



THE ERIE COUNTY LEGISLATURE

Session No. 6  
MARCH 21, 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. Meyers

PLEDGE OF ALLEGIANCE: Ms. Lorigo

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING: Meeting No. 5

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

VINAL	Remembering Joan K. Bozer - Former Erie County Legislator
LORIGO	Celebrating the 150th Anniversary of the Village of East Aurora
LORIGO	Recognizing March 2024 as "National Music in Our Schools Month"
LORIGO	Recognizing March 2024 as "National Reading Month"
MILLS	Celebrating 70 Years of Chiavetta's Chicken Barbeque
MILLS	Congratulating the North Collins Volunteer Fire Company Inc. on Its 135th Anniversary
MILLS	Celebrating Wayland Brewing Company on National Beer Day
MEYERS	Acknowledging and Recognizing Cleveland Hill School Fire Memorial Day
TODARO	Congratulating the Depew Lady Wildcats Bowling Team on Winning the New York State Bowling Championship

TODARO	Congratulating Jerome Miller on His Retirement from the Depew Police Department
TODARO	Congratulating the St. Mary's Lancers on Winning the NYS Catholic High School Division A Basketball Championship
GREENE	Recognizing the Amherst Public Library During National Library Week
GREENE	Recognizing Shalooby Loofer Brewing on National Beer Day
GREENE	Recognizing the Clarence Public Library During National Library Week
GREENE	Recognizing the Akron Public Library During National Library Week
KOOSHOIAN	Honoring the Kenmore Village Improvement Society, Citizen of the Month - March 2024
MAJORITY CAUCUS	Honoring and Recognizing John J. Flynn - Erie County District Attorney
MAJORITY CAUCUS	Honoring and Recognizing Love Your Library Month
MAJORITY CAUCUS	Celebrating and Honoring National Certified Nurses Day

LOCAL LAWS:

COMMITTEE REPORTS:

Report No. 5	PUBLIC SAFETY COMMITTEE
Report No. 5	ECONOMIC DEVELOPMENT COMMITTEE
Report No. 3	ENERGY & ENVIRONMENT COMMITTEE
Report No. 3	HEALTH & HUMAN SERVICES COMMITTEE
Report No. 2	SMALL BUSINESS COMMITTEE

LEGISLATOR RESOLUTIONS:

INTRO. 6-1	MINORITY CAUCUS	Opposing Wind Turbines in Lake Erie's Waters
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

COMM. 5E-41	From the Public Safety Committee	From the Sheriff: Purchase of Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle
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[\\*\\*\\*\\*Amendement to COMM. 5E-41](#)

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 6E-1	COMPTROLLER	Development of Corrective Action Plans Following Audits	Finance & Management
COMM. 6E-2	COUNTY CLERK	Recovery of the Intercepted SONYMA Check	Finance & Management
COMM. 6E-3	COUNTY CLERK	Mortgage Tax Audit Meeting and FOIL for Working Papers	Finance & Management
COMM. 6E-4	COMPTROLLER	2024 Consolidated Bond Resolution	Finance & Management
COMM. 6E-5	COUNTY EXECUTIVE	Appointment to the Assigned Counsel Program	Health & Human Services
COMM. 6E-6	COUNTY EXECUTIVE	Appointments to the Youth Services Board	Health & Human Services
COMM. 6E-7	COUNTY EXECUTIVE	Authorization to Contract for Home Care Services	Health & Human Services
COMM. 6E-8	COUNTY EXECUTIVE	Authorization to Accept FY23 PSAP Funds	Public Safety
COMM. 6E-9	COUNTY EXECUTIVE	Authorization to Establish Legionella Testing Fee	Health & Human Services
COMM. 6E-10	COUNTY EXECUTIVE	On Call General Civil Engineering & Land Surveying Contract	Economic Development
COMM. 6E-11	COUNTY EXECUTIVE	Authorization to Enter into Contract for New EMS Support Facility Design Services	Economic Development
			Economic

COMM. 6E-12	COUNTY EXECUTIVE	Authorization to Amend Term Contract for Hazardous Materials Design	Development
COMM. 6E-13	COUNTY EXECUTIVE	Rehab of Abbott Road from Fisher Road to City of Buffalo Line	Economic Development
COMM. 6E-14	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement	Energy & Environment
COMM. 6E-15	COUNTY EXECUTIVE	PILOT Agreement for Perry Homes I, City of Buffalo	Immediate Consideration Requested
COMM. 6E-16	COUNTY EXECUTIVE	2024 Buffalo Niagara Film Commission Contract Authorization	Economic Development
COMM. 6E-17	COUNTY EXECUTIVE	Authorization to Contract with Sandra White dba Mustard Seed World Group	Economic Development
COMM. 6E-18	COUNTY EXECUTIVE	Personnel Modification for the Division of Budget & Management	Immediate Consideration Requested
COMM. 6E-19	BASKIN	Independent Commission Creation - Revisions to LL Intro. 9-1 (2023)	Health & Human Services

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 6D-1	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare School District Tax Rolls & Bills	RFP
COMM. 6D-2	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare Village Tax Rolls & Bills	RFP
COMM. 6D-3	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare City of Tonawanda Tax Rolls & Bills	RFP
COMM. 6D-4	PERSONNEL COMMISSIONER	Budget Resolution 13 Report	Government Affairs
COMM. 6D-5	COMMISSIONER OF PUBLIC WORKS	Timelines - Borden Road and New Road	Economic Development
COMM. 6D-6	DEPUTY COMPTROLLER	EC Comptroller's Office Audit of Electronic Vendor Payments	Finance & Management
COMM. 6D-7	COMMISSIONER OF PROBATION DEPARTMENT	EC Conditional Release Commission - 2023 Annual Report	Public Safety



COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

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COMM. 6M-1	HAMBURG TOWN BOARD	Opposition to Windmills in Lake Erie	Energy & Environment
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ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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VINAL Remembering Joan K. Bozer - Former Erie County Legislator

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Joan K. Bozer Attachments

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 14, 2024**

EC LEG MAR 14 '24 AM 9:43

***Remembering Joan K Bozer - Former Erie County Legislator***

**WHEREAS**, the late *Joan K. Bozer* has diligently and went above and beyond to serve our residents throughout Erie County; and

**WHEREAS**, she attended a junior college and did office work, then earned a bachelor's degree in history and government from Empire State College later in life; and

**WHEREAS**, before getting actively involved in politics, Joan was president of the League of Women Voters; and

**WHEREAS**, during her 9 terms as Erie County Legislator, starting in the 1970s, Bozar fought to preserve the old U.S. Post Office building by turning it into the City Campus for SUNY Erie Community College; and

**WHEREAS**, she spent much of the rest of her life working to preserve and enhance that beauty; and

**WHEREAS**, Joan played a key role in founding a nonprofit dedicated to preserving Buffalo's parks; and

**WHEREAS**, in 1980, Bozer helped found the Friends of Olmsted Parks, which later became the Buffalo Olmsted Parks Conservancy; and

**WHEREAS**, she was also among the organizers who founded the Western New York Sustainable Energy Association in 1990; and

**WHEREAS**, in 2014, she received the Lifetime Achievement Award from Preservation Buffalo Niagara; and

**WHEREAS**, in 2021, Bozer was honored with the dedication of the menagerie's giraffe in her name at Canalside inside of the Buffalo Heritage Carousel; and

**WHEREAS**, Bozer's efforts sparked a turning point in Buffalo's treatment of its historic assets, city preservation advocates; and

**WHEREAS**, Joan's distinguished career, background and years of service as a public servant has made her a formidable icon in local government; and

**WHEREAS**, she has always been so understanding and compassionate on the side of people who are going through hardships of any kind; and

**WHEREAS**, because of her years of service, SUNY Erie will be naming their new Atrium after Joan, a woman worthy of such praise and public recognition; and

**WHEREAS**, this Honorable Body desires to acknowledge and recognize individuals such as the late ***Joan K. Bozer*** who enhance, represent, and change our community by way of action.

**NOW, THEREFORE, BE IT**

**RESOLVED**, it is with great honor that this this Legislative Body hereby applauds and recognizes the late ***Joan K. Bozer*** for her exceptional accomplishments through his career in public service and her superior spirit in leading and serving Erie County=.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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LORIGO

Celebrating the 150th Anniversary of the Village of East  
Aurora

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Village of East Aurora

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Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Celebrating the 150<sup>th</sup> Anniversary of the Village of East Aurora**

**WHEREAS**, the **Village of East Aurora**, New York, is located just 25 miles outside of downtown Buffalo, in the Town of Aurora, and is considered by many to be one of the crown jewel communities in Erie County; and

**WHEREAS** as the **Village of East Aurora** celebrates its one-hundred-and-fiftieth anniversary in the year 2024, it is fitting to recognize the village and its residents on the occasion of this monumental milestone; and

**WHEREAS**, in the early 1800s, the state of New York began to allow local town hamlets with high populations to incorporate as villages to provide better governmental services, such as sidewalks, street lamps, police departments; and

**WHEREAS**, in 1836, the Village of Auroraville was incorporated in what is now the present-day eastern end of the **Village of East Aurora**, later being named the Village of Willink in 1849 after Wilhelm Willink of the Holland Land Company; and

**WHEREAS**, by 1874, residents voted to change the name from Willink to **East Aurora**, officially incorporating the village on June 2, 1874; and

**WHEREAS**, from being home to iconic businesses like Fisher-Price, Vidler's 5 and 10 Store, and the Bar-Bill Tavern to historic assets such as the Millard Fillmore House and the Roycroft Campus, throughout its one hundred and fifty-year history, the **Village of East Aurora** has played a significant role in the cultural fabric of Western New York; and,

**WHEREAS**, the **Village of East Aurora** has evolved greatly over its one hundred and fifty years to be a thriving community for residents, businesses, and visitors alike to enjoy while successfully preserving its historical assets and maintaining its unique charm.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to recognize and celebrate the **Village of East Aurora** on its 150<sup>th</sup> anniversary.

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LINDSAY R. LORIGO  
Erie County Legislator, District 10

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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LORIGO

Recognizing March 2024 as "National Music in Our Schools Month"

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National Music in Our Schools Month

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Attachments



# County of Erie

## DEPARTMENT OF REAL PROPERTY TAX SERVICES

SCOTT A BYLEWSKI  
DIRECTOR REAL PROPERTY  
Email: [Scott.Bylewski@erie.gov](mailto:Scott.Bylewski@erie.gov)

Office 716-858-2715  
Fax 716-858-8502

March 5, 2024

EC LEG MAR 6 '24 PM 3:57

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

RE: Cost to Prepare City of Tonawanda Tax Rolls & Bills

Honorable Members:

Please receive, file and print the following billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2023 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills.

