justice-involved youth that is modeled after the successful takeaways from Project Blue.

Primary among these takeaways is the importance of an open and transparent partnership between Peaceprints and the Erie County Youth Services Center. Physical access to the Youth Detention Center as well as communication, data, assessments, classification, criminal records, and court records are a critical component to ensuring the best possible outcomes for clients and accurate program evaluation.



Administration:

1001 E. Delavan Ave, Buffalo, NY 14215
(716) 856-6131

www.PeaceprintsWNY.org

An MOU signed on May 31, 2022, by then Deputy Commissioner of Youth Services of Erie County, Paul Kubala, was submitted to OJJDP as part of our application to pilot Empower Youth at the East Ferry Youth Detention Center and duplicate the success of Project Blue in the realm of youth justice.

Project Blue is currently being studied by the US Bureau of Justice Assistance for duplication as a potential national best practice. Empower Youth holds the same potential – both for our justice-involved young people, and for everyone who comes after them. It has the potential to connect young people to resources and support during a critical point in their adolescent development and can make the difference in them avoiding future justice-involvement as an adult. It offers another chance for Erie County to become a national leader in this space without requiring any financial investment from our county.

Unfortunately, with only three years to pilot out the program (during which time a third-party evaluator will study the program), time is a limited resource and currently, we are unable to access the facility. Without access to the facility, Peaceprints is unable to offer pre-release services, which we believe weakens the impact of our programming and harms the outcomes for the young justice-involved people we had hoped to serve.

Therefore, I humbly ask for direction from the Public Safety Committee on how to best proceed. I have enclosed a copy of our signed MOU and the project narrative as it was awarded. Should you have any additional questions or if the opportunity to provide more information presents itself, please do not hesitate to reach out.

With appreciation,

Cindi McEachon
CEO
Peaceprints of WNY

CC:

Kenneth Simmons, Deputy Commissioner for Youth Services
Mark Poloncarz, Erie County Executive
Lisa Chimera, Deputy County Executive
Marie Cannon, Commissioner Department of Social Services