Very truly yours,

  
Scott A. Bylewski  
Director of Real Property Tax Services



TO THE ERIE COUNTY LEGISLATURE

2023

STATEMENT, MATERIALS AND LABOR IN PRODUCING CITY OF

TONAWANDA BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills	\$225.00
Tax Rolls, Assessment Roll & Worksheets	\$200.00
Wages	\$1,129.31
Data Processing Time	\$1,781.18
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Total Cost	\$3,335.49

**Erie County Legislature**  
**Meeting Date: 03/21/2024**

**SUBJECT**

LORIGO

## Recognizing March 2024 as "National Reading Month"

## Attachments

National Reading Month

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing March 2024 as “National Reading Month”**

**WHEREAS**, the month of March is celebrated as “National Reading Month” to encourage Americans of all ages to read and write; and

**WHEREAS**, the Massachusetts law of 1642 and Connecticut law of 1650 mandated citizens of all ages and social statuses to read, jumpstarting formal literacy education in nursery schools, preschools, kindergartens; and

**WHEREAS**, the month of March is designated as “National Reading Month” to celebrate the birth of the famous children’s author, Theodor Seuss Geisel, better known as Dr. Seuss, who was born on March 2, 1904, and whose books including “The Cat in the Hat” and “How the Grinch Stole Christmas” have reached beyond generations through their popularity and still capture the imaginations of children today; and

**WHEREAS**, literacy education remains as important today as it ever has been, with educators across the country dedicating their lives to providing reading resources and curriculum to every student; and

**WHEREAS**, reading is one of the best habits for one to develop, especially from a young age, strengthening mental acuity, improving comprehension and analytical ability, and encouraging imagination and creativity, all of which are imperative lifelong skills; and

**WHEREAS**, “National Reading Month” serves as a reminder for all Americans to forego the screens that are so prevalent in today’s culture, encouraging everyone to recognize the powerful impact that books can have on intellectual development.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to recognize March 2024 as “National Reading Month” and encourages all citizens to enjoy what the world of literature offers at any time of the year.

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LINDSAY R. LORIGO  
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 03/21/2024

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SUBJECT

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MILLS

Celebrating 70 Years of Chiavetta's Chicken Barbeque

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Attachments

Chiavetta's Chicken Barbeque

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Celebrating 70 Years of Chiavetta's Chicken Barbeque**

**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 by thinking big, taking risks, and working hard; and

**WHEREAS**, **Chiavetta's Chicken** began its humble journey in the aftermath of World War II, when Tom Chiavetta and his brother ventured into the poultry business, laying the foundation for what would become a beloved chicken barbeque enterprise; and

**WHEREAS**, in 1954, Professor James Baker's marinade recipe, designed to boost business for New York poultry farmers, fell into the capable hands of local farmers Thomas and Eleanor Chiavetta, whose culinary tweaks turned this recipe into gold, creating an instant hit, "**Chiavetta's Chicken**"; and

**WHEREAS**, through hard work, innovation, and commitment to quality, the Chiavetta family business has evolved from a local poultry farm into a renowned proprietor of marinated chicken dinners, beloved by generations of Western New Yorkers; and

**WHEREAS**, the Chiavetta family's unwavering commitment to community values and tradition has endeared them to the hearts of all who have had the pleasure of enjoying their delicious fare, whether at church fundraisers, legion post dinners, or family gatherings; and

**WHEREAS**, despite a strong local following and decades of experience, **Chiavetta's Marinade**, struggled when initially introduced to grocery stores in the 1980's, but through perseverance, it has found its way into households across the Northeast, Mid-Atlantic, and beyond, spreading the flavors of Western New York far and wide; and

**WHEREAS**, the global pandemic in 2020 spurred unforeseen shifts in the operations of **Chiavetta's Chicken**, prompting the initiation of pop-up events and emphasizing the significance of takeout services, fortifying the company's resilience and resulting in its strongest sales year on record; and

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to express heartfelt gratitude to **Chiavetta's Chicken** of Brant, NY for their unwavering dedication to quality, their community spirit, and their invaluable contribution to the culinary heritage of Western New York; and

**BE IT FURTHER RESOLVED**, that we extend our sincerest thanks to the Chiavetta family for seven decades of delicious memories and wish them continued success in the year to come.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MILLS

Congratulating the North Collins Volunteer Fire Company Inc.  
on Its 135th Anniversary

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Attachments

North Collins Volunteer Fire Company Inc.

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21st day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Congratulating the North Collins Volunteer  
Fire Company Inc. on its 135<sup>th</sup> Anniversary**

WHEREAS, The Erie County Legislature seeks to honor and recognize those who have made sacrifices to safeguard our citizens and institutions who enhance the quality of life in the community through their selfless efforts; and

WHEREAS, **North Collins Fire Company**, organized initially as **North Collins Fire Protection** in 1889, has stood as a beacon of courage and service for one hundred and thirty-five years; and

WHEREAS, **North Collins Fire Company's** first members operated hand pumpers, which required six to eight individuals to pull and pump water while managing two-wheeled hose carts carrying 200 feet of hose; and

WHEREAS, the acquisition of the first motor truck in 1926 symbolized a new era of firefighting capabilities, enabling the **North Collins Fire Company** to evolve and adapt to the changing needs of the community; and

WHEREAS, in 1958, the **North Collins Fire Company** was officially incorporated as the **North Collins Volunteer Fire Company Inc.**, affirming its vital role in ensuring the safety and well-being of our community; and

WHEREAS, **North Collins Fire Company** has consistently demonstrated civic pride, responded to all types of emergencies for the past one hundred and thirty-five years, and is always committed to the protection of lives, property, and well-being of the community; and

WHEREAS, entering its one hundred and thirty-fifth year in 2024, the **North Collins Fire Company** continues to carry on its legacy of service to the community under the leadership of a dedicated team of officers including President Chris Bley, Vice President Ryan Mathis, Secretary Kristina Miller, Treasurer David Spicola, Chief Keith Ayers, 1<sup>st</sup> Assistant Chief Aron Ayers, 2<sup>nd</sup> Assistant Chief Dan DeCarlo, and Captains' Jim Malleber, Ryan Mathis, and Brent Miller.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **North Collins Fire Company** for one hundred and thirty-five years of dedicated service to our community.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MILLS Celebrating Wayland Brewing Company on National Beer Day

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Wayland Brewing Company Attachments

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Celebrating Wayland Brewing Company on National Beer Day**

**WHEREAS**, every year on April 7<sup>th</sup> we raise a pint in recognition of **National Beer Day** and the day in 1933 that the Cullen-Harrison Act was signed, which reversed the prohibition on selling beer in the United States; and

**WHEREAS**, beer remains the most popular alcoholic beverage in the world, with an estimated 35 billion gallons produced worldwide every year; and

**WHEREAS**, **Wayland Brewing Company** celebrated its grand opening on April 30, 2023; and

**WHEREAS**, an unstoppable team formed when accomplished entrepreneurs **Caryn Dujanovich** and **Brad Rowell** joined forces with **PJ Dunn**, a master brewer with sixteen years of experience, to purchase the historical landmark located at 3740 North Buffalo Street in Orchard Park and turn it into a one-of-a-kind brewery; and

**WHEREAS**, **Wayland Brewing Company** is a brewery that prides itself on its meticulous attention to detail and its unwavering commitment to providing a superior experience to its patrons; and

**WHEREAS**, **Wayland Brewing Company** has created an exciting beer menu with traditional German Lagers and modern India Pale Ales; and

**WHEREAS**, **Caryn Dujanovich**, **Brad Rowell**, and **PJ Dunn** have worked tirelessly to bring their vision of the peacefulness of yesteryear to **Wayland Brewing Company** with features such as the greenhouse-inspired taproom, inviting courtyard, fire pits, private suites, and a refined event space for weddings and celebrations.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor **Wayland Brewing Company** in Orchard Park, New York, for their entrepreneurial spirit and dedication to craft brewing as we recognize **National Beer Day**.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MEYERS

Acknowledging and Recognizing Cleveland Hill School Fire  
Memorial Day

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Cleveland Hill School

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Attachments

EC LEG MAR 19 '24 AM 9:30

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 21, 2024**

*Acknowledging and Recognizing Cleveland Hill School Fire  
Memorial Day*

**WHEREAS**, on March 31, 1954 a devastating fire occurred at the Cleveland Hill School, as the school's furnace exploded, causing a massive fire in the wooden annex of the building; and

**WHEREAS**, the wooden annex only had two exits, which were both engulfed in flames, and windows were inaccessible due to heavy, multiple coats of paint on them that made the windows impossible to open; and

**WHEREAS**, the fire resulted in the loss of 15 school children that day, which had a major emotional toll on the school district and all of Erie County and New York State; and

**WHEREAS**, in the months and years after the fire, State lawmakers worked to significantly enhance and improve school building codes and fire safety measures with the hopes of preventing another fire like the 1954 Cleveland Hill incident; and

**WHEREAS**, legislation was introduced to ban building schools from wood, to make sure that every classroom space had adequate escape routes, to require fire extinguishers be placed in all schools, and to mandate fire drills for all students; and

**WHEREAS**, to this day, there has not been another public school fire in this country, due to the improved fire safety regulations that were implemented following the devastating Cleveland Hill School Fire.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this Honorable Body recognizes March 31 as the Cleveland Hill School Fire Memorial Day in honor of the lives that were lost that day and as an acknowledgment of the impact of that tragic event on the improvement of fire safety in public schools across this country; and be it further

**RESOLVED**, that this Honorable Body commends the Cleveland Hill Middle School Student Government Club for creating this memorial and winning "Most Outstanding Bill" for their bill to Honor and Remember the Cleveland Hill Fire of 1954 at the 2024 New York State YMCA Youth and Government Conference.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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TODARO

Congratulating the Depew Lady Wildcats Bowling Team on  
Winning the New York State Bowling Championship

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Depew Lady Wildcats Bowling Team

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Congratulating the Depew Lady Wildcats Bowling Team on  
Winning the New York State Bowling Championship**

WHEREAS, the Erie County Legislature is pleased to recognize individuals and organizations for remarkable accomplishments that display dedication, perseverance, and talent while bringing great pride to our community; and

WHEREAS, the young women of the **Depew Lady Wildcats Bowling Team** performed at a high level from the very beginning of the season, setting a ten-win, zero-loss regular season record before eventually winning the Section VI Championship; and

WHEREAS, on the twelfth of March, 2024, the **Depew Lady Wildcats Bowling Team** won the New York State Public High School Athletic Association State Bowling Championship, becoming the first girls' sports team in Depew Union-Free School District history to win a state title, the first state bowling champions, and only the second state championship won by any team in Depew history; and

WHEREAS, the **Depew Lady Wildcats Bowling Team** posted a winning score of six-thousand three-hundred twenty-nine points over the course of six games, including a single game of one-thousand one-hundred forty-two, which was the highest single-game score in the overall tournament; and

WHEREAS, two members of the Depew Lady Wildcats finished in the top five individual average scoring at the state tournament, with Madison Nagel and Amelia Slowinski finishing third place and fifth place, respectively; and

WHEREAS, the team is made up of Freshmen Emma Felton, Amanda Leach, Madison Nagel, Amelia Slowinski, eighth-grader Zoe Ferron, and seventh-grader Zoey Zmozynski, whose dedication and hard work will make Depew an annual contender in State Championships for many years to come.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate the **Depew Lady Wildcats Bowling Team** for winning the New York State Bowling Championship and making the school and community proud.

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FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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TODARO

Congratulating Jerome Miller on His Retirement from the  
Depew Police Department

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Jerome Miller

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Attachments



# STATE OF NEW YORK LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> Day of March 2024, A.D., a resolution was adopted, of which the following is a true copy:*

## **Congratulating Jerome Miller on His Retirement from the Depew Police Department**

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

**WHEREAS**, **Depew Police Chief Jerome Miller** has dedicated twenty-six years to serving his community with the Depew Police Department, including five years as its Chief of Police after having served eight years with the New York State Department of Corrections; and

**WHEREAS**, **Jerome Miller's** tenure as Chief of Police has been marked by significant advancements in departmental technology, innovative approaches to patrolling, the implementation of modern policing techniques, and adaptations to the challenges presented by the COVID-19 pandemic; and

**WHEREAS**, **Jerome Miller's** policies as Chief of Police have demonstrated a commitment to transparency, accountability, and continuous improvement within the department while also implementing the department's first-ever bike patrols, fostering positive interactions between officers and residents during village events, and strengthening community relations; and

**WHEREAS**, **Jerome Miller's** vision and strategic planning have contributed to making the Depew Police Department more efficient, effective, and responsive to the needs of the community; and

**WHEREAS**, after a long career dedicated to the safety of Depew's residents and the continual advancement of the Depew Police Department, **Chief Jerome Miller** has announced his retirement, leaving a lasting legacy of achievements and innovations for his successors to build upon.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Jerome Miller** for his dedication to the residents of Depew and to congratulate him on retirement.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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TODARO

Congratulating the St. Mary's Lancers on Winning the NYS  
Catholic High School Division A Basketball Championship

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Attachments

St. Mary’s Lancers

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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

30 LEG MAR 15 '24 11:21:57

March 15, 2024

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

**RE: Authorization to Enter into Contract for New EMS Support Facility Design Services**

Dear Honorable Members:

This resolution, from the Department of Public Works, is seeking authorization for the County Executive to enter into an Agreement with the engineering firm Labella Associates, for professional architectural and engineering services for an Erie County – New EMS Support Facility (Ambulance HQ) project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on September 15, 2023.

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, appearing to read "Mark C. Poloncarz", with a long, sweeping horizontal line extending to the right.

Mark. C. Poloncarz, Esq.  
Erie County Executive

MCP/jk  
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:** Authorization to Enter into Contract for New EMS Support Facility Design Services  
**Date:** March 15, 2024

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### **SUMMARY**

This Department of Public Works is seeking authorization for the County Executive to enter into an agreement with the firm of Labella Associates for architectural/engineering services to provide a project design report to build a New EMS Support Facility (Ambulance HQ) in the Town of Aurora. County owned property was identified as the proposed construction site located at 586 Olean Rd., East Aurora, NY 14051.

### **FISCAL IMPLICATIONS**

An amount not to exceed \$110,000 is available within the Division of Buildings and Grounds Budget, Fund 410, Funds Center 122, Capital Project A.23073 – 2023 EMS Ambulance Building.

### **REASON FOR RECOMMENDATION**

In 2023, the County launched an ambulance service to expand coverage, particularly in the southern townships. A central headquarters is needed to house the emergency vehicles and provide support facilities for EMS personnel.

### **BACKGROUND INFORMATION**

Erie County established ambulance service to provide supplemental emergency medical support and ambulance transport, particularly in the Southern rural communities of the county. The ambulance service is intended to fill the gaps in coverage, address transit times, and assist local EMTs and paramedics.

A new EMS support Facility (Ambulance HQ) is needed to station the emergency vehicles and provide support facilities for EMS personnel and equipment. County owned property located at 586 Olean Rd., East Aurora, NY 14051 was identified as a proposed construction site. Professional design services are required to evaluate the suitability of the site for construction, provide a project design report inclusive of environmental assessment, pre-design/ programming, and construction estimate. Construction of the headquarters will further provide the rural residents of southern Erie County with access to fast, efficient, life-saving emergency medical response and transport where needed.

### **CONSEQUENCES OF NEGATIVE ACTION**


If the ambulance headquarters is not built, ambulance service will not be effectively provided to meet the needs of the southern townships. The effect on residents is longer wait times for an ambulance in these underserved communities.

### **STEPS FOLLOWING APPROVAL**

The County Executive will enter into an Agreement with the engineering firm of Labella Associates so that design work can proceed.

## **COMPTROLLER'S OFFICE REVIEW**

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

  
2/28/24

TIMOTHY C. CALLAN

Deputy Comptroller

Comptroller's Office

A.23073 – 2023 EMS Ambulance Building

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Enter into Contract for New EMS Support Facility Design Services

WHEREAS, the County of Erie established its own ambulance service; and

WHEREAS, ambulance service is intended to fill gaps in ambulance coverage in the southern townships;

WHEREAS, it is prudent to construct an ambulance facility headquarters to station vehicles and EMS personnel for effective dispatch; and

WHEREAS, a county owned property at 586 Olean Road in the Town of East Aurora has been identified as a potential construction site; and

WHEREAS, the site must be evaluated for suitability of construction; and

WHEREAS, professional design services are needed to provide a project design report inclusive of environmental assessment, pre-design/ programming, and construction estimate; and

WHEREAS, the County reserved the right to negotiate additional design, detailing and, construction administration services if development is determined to be feasible; and

WHEREAS, Labella Associates has the necessary expertise and manpower to provide professional design services for the project; and

WHEREAS, authorization is required for the County Executive to issue an Agreement with Labella Associates for providing professional design and construction administration services for the Erie County – New EMS Support Facility (Ambulance HQ) project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into agreement with Labella Associates to providing professional design and construction administration services for the Erie County - New EMS Support Facility (Ambulance HQ) for an amount not to exceed \$110,000, including design contingency; and be it further

RESOLVED, that that sufficient funding for this contract exists within capital project A.23073 – 2023 EMS Ambulance Building (Fund, 410, Funds Center 122); 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's Office, Comptroller's Office, Division of Budget and Management and Department of Health Division of Emergency Medical Services.

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

1. CONTRACTOR'S NAME Labella Associates
2. AMOUNT OF CONTRACT Not to exceed \$110,000
3. PROJECT NUMBER A.23073 \$110,000
4. PROJECT TITLE Erie County – New EMS Support Facility  
(Ambulance HQ)  
Funding questions: Kristofer Straus #7294
5. DEPARTMENT CONTACT Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 & 7

6. AVAILABILITY OF FUNDS \$1,724,620.30
7. PERFORMED BY 

Date sent to Comptroller's Office: February 28, 2024



It is my opinion in recommending Firm Name, Address, City, NY ZIP: The Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works' office during regular business hours.

  
William F. Geary  
Commissioner of Public Works

Date 27 Dec 2023

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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GREENE

Recognizing the Amherst Public Library During National  
Library Week

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Amherst Public Library

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Amherst Public Library  
During National Library Week**

WHEREAS, from April 7, 2024, through April 13, 2024, libraries, librarians, and library workers are joining supporters and advocates across the nation to celebrate *National Library Week*; and

WHEREAS, *National Library Week*, observed every April, was first sponsored by the American Library Association in 1958 as a way to motivate people to read as well as support and show appreciation to their local libraries; and

WHEREAS, from its inaugural theme of “Wake up and Read,” *National Library Week* has continued to strive to get people reading more while reducing time watching television; and

WHEREAS, today, libraries are accessible and inclusive places that foster a sense of connection, offering everyone a way to connect with new ideas and further their learning through access to multimedia content, programs, and classes – in addition to books; and

WHEREAS, local libraries provide services that extend far beyond the four walls of a building, and everyone is welcome to use its resources, including connecting people to technology, providing access to broadband internet, computers, and training that is critical for assessing education and employment opportunities; and

WHEREAS, as part of the Buffalo and Erie County Public Library System, the **Amherst Public Library** has four unique locations: the Audubon, Clearfield, Eggertsville-Snyder, and Williamsville Branch libraries; and

WHEREAS, under the steadfast leadership of Director Kristi Dougherty, the *Amherst Public Library* and its local branches, strive to develop and maintain programs to adapt to our changing world, expanding its resources and meeting the needs of its patrons.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the *Amherst Public Library* during *National Library Week* and encourage all residents to connect with their library by visiting online or in-person to access resources and services.

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CHRISTOPHER D. GREENE  
Erie County Legislator, District 6

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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GREENE Recognizing Shalooby Loofer Brewing on National Beer Day

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Shalooby Loofer Brewing

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Shalooby Loofer Brewing  
on National Beer Day**

WHEREAS, every year on April 7<sup>th</sup> we raise a pint in recognition of *National Beer Day* and the day in 1933 that the Cullen-Harrison Act was signed, which reversed the prohibition on selling beer in the United States; and

WHEREAS, beer remains the most popular alcoholic beverage in the world, with an estimated 35 billion gallons produced worldwide every year; and

WHEREAS, located at 10737 Main Street, in Clarence, New York, *Shalooby Loofer Brewing* celebrated its grand opening on September 1, 2023, and is already gaining a loyal following; and

WHEREAS, *Shalooby Loofer Brewing* is putting its unique spin and “Hop Wizard’s touch” on many traditional styles, including its first beer, Paladin Pale Ale, and other favorites, including Seriously Black Stout, Spellbrowned Brown Ale, Presto Pilsner, and Cauldron Cream Ale; and

WHEREAS, the name *Shalooby Loofer* was derived by combining the nicknames of the Hop-Wizard’s two daughters, “Shalooby” and “Loofer”; and

WHEREAS, in addition to producing spellbinding brews, *Shalooby Loofer Brewing* is committed to making an impact in the community and beyond, and in support of its mission to “*make the world a better place by conjuring smiles and casting hope*,” *Shalooby Loofer Brewing* donates one dollar from each beer sold in its tasting room to *buildOn*, to support building a school in Nepal.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor *Shalooby Loofer Brewing* in Clarence, New York, in recognition of *National Beer Day*.

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CHRISTOPHER D. GREENE  
Erie County Legislator, District 6

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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GREENE

Recognizing the Clarence Public Library During National  
Library Week

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Attachments

Clarence Public Library

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EC LEG MAR15 '24 PM2:58

COUNTY OF ERIE  
MARK C. POLONCARZ  
COUNTY EXECUTIVE

March 15, 2024

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

**RE: Erie County Sewer District No. 3  
Engineering Term Contract Agreement  
Erdman Anthony and Associates, Inc.  
Work Order: EA-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 Erie County Legislature, 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", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:mas  
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management



## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District No. 3  
Engineer Term Contract Agreement  
Erdman Anthony and Associates, Inc.  
Work Order: EA-2  
**Date:** March 15, 2024

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### **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 Erdman Anthony and Associates, Inc. (EA) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$46,337.00.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 3 Professional Services Account 516020.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management has issued work order EA-2 to provide a survey and subsurface investigation report related to the protection of an exposed sanitary sewer pipe crossing under Eighteenmile Creek in ECSD No. 3.

### **BACKGROUND INFORMATION**

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with EA for engineering services for small and/or time critical projects. At the time of the award, the DSM committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the DSM with engineering services required to complete various initiatives throughout the ECSDs. As part of work order EA-2, EA will provide a survey and subsurface investigation report to identify access and alternatives to protect the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3.

### **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS TO FOLLOW APPROVAL**

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 3  
WORK ORDER NO. EA-2**

**ENGINEER:** Erdman Anthony

**CONTRACT DATE:** November 17, 2022

**1. Title of Proposal:**

Provide survey and subsurface investigation report related to an exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3.

**2. Company/Address/Principal In-Charge:**

Daniel Ziemianski, P.E.  
Erdman Anthony and Associates, Inc.  
8608 Main Street, Buffalo, NY 14221

**3. Effective Dates of Proposal:**

March 1, 2024

**4. Brief Description of Work for Which Proposal is Submitted:**

The engineer will provide a survey and subsurface investigation report to identify access and alternatives to protect the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3., as detailed in the attached scope, dated February 27, 2024.

**5. Engineering Total Cost:**

\$46,337.00

**6. Source of Funds:**

7. ECSD No. 3 Professional Services Account 516020

**8. Project No:** EA-2

**9. Attachments:** Scope proposal, dated 2/27/2024 (6 pages)

**10. File:** 0.3.2. Erdman Anthony (23-25) Eng.

**DATE:** March 1, 2024

**Accepted By:** \_\_\_\_\_

**Prepared By:** \_\_\_\_\_  
Matt A. Salah, P.E.

**Authorized By:** \_\_\_\_\_  
Joseph Fiegl, P.E., BCEE  
Deputy Commissioner



Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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GREENE

Recognizing the Akron Public Library During National  
Library Week

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Attachments

Akron Public Library

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., MARCH 21, 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 21<sup>st</sup> day of March 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Akron Public Library  
During National Library Week**

WHEREAS, from April 7, 2024, through April 13, 2024, libraries, librarians, and library workers are joining supporters and advocates across the nation to celebrate *National Library Week*; and

WHEREAS, *National Library Week*, observed every April, was first sponsored by the American Library Association in 1958 as a way to motivate people to read as well as support and show appreciation to their local libraries and

WHEREAS, from its inaugural theme of “Wake up and Read,” *National Library Week* has continued to strive to get people reading more while reducing time watching television; and

WHEREAS, today, libraries are accessible and inclusive places that foster a sense of connection, offering everyone a way to connect with new ideas and further their learning through access to multimedia content, programs, and classes – in addition to books; and

WHEREAS, local libraries provide services that extend far beyond the four walls of a building, and everyone is welcome to use its resources, including connecting people to technology, providing access to broadband internet, computers, and training that is critical for assessing education and employment opportunities; and

WHEREAS, under the steadfast leadership of Director Monica Mooney, the *Akron Public Library* strives to develop and maintain programs to adapt to our changing world, expanding its resources and meeting the needs of its patrons.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the *Akron Public Library* during *National Library Week* and encourage all residents to connect with their library by visiting online or in-person to access resources and services.

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CHRISTOPHER D. GREENE  
Erie County Legislator, District 6

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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KOOSHOIAN

Honoring the Kenmore Village Improvement Society, Citizen  
of the Month - March 2024

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KVIS

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, MARCH 21, 2024

*Honoring the Kenmore Village Improvement Society  
Citizen of the Month - March 2024*

**WHEREAS**, The Kenmore Village Improvement Society was established in 2008 by Melissa Foster as a means to unite the neighborhoods and residents of Kenmore, NY in order to make their community safe, vibrant, and welcoming to all; and

**WHEREAS**, The KVIS is an all-volunteer group working to help beautify their area by decorating the village for Memorial Day, Fourth of July, Autumn and Winter holiday seasons; and

**WHEREAS**, Through the Green Thumb Helpers initiative, KVIS members tend to the various local gardens in and around the Village Green, gazebo, Post Office, corner store and others along Delaware Avenue. They have also planted more than one hundred trees throughout the community to date; and

**WHEREAS**, The KVIS has established and funded several scholarship funds that are awarded to undergraduate Ken-Ton students annually including the Christopher and Frederick Sachs Scholarship, the Kim Tippet Memorial Scholarship Fund, and the Anne Moot Music Scholarship; and

**WHEREAS**, The KVIS has annually organized and hosted The Kenmore Children's Concert Series during the summer welcoming families from all over Erie County to enjoy free entertainment; and

**WHEREAS**, The KVIS has hosted the Dog Days of Kenmore event for almost 10 years, honoring various Western New York dog rescue groups to show appreciation for the remarkable work they do; and

**WHEREAS**, in 2023 the Made For Good Shop was opened featuring creations by local artists, crafters, and makers, which when purchased, helps support talented members of the community as well as the initiatives of the Kenmore Village Improvement Society.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that today, March 21, 2024, it is the desire of this Honorable Body to recognize the Kenmore Village Improvement Society and applaud them for their extraordinary efforts in making our community a better place; and be it further

**RESOLVED** the Erie County Legislature hereby recognizes the KVIS as Citizen of the Month – March 2024.

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MAJORITY CAUCUS

Honoring and Recognizing John J. Flynn - Erie County  
District Attorney

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John J. Flynn

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Attachments

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 21, 2024**

***Honoring and Recognizing John J. Flynn***  
***Erie County District Attorney***

**WHEREAS, John J. Flynn**, devoted husband, father of 5, current resident in the Town of Tonawanda, is a graduate of East Aurora High School and earned his Bachelor of Arts degree in Political Science from Bowling Green State University; and

**WHEREAS**, DA Flynn joined the United States Navy and attended Naval Officer Candidate School in Newport, Rhode Island; and

**WHEREAS**, after fulfilling his naval commitment, District Attorney Flynn returned to Western New York to attend and graduated from the University at Buffalo, School of Law (1995); and

**WHEREAS**, he joined the Erie County District Attorney's Office as an Assistant District Attorney where he was quickly promoted to the office's Homicide Bureau until entering private practice; and

**WHEREAS**, from 2002 until 2016, DA Flynn worked as a personal injury attorney; and

**WHEREAS**, prior to taking office as District Attorney on January 1<sup>st</sup>, 2017, John sat on the board member on the Town of Tonawanda Town Board, served as Town Justice, appointed as an acting Buffalo City Court Judge and Town Attorney of Tonawanda; and

**WHEREAS**, as Erie County District Attorney, John has been a champion and longtime advocate for establishing programs to prevent crime and reduce recidivism among our youth, including Gun Violence Impact panel discussions, High-Risk Youth Team, and the Youth Restorative Justice Pilot Program; and

**WHEREAS**, John's noteworthy accomplishments as the 41<sup>st</sup> District Attorney in Erie County including helping create the first Opioid Intervention Court in the nation in response to the increase in overdose-related deaths in Erie County and assigned prosecutors as liaisons to police departments and school districts in Erie County to increase investigative response to critical incidents; and

**WHEREAS**, another significant accomplishment involved the prosecution of the gunman who killed ten people and injured three victims at Tops on Jefferson Avenue, the first person to be charged and convicted in New York State of Domestic Act of Terrorism Motivated by Hate in the First Degree (Penal Law 490.28); and

**WHEREAS**, in June 2023, District Attorney Flynn was officially named as the President of the District Attorneys Association of the State of New York (DAASNY); and

**WHEREAS**, John Flynn understood the importance of growing and protecting our community and remains dedicated to assist and support the needs of the our community; and

**WHEREAS**, in the eyes of many, Mr. Flynn strived to make Erie County a better place to live and work; and

**WHEREAS**, this Honorable Body recognizes individuals such as John Flynn, a man who has provided his leadership, services & phenomenal skillset in different capacities, most recently as the District Attorney of Erie County.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature pauses in its deliberations to honor John Flynn on his dedicated and distinguished service to the people of Western New York and New York State; and be it further

**RESOLVED**, that this Honorable Body thanks John for his above and beyond work ethic and dedication to our community and wishes him the absolute best in his future endeavors.

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

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

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

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

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

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

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

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MAJORITY CAUCUS

Honoring and Recognizing Love Your Library Month

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Attachments

Love Your Library Month

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EC LEG MAR 19 '24 PM 9:58

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 17, 2024**

*Honoring and Recognizing Love Your Library Month*

**WHEREAS**, *Love Your Library Month* is a time to celebrate our nation's libraries, library workers' contributions and promote library use and support; and

**WHEREAS**, the Buffalo & Erie County Public Library System has been providing free and easy access to books, information and resources of all types to the residents of Erie County, New York for more than 180 years; and

**WHEREAS**, the 37 libraries are accessible and inclusive places that foster a sense of connection and build community; and

**WHEREAS**, our free public libraries connect people to technology, providing access to broadband internet, public computers, e-content and training that are critical for accessing education and employment opportunities; and

**WHEREAS**, libraries offer opportunities for everyone to connect with new ideas and become their best selves through access to multimedia content, databases, programs for all ages, technology trainings, and career fairs – in addition to books; and

**WHEREAS**, libraries also offer opportunities to connect with media, programs, ideas, and classes; and

**WHEREAS**, today's Buffalo & Erie County Public Libraries and their services extend far beyond the four walls of a building through outreach, bookmobile services, and the *Library by Mail* program; and

**WHEREAS**, in times of crisis, our libraries and library professionals play an invaluable role in supporting our communities by presenting virtual programs, offering curbside services, and extending Wi-Fi access outside library building walls; and

**WHEREAS**, our libraries strive to develop, maintain and offer programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

**WHEREAS**, to adapt to our changing world, Buffalo & Erie County Public Libraries continue to expand their free resources to meet the needs of the Erie County community; and

**WHEREAS**, our public libraries have long served as trusted and treasured institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, during this month, I encourage all residents to connect with their library by visiting online at [www.BuffaloLib.org](http://www.BuffaloLib.org) or in person to access resources, services and information to help them become lifelong learners.

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

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

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

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

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

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

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

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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MAJORITY CAUCUS

Celebrating and Honoring National Certified Nurses Day

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National Certified Nurses Day

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, MARCH 19, 2024

*Celebrating and Honoring National Certified Nurses Day*

**WHEREAS**, *Certified Nurses Day*, celebrated annually on March 19, shines a well-deserved spotlight on nurses who have chosen to enhance their professional knowledge through certification; and

**WHEREAS**, employers, certification boards, education facilities, and healthcare providers celebrate and publicly acknowledge nurses who earn and maintain the highest credentials in their specialty; and

**WHEREAS**, these nurses have committed themselves to life-long learning as they are expected to engage in continuous educational opportunities, maintaining a level of up-to-date knowledge in their area(s) of expertise; and

**WHEREAS**, the nursing profession has played a critical role in improving patient outcomes and coordinating immediate care, fighting on the frontlines of the battle, and risking their own health to save lives of patients worldwide; and

**WHEREAS**, we will forever remember how our nurses and healthcare professionals answered and responded selflessly in our hour of need providing attentiveness and support in all healthcare facilities.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature expresses our thanks and sincere and heart-felt appreciation and blessings to all nurses and healthcare professionals for the compassion and care they provide to their patients, as we recognize today March 19, 2024, as *Certified Nurses Day* and thank all professional healthcare staff throughout Erie County.

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

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

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

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

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

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

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

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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Report No. 5                      PUBLIC SAFETY COMMITTEE

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Report No. 5                      Attachments

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March 14, 2024

PUBLIC SAFETY COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 5M-3 (2024)  
**ECCSAB MEMBER:** “EC Corrections Specialist Advisory Board Resignation”  
(Chair’s Ruling)
2. COMM. 5E-33 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, as a requirement of the HALT Act, the Sheriff’s Office needs to provide out-of-cell trauma; and

WHEREAS, the Erie County Department of Probation has identified a need to delete its existing Cashier position (JG-6) and add a Senior Cashier position (JG-7); and

WHEREAS, the Probation Section of the Erie Unit of CSEA Local 815 has advocated for the existing employee to be moved to the Senior Cashier job title due to the incumbent's regular engagement in out-of-title work and filed a grievance for her to be paid at the Senior Cashier rate; and

WHEREAS, the Personnel Department, in response to a grievance, reviewed the responsibilities of the Cashier and concluded that the current incumbent of the Cashier position performs duties and responsibilities aligning more closely with those of a Senior Cashier; and

WHEREAS, the deletion of the Cashier position and the addition of the Senior Cashier would result in an increase in the hourly rate from \$27.287 (JG-6, Step B) to \$29.549 (JG-7, Step B), with sufficient budgetary provisions within the Probation Department to accommodate this increase; and

WHEREAS, the complexities and responsibilities associated with the Cashier position within the Erie County Department of Probation have increased, justifying the need for a change to the Senior Cashier job title to better reflect the scope of work and responsibilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the deletion of one (1) full-time Cashier position (JG-6, Step B, CSEA) and the creation of one (1) Senior Cashier position (JG-7, Step B, CSEA) within the Erie County Department of Probation (B100 # 14129) effective March 23, 2024; and be it further

RESOLVED, that sufficient funding exists within the Department of Probation’s 2024 Budget (Fund 110, Funds Center 126) to cover the cost increase of this personnel adjustment; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management, Department of Personnel and Department of Probation.  
(4-0) Legislator Gilmour not present for vote.

3. COMM. 5E-34 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, the Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for planning in emergency response; and

WHEREAS, the Department of Homeland Security and Emergency Services issued a Request for Proposal (RFP) on 10/05/2023 RFP #2023-053-VP; and

WHEREAS, the Olsen Group has been identified as an appropriate and competent provider of the requested planning; and

WHEREAS, funding is available in the HS167RCP/PPCOVID2023 Regional Catastrophic Preparedness Grant allocation to cover the costs incurred for this planning; and

WHEREAS, the vendor will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorizes the County Executive or Deputy County Executive to enter into contract with the Olsen Group in an amount not to exceed \$184,883 to conduct emergency response planning; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within HS167RCP/PP2023 Regional Catastrophic Preparedness grant, budget line 516020 Professional Services Contracts and Fees; and be it further

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

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office, Comptroller’s Office, Department of Homeland Security & Emergency Services, Department of Law, and Division of Budget and Management.  
(5-0)

4. COMM. 5E-40 (2024)  
**SHERIFF**  
WHEREAS, it is the mission of the Erie County Sheriffs Office to provide quality public safety services to our community by promoting a safe environment through police and citizen interaction, with an emphasis on integrity, fairness and professionalism; and

WHEREAS, The Erie County Sheriff's Office has entered into a 10-year lease for office space at 13 Centre Drive in the Town of Orchard Park; and

WHEREAS, the leased space will house the Erie County Sheriffs Office Administrative staff, Special Operations Unit and Investigative Unit; and

WHEREAS, The Erie County Sheriffs Office is in need of furniture and A/V equipment for said office space; and

WHEREAS, The ECSO's current balance in the Shared Revenue (ICE) Seized Asset account is \$596,091 as of March 4th, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office and Division of Budget and Management to transfer \$300,000 in funding from the Shared Revenue (ICE) Seized Asset account as follows:

DECREASE	
421560 Shared Revenue (ICE) Seized Asset	<u>(\$300,000)</u>
TOTAL	(\$300,000)
INCREASE	
561410 Lab and Tech	\$25,000
561420 Furniture and Fixture	<u>\$275,000</u>
TOTAL	\$300,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with Prentice Office Environments, a vendor on the New York State OGS Bid List, for furniture; and be it further

RESOLVED, that the Division of Budget and Management and Erie County Sheriff’s Office are authorized to transfer any unused funding returned to the Shared Revenue (ICE) Seized Asset account; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any technical adjustments necessary; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive's Office, the Erie County Division of Budget and Management, the Erie County Purchasing Department, the Office of the Comptroller and the Erie County Sheriff's Office. (5-0)

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



Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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Report No. 5                      ECONOMIC DEVELOPMENT COMMITTEE

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Report No. 5                      Attachments

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March 14, 2024

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

1.

RESOLVED, the following items are hereby received and filed:

a.

COMM. 5D-1 (2024)  
**COMMISSIONER OF PUBLIC WORKS:** “Response to COMM. 4E-3 (2024) – Conner Road in Clarence”  
(Chair’s Ruling)

b.

COMM. 5M-1 (2024)  
**NFTA:** “NFTA Capital Expenditure Reports, 2<sup>nd</sup> Quarter”  
(Chair’s Ruling)

c.

COMM. 5M-2 (2024)  
**NFTA:** “NFTA Capital Expenditure Reports, 3<sup>rd</sup> Quarter”  
(Chair’s Ruling)

2.

COMM. 5E-10 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, 1603 Seneca Street consists of the extension of an existing PILOT Agreement in the City of Buffalo for 75 affordable rental units at 1603 Seneca Street, City of Buffalo, NY; and  
  
WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and  
  
WHEREAS, in order to make the Project economically feasible for SSSN Housing Development Fund Corporation, Seneca Street Special Needs, LP to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.  
  
NOW, THEREFORE, BE IT  
  
RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with SSSN Housing Development Fund Corporation, Seneca Street Special Needs, LP, and the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further  
  
RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

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

SCHEDULE A  
PILOT Payments

Year	PILOT Year	Total	City	County
2023-2024	15	\$ 13,595	\$ 10,196	\$ 3,399
2024-2025	1	\$ 14,003	\$ 10,502	\$ 3,501
2024-2026	2	\$ 14,423	\$ 10,817	\$ 3,606
2024-2027	3	\$ 14,856	\$ 11,142	\$ 3,714
2024-2028	4	\$ 15,301	\$ 11,476	\$ 3,825
2024-2029	5	\$ 15,760	\$ 11,820	\$ 3,940
2024-2030	6	\$ 16,233	\$ 12,175	\$ 4,058
2024-2031	7	\$ 16,720	\$ 12,540	\$ 4,180
2024-2032	8	\$ 17,222	\$ 12,916	\$ 4,305
2024-2033	9	\$ 17,738	\$ 13,304	\$ 4,435
2024-2034	10	\$ 18,271	\$ 13,703	\$ 4,568
2024-2035	11	\$ 18,819	\$ 14,114	\$ 4,705
2024-2036	12	\$ 19,383	\$ 14,537	\$ 4,846
2024-2037	13	\$ 19,965	\$ 14,974	\$ 4,991
2024-2038	14	\$ 20,564	\$ 15,423	\$ 5,141
2024-2039	15	\$ 21,181	\$ 15,885	\$ 5,295

(5-0)

3.

COMM.5E-11 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and  
  
WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial, or recreational; and

WHEREAS, County of Erie, City of Lackawanna, Erie County Industrial Development Agency, continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel site; and

WHEREAS, the development of water and sewer infrastructure on the on the former Bethlehem Steel site is necessary to market the site as shovel ready; and

WHEREAS, the County and the Erie County Industrial Development Agency entered into an Agreement (“Agreement”) dated August 7<sup>th</sup>, 2020, whereby the Erie County Industrial Development Agency shall contract with consultants and contractors specializing in the design of utility infrastructure for the purpose of developing water and sewer infrastructure at the future Odell Street on the former Bethlehem Steel site; and

WHEREAS, the parties desire to amend the Agreement to reflect additional costs incurred as a result of unforeseen obstructions and groundwater encountered during construction and resultant testing and treatment required by NYSDEC.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a First Amendment to Agreement with the Erie County Industrial Development Agency to increase the original contract amount of \$700,000 by \$50,000 to a new total of \$750,000, for the purpose of completing the construction of utilities at the former Bethlehem Steel site in the City of Lackawanna; and be it further

RESOLVED, that the source of the additional funds shall be in SAP accounts A.19025 in the amount of \$50,000; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, the Division of Budget and Management, the Office of Comptroller, the Department of Environment and Planning, and the Department of Law.  
(5-0)

4.       COMM. 5E-12 (2024)  
          **COUNTY EXECUTIVE**  
          WHEREAS, BestSelf Behavioral Health provides critical services to Erie County families and children suffering from trauma and abuse; and

WHEREAS, Erie County has the second-highest incidence of child abuse and neglect in New York State, with over 3,000 estimated cases of child abuse and neglect annually; and

WHEREAS, BestSelf seeks to relocate its Child Advocacy Center in order to better address the significant need; and

WHEREAS, BestSelf plans to relocate the Child Advocacy Center to 899 Main Street, Buffalo to better suit its operational needs; and

WHEREAS, the proposed facility will co-locate many of the trauma and abuse service agencies and organizations into one location; and

WHEREAS, Erie County wishes to fund a portion of the construction of the Child Advocacy Center; and

WHEREAS, Best Self has agreed to provide space to Erie County Child Protective Services at no charge; and

WHEREAS, the County of Erie allocated \$1,000,000 for the construction of the Child Advocacy Center in the 2023 Capital Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contracts, easements, and agreements with BestSelf Behavioral Health in amounts not to exceed a total of \$1,000,000 for the purpose of constructing the Child Advocacy Center; and be it further

RESOLVED, that the source of these funds shall be \$1,000,000 available in the 2023 Erie County Capital Budget, A.23069; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Law, and the Department of Environment and Planning.  
(5-0)

5.       COMM. 5E-19 (2024)  
          **COUNTY EXECUTIVE**  
          WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law, Section 6-d; and

WHEREAS, the 2024 Adopted County Budget contains available funds from the collection of Real Estate Transfer Tax for repair of roads, bridges, and equipment; and

WHEREAS, use of Road Repair Reserve funds is restricted to repair of roads and bridges in the County; and

WHEREAS, the Division of Budget and Management recommends the appropriation of \$4,000,000 in 2023 surplus Transfer Tax revenue in the Road Fund’s Road Repair Reserve Fund to conduct important road work in 2024; and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following a public hearing; and

WHEREAS, a public hearing was held on February 15, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the appropriation of \$4,000,000 in 2023 surplus Transfer Tax revenue into the 2024 Road Repair Reserve Fund (Fund 210, Funds Center 12330) and amend the Division of Highways’ 2024 Road Fund Budget (Fund 210, Funds Center 1231010) as follows:

2024 Road Fund Budget – Road Repair Reserve Fund 210, Funds Center 12330			
REVENUES	CURRENT BUDGET	ADJUSTMENT	REVISED BUDGET
402190 Appropriated Fund Balance		\$4,000,000	\$ 4,000,000
402600 Transfer Tax	<u>\$14,500,000</u>	<u>\$ 0</u>	<u>\$14,500,000</u>
Total Revenues	<u>\$14,500,000</u>	<u>\$4,000,000</u>	<u>\$18,500,000</u>
APPROPRIATIONS			
912300 ID Highway Services	<u>\$14,500,000</u>	<u>\$4,000,000</u>	<u>\$18,500,000</u>
Total Appropriations	<u>\$14,500,000</u>	<u>\$4,000,000</u>	<u>\$18,500,000</u>
Net Change – Road Repair Reserve		\$ 0	

2024 Road Fund Budget – Division of Highways Fund 210, Funds Center 1231010			
APPROPRIATIONS	CURRENT BUDGET	ADJUSTMENT	REVISED BUDGET
570000 Interfund Transfer Subsidy	\$11,650,000	\$4,000,000	\$15,650,000
912300 ID Highway Services	<u>(\$14,533,100)</u>	<u>(\$4,000,000)</u>	<u>(\$18,533,100)</u>
Total Appropriations	<u>(\$ 2,883,100)</u>	<u>\$ 0</u>	<u>(\$ 2,883,100)</u>
Net Change – Highways		\$ 0	

and be it further

RESOLVED, that authorization is hereby given for \$4,000,000 in funding within the Division of Highways’ 2024 Road Fund Budget (Fund 210, Funds Center 1231010) Account # 570000 – Interfund Transfer Subsidy be appropriated into Capital Project B.24050 – Capital Overlay Program Countywide as follows:

Capital Project B.24050 Capital Overlay Program Countywide Fund 420, Funds Center 123			
REVENUES	CURRENT BUDGET	ADJUSTMENT	REVISED BUDGET
486000 Interfund Revenue Subsidy	<u>\$10,000,000</u>	<u>\$4,000,000</u>	<u>\$14,000,000</u>
Total Revenues	<u>\$10,000,000</u>	<u>\$4,000,000</u>	<u>\$14,000,000</u>
APPROPRIATIONS			
Capital Projects	<u>\$10,000,000</u>	<u>\$4,000,000</u>	<u>\$14,000,000</u>
Total Appropriations	<u>\$10,000,000</u>	<u>\$4,000,000</u>	<u>\$14,000,000</u>

and be it further

RESOLVED, that the Clerk of the Legislature did publish a Notice of Public Hearing once in each of the official newspapers of the County, at least five days prior to the date of the Public Hearing and said hearing took place on February 15, 2024; and be it further

RESOLVED, that authorization is given to the Director of Budget and Management to make any technical adjustments necessary to effectuate this transfer; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive’s Office, Comptroller’s Office, Department of Law and Division of Budget and Management.  
(5-0)

6. COMM. 5E-20 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, the County of Erie must comply with NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency (EPA) regulations; and

WHEREAS, the East Concord Highway Facility and Erie County Correctional Facility – Fuel Tank Replacement & Upgrades, titled “2022 Fuel Tank Replacement” project (herein called the “Project”) seeks to replace petroleum bulk storage tanks at both facilities; and

WHEREAS, the below ground storage tanks at both facilities are well beyond their useful life and will be replaced with above ground storage tanks that are easier to maintain; and

WHEREAS, completion of the Project will relocate the existing tank location at the Erie County Correctional Facility outside the secure perimeter as it is currently located inside the perimeter and will ensure that the emergency generators at this facility are supplied with the necessary diesel fuel to operate in the event of electric service interruptions; and

WHEREAS, completion of the Project will satisfy the documented petroleum spill with the DEC at the Concord Highway Facility by replacing the existing below ground diesel and gasoline storage tanks with above ground storage tanks as well as relocating them on the northern side of the site considering Highway operations; and

WHEREAS, the tank replacement at the Concord Highway Facility will also include a fueling station for vehicles with a fire suppression system tied to the existing building monitoring system; and

WHEREAS, the County of Erie Department of Public Works publicly advertised and received Construction bids in conformance with General Municipal Law 103 for the Project on January 12, 2024; and

WHEREAS, the Department of Public Works and Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. are recommending award of the contracts to the lowest responsible bidder for the Electrical Contract and to the lowest responsible bidder for the General Construction Contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contracts with the lowest responsible bidders for the Project for an amount not to exceed as follows:

General Construction Work		
The Pump Doctor Inc.	Base Bid:	\$ 1,402,886.00
	Alternate G-1	\$ 49,507.00
Total Award of General Construction Contract:		\$ 1,452,393.00
Electrical Construction Work		
The Pump Doctor Inc.	Base Bid:	\$ 266,512.00
	Alternate E-1	\$ 7,328.00
Total Award of Electrical Construction Contract:		\$ 273,840.00

and be it further

RESOLVED, that authorization is hereby given for the sum of \$100,000 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from the previously approved, as adopted capital projects in Fund 410, Funds Center 122 as follows:

A.23002 – DPW (Buildings and Grounds) – Mechanical, Electrical, Plumbing, and Miscellaneous Improvements	\$ 400,000.00
A.21157 – DPW (Buildings and Grounds) – Preservation of County Highway Facilities - Countywide	\$ 141,438.42
A.23051 – 2023 EPA Environmental Regulatory Compliance	\$ 85,000.00
A.21150 – 2021 EPA Environmental Regulatory Compliance	\$ 578,602.75
A.19003 – 2019 Countywide Code and Environmental Compliance	\$ 11,191.83
A.23004 – DPW (Buildings and Grounds) – Erie County Sheriff’s Department – Miscellaneous Renovations	\$ 610,000.00
Total not to exceed	\$1,826,233.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the County Executive, Comptroller’s Office and Division of Budget and Management.  
(5-0)

7. COMM. 5E-21 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Public Works, in collaboration with the Buffalo & Erie County Public Library, have various capital improvement projects at the Central Library requiring continued professional design services; and

WHEREAS, under COMM. 15E-34 (2019), your Honorable Body previously authorized for the County Executive to enter into a two (2) year Term Agreement with the firm of Trautman Associates on both a lump sum and on-call basis with a (3) one-year extensions for the Buffalo & Erie County Public Library – Various Capital Projects (herein called the “Project”); and

WHEREAS, the (2) year Term Agreement with the (3) one-year extensions will expire on July 25, 2024; and

WHEREAS, the current on-call design scope at the Buffalo & Erie County Public Library includes the loading dock renovations, emergency egress and fire alarm upgrades, electrical switch gear replacement and other miscellaneous work; and

WHEREAS, to complete these projects through construction administration, a (1) year extension from July 25, 2024 to July 25, 2025 is requested; and

WHEREAS, no additional funding is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to amend the existing agreement for professional engineering services on both a lump sum and on-call basis with the firm of Trautman Associates to extend the term of the agreement for one (1) additional year from July 25, 2024 to July 25, 2025; and be it further

RESOLVED, that two certified copies each of this resolution be sent to the Department of Public Works and one copy each to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management and Buffalo & Erie County Central Library.  
(5-0)

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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Report No. 3                      ENERGY & ENVIRONMENT COMMITTEE

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Report No. 3                      Attachments

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March 14, 2024

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 3M-4 (2024)  
COMMISSIONER OF AGRICULTURE & MARKETS: “Erie County Southwestern Agricultural District No. 8 Districting Plan Approval”  
(Chair’s Ruling)

b. COMM. 4E-20 (2024)  
COUNTY EXECUTIVE: “ECSD No. 2 - Engineer Term Contract Agreement”  
(Chair’s Ruling)

c. COMM. 4E-21 (2024)  
COUNTY EXECUTIVE: “ECSD No. 3 - Southtowns Influent Pumps Replacement Project”  
(Chair’s Ruling)

d. COMM. 4M-3 (2024)  
NYS DEC: “Brownfield Cleanup Program Public Notice”  
(Chair’s Ruling)

e. COMM. 4M-6 (2024)  
NYS DEPARTMENT OF AGRICULTURE & MARKETS: “Approval of Plan to Modify EC Agricultural District Nos. 1 & 5”  
(Chair’s Ruling)

f. COMM. 5E-15 (2024)  
COUNTY EXECUTIVE: “ECSD No. 3 - Southtowns Incinerator Tray Scrubbers Replacement & Crane Installation Project”  
(Chair’s Ruling)

g. COMM. 5E-16 (2024)  
COUNTY EXECUTIVE: “ECSD No. 6 - Engineer Term Contract Agreement”  
(Chair’s Ruling)

2. COMM. 5E-13 (2024)  
COUNTY EXECUTIVE  
WHEREAS, pursuant to Legislative Comm. 8E-5 (2023), Contract No. 89 was awarded to Kandey Company, Inc. to construct the Various Sanitary Sewer Replacements Project in Erie County Sewer District Nos. 1 & 3; and  
  
WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now complete; and  
  
WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 89 in the final contract amount of \$930,930.36 which includes Change Order No. 1 (final), a decrease of \$117,489.14, and recommends approval for final payment.  
  
NOW, THEREFORE BE IT  
  
RESOLVED, the Erie County Legislature hereby authorizes Contract No. 89 between the County of Erie and Kandey Company, Inc. (19 Ransier Drive, West Seneca, NY 14224) to be accepted in the final contract amount of \$930,930.36 which includes Change Order No. 1 (final), a decrease of \$117,489.14 and is allocated in Sewer Management Capital Account C.20001; and be it further  
  
RESOLVED, authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 89 to Kandey Company, Inc. for a total contract amount of \$930,930.36; and be it further  
  
RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the Office of the County Executive, the Office of the County Comptroller, the Division of Budget and Management, the Department of Law and the Division of Sewerage Management.  
(5-0)
3. COMM. 5E-14 (2024)  
COUNTY EXECUTIVE  
WHEREAS, the Division of Sewerage Management identified that additional funds are needed to pay for lab and technical equipment in Erie County Sewer District (ECSD) No. 6 for the 2024 fiscal year; and  
  
WHEREAS, the Division of Sewerage Management analyzed the budget and expenses and determined that a surplus will exist in ECSD No. 6 account 561430 – Buildings, Grounds, and Heavy Equipment; and  
  
WHEREAS, a transfer of funds from accounts with surplus funds will allow ECSD No. 6 to maintain daily operations with no net impact on the 2024 budget.  
  
NOW, THEREFORE BE IT



RESOLVED, that the Erie County Legislature hereby authorizes the Division of Sewerage Management – Sewer District No. 6’s 2024 General Fund Budget (Fund 220, Funds Center 18610) to be amended as follows:

Division of Sewerage Management  
Erie County Sewer District No. 6  
Fund 220, Funds Center 18610

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
561410	Lab & Technical Equipment	\$164,500
561430	Building, Grounds, & Heavy Equipment	<u>(164,500)</u>
	TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required budgetary adjustments to implement the actions and appropriations in this resolution; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of this Resolution to the Office of the County Executive, the Office of the County Comptroller, the Division of Budget and Management, and the Division of Sewerage Management.  
(5-0)

**TIMOTHY J. MEYERS**  
**CHAIR**

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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Report No. 3                      HEALTH & HUMAN SERVICES COMMITTEE

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Report No. 3                      Attachments

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March 14, 2024

HEALTH & HUMAN SERVICES  
COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT.

1.

RESOLVED, the following items are hereby received and filed:

a.

COMM. 5E-2 (2024)  
**BASKIN:** “Response to COMM. 2E-26 (2024) - Veto of Local Law Intro. 9-1-2023”  
(Chair’s Ruling)

b.

COMM. 5E-30 (2024)  
**COUNTY EXECUTIVE:** “Authorization to Extend the ADRCVAC2122 Grant”  
(Chair’s Ruling)

c.

COMM. 5M-4 (2024)  
**PRESIDENT & CEO OF VBN & BCC:** “VBN & BCC Operating Budgets & Business Plans”  
(Chair’s Ruling)

d.

COMM. 5M-5 (2024)  
**ACCESS WNY:** “Response to COMM. 2E-26 (2024) - Veto of Local Law Intro. 9-1-2023”  
(Chair’s Ruling)

e.

COMM. 5M-6 (2024)  
**COMMUNITY ORGANIZATIONS:** “Response to COMM. 2E-26 (2024) - Veto of Local Law Intro. 9-1-2023”  
(Chair’s Ruling)

f.

COMM. 5M-7 (2024)  
**BOARD OF HEALTH CHAIRMAN:** “Proposed EC Sanitary Code”  
(Chair’s Ruling)

2.

COMM. 5E-22 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, the Department of Social Services has two Homemaker positions, two Senior Clerk Typist positions, and a Senior Account Clerk position that have been vacant for a period of time that are currently in the 2024 Adopted Budget; and  
  
WHEREAS, the Department of Social Services has a need to fill positions of Case Worker, Social Welfare Examiner, Energy Crisis Worker 2, and Senior Cashier to aid in the administering of the department’s duties; and

WHEREAS, the added positions will increase efficiency throughout various departments contained in the Department of Social Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the creation of the following full-full time positions within the Department of Social Services, effective March 23,2024:

Type	Department	Title	Status	Bargaining Unit	JG	Number of Positions	B100 #
New	DSS	Case Assistant	FT	CSEA	6	1	13745
	DSS	Social Welfare Examiner	FT	CSEA	6	1	14093
New	DSS	Energy Crisis Worker 2	FT	CSEA	5	1	14184
New	DSS	Senior Cashier	FT	CSEA	7	1	14102

and be it further

RESOLVED, that sufficient savings will be achieved through the deletion of the five (5) noted positions to cover the costs these new positions within the Department of Social Services 2024 Adopted Budget (Fund 110, Funds Center 120); and be it further

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

3.

COMM. 5E-23 (2024)  
**COUNTY EXECUTIVE**  
WHEREAS, the Youth Employment Program (YEP) is an important platform intended to help reduce community gun violence and youth criminal justice involvement by providing year-round employment opportunities; and  
  
WHEREAS, these funds will support the establishment of a program which includes employment, education and/or career exploration opportunities for TANF-eligible youth from low-income households; and  
  
WHEREAS, \$150,000 of these funds will be retained by the Department of Social Services to defray administrative costs; and

WHEREAS, Career Connection Network has the expertise to be the lead agency for this program by preparing payroll checks, tax reporting, and providing educational trainings with support from the Employment Division of the Department of Social Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept \$2,461,752 in State Aid and amend the Department of Social Services’ 2024 General Fund Budget (Fund 110, Funds Center 1206045) as follows:

Department of Social Services Fund 110, Funds Center 1206045		
<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	<u>\$2,461,752</u>
	TOTAL	<u>\$2,461,752</u>
<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Professional Svcs, Contracts & Fees	<u>\$2,311,752</u>
	TOTAL	<u>\$2,311,752</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with Career Connection Network in the amount of \$2,311,752 for the provision of services for the Youth Employment Programs (YEP), waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

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

4. COMM. 5E-24 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, a grantmaking fund was created under Office of Children and Family Services (OCFS) for the purpose of providing annual awards to support sports programs for underserved children and youth under the age of 18; and

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

WHEREAS, The Department of Social Services-Youth Bureau has been awarded funding in the amount of \$216,312; and

WHEREAS, The Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2023-019VF) to interested parties and the Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services-Youth Bureau to accept \$216,312 in State Aid and amend the 2024 General Fund Budget (Fund 110, Funds Center 12530) as follows:

Department of Social Services-Youth Bureau Fund 110, Funds Center 12530		
<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
408055	Youth Sports and Education	<u>\$216,312</u>
	TOTAL	<u>\$216,312</u>
<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
517874	Youth Sports and Education	<u>\$216,312</u>
	TOTAL	<u>\$216,312</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with the community providers in the amount of \$216,312 for the provision of Youth Sports Services as indicated in the scoring summary; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

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

5. COMM. 5E-25 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, a key provision of the Preventing Sex Trafficking and Strengthening Families Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, International Institute of Buffalo has been the lead agency for this program since its inception and is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, International Institute of Buffalo was re-awarded this contract in 2021 after a request-for-proposal, and the next scheduled request for proposal for this program is scheduled for 2024; and

WHEREAS, a gradual decrease in State funding over the past few years has required additional county funding to operate this valuable program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept \$40,000 in State Aid and amend the 2024 Adopted Budget (Fund 110, Funds Center 1209010) as follows:

Department of Social Services Fund 110, Funds Center 1209010		
<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	<u>\$40,000</u>
	TOTAL	<u>\$40,000</u>
<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516400	Preventative Agencies–International	<u>\$40,000</u>
	TOTAL	<u>\$40,000</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with the International Institute of Buffalo in the amount of \$40,000 for the provision of services for the Safe Harbor for Exploited Children program, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

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

6. COMM. 5E-26 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services stores the majority of its records on OnBase and through the use of internal and external resources has been able to develop work flow and application tracking systems for several programs; and

WHEREAS, funds are available from the 2020 Pay-As-You-Go Component of the Capital Budget Project A.20069; and

WHEREAS, the Department of Social Services issued a Request for Proposal (RFP) in April of 2022 RFP #2022-021 VF; and

WHEREAS, Konica Minolta Business Solutions U.S.A., Inc. responded to the RFP with a strong proposal; and

WHEREAS, the Department of Social Services wishes to have Konica Minolta Business Solutions U.S.A., Inc. develop new solutions, and modify existing ones, related to the OnBase Package; and

WHEREAS, the Department of Social Services is seeking to expand paperless office efficiency.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with Konica Minolta Business Solutions U.S.A., Inc. in the amount of \$200,000 to develop new solutions, and modify existing ones, related to the OnBase Package; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within the Department of Social Services Capital Budget (Fund 410, Funds Center 120) Project A.20069 – ECDSS Paperless Office Efficiencies; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

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

7. COMM. 5E-27 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Social Services has been awarded an amount of \$3,874,658 in 100% State Aid funds to provide Outreach and Application Assistance for the New York State Rental Supplement Program; and

WHEREAS, the Erie County Department of Social Services issued a Request for Proposal (RFP) on February 14, 2022 to qualified agencies interested in providing Outreach and Application Assistance Services to customers in Erie County applying for New York State Rental Supplement Program funding; and

WHEREAS, based on the results of the RFP the Erie County Department of Social Services has identified Buffalo Federation of Neighborhood Centers as the recipient of this funding to provide administrative services in the amount of \$569,575 and rental supplements in the amount of \$3,227,590 to the residents of Erie County; and

WHEREAS, the remaining \$77,493 in revenue will be utilized to defray existing administrative costs within the Department of Social Services; and

WHEREAS, the Department of Social Services requires legislative approval to accept the State funds and to amend the Adopted 2024 Adopted Budget; and

WHEREAS, no County funds will be necessary for Erie County to accept this federal aid to serve individuals residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept State funds for the Outreach and Application Assistance for the New York State Rental Supplement Program in the amount of \$3,874,658 and authorizes the Division of Budget and Management to amend the 2024 Adopted Budget (Fund 110, Fund Center 120) as follows:

Department of Social Services Fund 110, Funds Center 120		
<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409010	State Aid Revenue	<u>\$3,874,658</u>
<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516010	Contract Payments Nonprofit Purch	<u>\$3,797,165</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with Buffalo Federation of Neighborhood Centers in the amount of \$3,797,165 to provide administrative services in the amount of \$569,575 and rental supplements in the amount of \$3,227,590 to residents of Erie County; and be it further

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

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

8. COMM. 5E-28 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Senior Services creates and implements innovative programming to meet the needs of Erie County’s growing older adult population; and

WHEREAS, Erie County’s older adult population continues to be more active and socially engaged than previous generations, leading to programming evolution to include additional opportunities for social recreation, including an ever expanding lifelong learning curriculum and adaptive fitness classes; and

WHEREAS, in order to meet the needs of Erie County’s older adult population, the Department of Senior Services needs a management position to manage and drive the vision of the Department’s growing Recreation Unit; and

WHEREAS, the Department of Senior Services desires to amend the budget of its Community Services for the Elderly Grant Program 163CSE2425, which runs April 1, 2024 to March 31, 2025, due to the following the New York State fiscal year (April 1<sup>st</sup> to March 31<sup>st</sup>); and

WHEREAS, the Department of Senior Services desires to create, effective April 1, 2024, a new civil service position, Project Administrator (Senior Services), Job Group 12, (B-100 #14157), in the 163CSE2425 grant to oversee the operation of the Department of Senior Services’ Recreation Unit, which includes, among other program initiatives, the AmeriCorps Senior RSVP Program, University Express, and Health and Fitness programming; and

WHEREAS, to help cover the cost of creating the new position, effective April 1, 2024 to delete two vacant positions in the 163CSE2425 grant, a vacant Outreach Aide ( Senior Services) position #6777 and a vacant Community Service Aide (PT) position #1810.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes effective April 1, 2024 the creation of a Project Administrator (Senior Services), Job Group 12, (B-100 #14157), in the 163CSE2425 grant; and be it further

RESOLVED, that the budget for the 163CSE2425 grant be amended as follows:

	INITIAL BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS			
500000 Full Time - Salaries	\$602,703	+36,210	\$638,913
500010 Part Time – Wages	\$60,498	(17,091)	\$43,407
502000 Fringe Benefits	\$324,952	+21,700	\$346,652
516020 Professional Srvcs Contracts/fees	\$253,766	(40,819)	\$212,947
TOTAL	<u>-0-</u>		

and be it further

RESOLVED, that, authorization is hereby given for the Division of Budget and Management to adjust grant budget 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 or Deputy County Executive to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive’s Office, Division of Budget and Management, Comptroller’s Office, and the Department of Senior Services.  
(5-0)

9. COMM. 5E-29 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Senior Services Going Places Transportation Program provides older adults who have no other means of transportation, with rides to medical appointments, grocery shopping, and senior centers for congregate meals, along with performing the central dispatch function for vehicles operated by partner Erie County municipalities and subcontracted transportation service providers; and

WHEREAS, the Department of Senior Services applied in the Spring of 2022, to the New York State Department of Transportation (NYSDOT) for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities federal grant funding for the operation and expansion of the Going Places Transportation Program; and

WHEREAS, NYSDOT recently awarded the Department of Senior Services a Section 5310 Enhanced Mobility Grant for a period beginning January 1, 2024 through December 31, 2027, with funding under three categories; and

WHEREAS, NYSDOT requires upon grant contract execution, a check payable to the NYSDOT for \$66,823, which represents the required 20% local share of the vehicles plus a 10% contingency amount to cover possible price increases; and

WHEREAS, existing appropriations in the 163CSE2324 grant’s Motor Vehicle account (#561440) will fund the \$66,823 local share of the vehicles; and

WHEREAS, the Department of Senior Services does not anticipate using any of these new grant monies until 2024, when existing appropriations are available in its 2024 County budget’s General Fund Administration & Support Cost Center’s (#1631010) County Share Grant account (#559000) to cover the required local match for drawing down the grant’s mobility management and operating assistance funds; and

WHEREAS, County appropriations for subsequent grant years local share amounts will be included in the Department’s annual County budget for those years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to contract with the NYSDOT to accept the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant funding beginning January 1, 2024 through December 31, 2027; and be it further

RESOLVED, that authorization is hereby given to acquire the four mini-bus vehicles and upon passage of this resolution and to pay the NYSDOT the 20% local share plus the 10% contingency for possible cost changes by issuing a check for the required \$66,823, utilizing existing appropriations from the 163CSE2324 grant’s Motor Vehicle account; and be it further

RESOLVED, that effective April 1, 2024 a new civil service position, Project Administrator (Senior Services), Job Group 12, (B-100 #14156) be created in this grant, to oversee the operation of the Going Places Program; and be it further

RESOLVED, that the budget for the Section 5310 Enhanced Mobility Grant for the period January 1, 2024 through December 31, 2027 be established as follows:

Grant fund 281 fund center 1632010  
5310 Enhanced Mobility Grant  
163EMOBLTY2227  
January 1, 2024 – December 31, 2027

REVENUES		BUDGET
Account	Description	
414000	Federal Aid	\$ 738,342
417000	Contributions Participants	\$ 17,700
417060	Other Income Senior Services	\$ 6,747
479000	County Share Contribution	<u>\$ 791,040</u>
	TOTAL REVENUE	<u>\$1,553,829</u>

APPROPRIATIONS		BUDGET
Account	Description	
500000	Full Time – Salaries	\$ 360,423
502000	Fringe Benefits	\$ 183,817
516019	Transportation Services	<u>\$1,009,589</u>
	TOTAL APPROPRIATIONS	<u>\$1,553,829</u>

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant budget 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 or Deputy County Executive to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive’s Office, Division of Budget and Management, Comptroller’s Office, and the Department Senior Services. (5-0)

10. COMM. 5E-31 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Senior Services continually looks to enhance services to help older adults remain in their homes longer; and

WHEREAS, caregiver burnout is a significant contributor to premature placement of older adult care receivers in long-term care settings; and

WHEREAS, the Department of Senior Services desires to offer overnight respite services to eligible caregivers of memory impaired and physically disabled older adults at various locations; and

WHEREAS, the Department of Senior Services, through an RFP process, selected Niagara Lutheran Health System Inc. (Niagara Lutheran), Schofield Residence (Schofield), and Absolut Care/The McGuire Group (TMG) which operate multiple locations to provide overnight respite services; and

WHEREAS, overnight respite services will be provided at various rates ranging from \$199 to \$465 per day, dependent upon the level of care required by the older adults. Clients and their caregivers will be able to select a preferred location; and



WHEREAS, the Department of Senior Services now desires to contract with the Niagara Lutheran, Schofield, and TMG to provide overnight respite services during the initial period of January 1, 2024 to December 31, 2026, with an option to extend for up to two additional one-year periods at prices and conditions agreed upon by County and Providers; and

WHEREAS, \$20,000 of budgetary appropriations are available in the 163III-E2024 grant’s Professional Services Contracts and Fees account (#516020) to pay for overnight respite services for eligible older adults, with amounts for subsequent contract years to be determined by appropriations available in each of those year’s County budgets.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to contract with the Niagara Lutheran, Schofield, and TMG (and their multiple locations) to provide overnight respite services for the Department of Senior Services during the initial period of January 1, 2024 to December 31, 2026, with the option to extend the contract beyond the initial term for up to two additional one-year periods at prices and conditions agreed upon by County and Providers; and be it further

RESOLVED, that authorization is hereby given to utilize existing appropriations in the 163III-E2024 grant’s Professional Services Contracts and Fees account (#516020) to pay for overnight respite services, with amounts for subsequent contract years to be determined by appropriations available in each of those year’s County budgets; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute amendments to the contract to effectuate adjusted funding levels if necessary; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive’s Office, Division of Budget and Management, Comptroller’s Office, and the Department of Senior Services.  
(5-0)

11. COMM. 5E-32 (2024)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Healthcare Careers (“EHC”) program has successfully enrolled 544 Erie County residents into training and education programs related to highly in-demand healthcare careers as of December 31, 2023; and

WHEREAS, the Erie County Legislature at the request of the Erie County Executive, approved and adopted appropriations in the amount of \$3,387,236 for EHC in the 2024 Adopted Erie County Budget; and

WHEREAS, significant demand remains for additional healthcare staffing here in Erie County and across the United States, and SUNY Erie Community College and other local training providers have available capacity to train those seeking healthcare careers; and

WHEREAS, Erie County hospitals, skilled nursing facilities, and other healthcare employers report a significant shortage of trained employees, contributing to hospital crowding and a lack of available beds; and

WHEREAS, further support of the EHC program can bolster and expand the number of high-quality employees in high-demand, frontline healthcare positions across Erie County; and

WHEREAS, healthcare careers provide ladders of opportunity to family-sustaining wages, in line with the Federal, State, and County workforce development objectives, which boost the economic livelihoods of Erie County residents and the community overall.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the Buffalo and Erie County Workforce Investment Board, Inc. (“BECWIB”) and Buffalo and Erie County Workforce Development Consortium, Inc. (“WDC”), the BECWIB fiscal agent, for the purposes of expanding the EHC program; and be it further

RESOLVED, that the amount of \$3,387,236 has been appropriated from Fund 110, Funds Center 1331010, Account 518700 – WDC Healthcare Careers Program for the purposes of funding the 2024 EHC Program; and be it further

RESOLVED, the BECWIB and WDC may further expend any remaining 2023 EHC funds for the sole purpose of continuing the Program’s operation and enrollment of students; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any technical adjustments necessary to facilitate this resolution; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management, Department of Law and Department of Personnel.  
(5-0)

**JOHN J. GILMOUR**  
**CHAIR**

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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Report No. 2                      SMALL BUSINESS COMMITTEE

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Report No. 2                      Attachments

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March 14, 2024

SMALL BUSINESS COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT.

- 1. RESOLVED, all items are hereby tabled.  
(Chair’s Ruling)

JEANNE M. VINAL  
CHAIR

Erie County Legislature  
Meeting Date: 03/21/2024

SUBJECT

INTRO. 6-1

MINORITY CAUCUS

Opposing Wind Turbines in Lake Erie's  
Waters

Attachments

24INTRO. 6-1

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

**Re: Opposing Wind Turbines in Lake Erie's Waters**

WHEREAS, Erie County, New York lies along the shore of Lake Erie, the 12<sup>th</sup> largest lake in the world; and

WHEREAS, Lake Erie is the shallowest, warmest and most biologically productive of the five Great Lakes; and

WHEREAS, more fish are produced each year for human consumption from Lake Erie than the total from the other four Great Lakes combined; and

WHEREAS, Lake Erie is fed by a drainage basin that is 22,720 square miles and is an important source of drinking water for approximately 11 million people; and

WHEREAS, Lake Erie is the source of water for Niagara Falls, a tourist attraction known for its natural beauty and a major source of hydroelectric power, supplying one-quarter of the power used in New York State and Ontario; and

WHEREAS, Erie County understands the importance of Lake Erie to health, tourism, industry, recreation and quality of life; and

WHEREAS, the installation of windmills on Lake Erie could negatively impact the quality of life for residents in Erie County; and

WHEREAS, the Erie County legislature is concerned that New York State and/or a body created under the auspices of the State might allow private and/or public entities build or direct to be placed wind turbines in the water of Lake Erie; and

WHEREAS, the Erie County Legislature is concerned about the impact of such structures on human and wildlife habitats that depend on Lake Erie; and

WHEREAS, the New York State Energy and Development Authority (NYSERDA) conducted a study, which was completed in 2022, which concluded "Great Lakes wind is technically feasible and potentially economically feasible in some locations of the Great Lakes, however some major gaps in the available data were identified that contribute to high uncertainty"; and

WHEREAS, understanding the deep concern about installing wind turbines in the Great Lakes in the midst of this "high uncertainty," United States H.R. 426, the "Lakes Before Turbines Act," has been introduced to protect our environment and local economies from ill-advised wind energy projects on the Great Lakes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the installation of off-shore wind turbines in the waters of Lake Erie and requests that a moratorium be imposed on any such projects; and be it further

RESOLVED, that the Erie County Legislature supports the passage and implementation of H.R. 426, the “Lakes Before Turbines Act”; and be it further

RESOLVED, that a copy of this resolution be transmitted to the Governor of New York State, the local delegations of the New York State Senate and Assembly, the local delegation of the United States House of Representatives, and the two United States Senators from the State of New York.

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SUBJECT

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COMM. 5E-41	From the Public Safety Committee	From the Sheriff: Purchase of Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle
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[\\*\\*\\*\\*Amendement to COMM. 5E-41](#)

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	Attachments
24COMM. 5E-41	

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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

March 4<sup>th</sup>, 2024

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

**RE: Purchase of Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle**

Honorable Members:

Attached, please find a proposed resolution authorizing the purchase of a Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle from Roshel Inc. for \$320,000. The vehicle would be used by the Erie County Sheriff's Office's Special Operations Division.

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

Very truly yours,

A handwritten signature in black ink, reading "John C. Garcia".

John C. Garcia  
Sheriff of Erie County

Attachments



## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Erie County Sheriff's Office  
Re: Purchase of Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle  
Date: March 4<sup>th</sup>, 2024

### **Summary of Recommended Action**

The Erie County Sheriff's Office is requesting authorization to purchase a Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle from Roshel, Inc. for \$320,000.

### **Fiscal Implications of the Proposal**

Sufficient funding was previously transferred into Erie County Sheriff's Office account 561440, Motor Vehicles (COMM. 17E-13 (2023)) for the purchase of a BearCat from Lenco. This purchase order will be cancelled.

### **Reasons for Recommendation**

Lenco was unable to fulfill the Erie County Sheriff's Office BearCat order due to cost increases. Roshel is able to provide the Erie County Sheriff's Office with a similar vehicle for the original cost of \$320,000.

### **Consequences of Negative Action**

The Erie County Sheriff's Office will be unable to operate with adequate safety equipment for its SWAT and Bomb Units.

### **Steps Following Approval of Measure**

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

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

**RE: Purchase of Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle**

WHEREAS, it is the mission of the Erie County Sheriff's Office to provide quality public safety services to our community by promoting a safe environment through police and citizen interaction, with an emphasis on integrity, fairness and professionalism, and

WHEREAS, the Erie County Sheriff's Office wishes to purchase a new Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle, and

WHEREAS, the BearCat currently in use by the Erie County Sheriff's Office is old and in disrepair and continues to increase in cost for expensive maintenance and repair, and

WHEREAS, your Honorable Body previously transferred \$320,000 from Erie County Sheriff's Revenue account 421560 Shared Revenue (ICE) Seized Asset into Erie County Sheriff's Office account 561440, Motor Vehicles for the purchase of a BearCat from Lenco, and

WHEREAS, Lenco was unable to fulfill that order for the agreed upon price,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office and Erie County Purchasing Department are here by authorized to complete the purchase of a new Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle from Roshel, Inc., 255 Biscayne Crescent, Bampton, Ont., in an amount not to exceed \$320,000, and be it further

RESOLVED, that funds from account 561440, Motor Vehicles be used to complete the purchase, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any technical adjustments necessary, and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 26.08 of the Erie County Administrative Code for purposes of securing the purchase order with Roshel, Inc. in order to obtain a Blast and Ballistic Resistant Bomb Squad/SWAT Response Vehicle, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive's Office, the Erie County Division of Budget and

Management, the Erie County Purchasing Department, the Office of the Comptroller and the Erie County Sheriff's Office

SUBJECT		
COMM. 6E-1	COMPTROLLER	Development of Corrective Action Plans Following Audits
Attachments		
24COMM. 6E-1		



EC LSG MAR 5 '24 AM 10:23

## ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

March 4, 2024

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

**Re: Development of Corrective Action Plans Following Audits**

Dear Honorable Members:

Pursuant to your request, please find a resolution attached for consideration that refers to our office's recommendations for a corrective action plan (CAP) following the issuance of audit reports. Should you have any additional questions or concerns, please feel free to contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. R. Hardwick".

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

cc: Division of Budget and Management

## **MEMORANDUM**

**To:** Erie County Legislature  
**Fr:** Erie County Comptroller's Office  
**Date:** March 4, 2024  
**Re:** Development of Corrective Action Plans Following Audits

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### **SUMMARY OF RECOMMENDED ACTION/BACKGROUND**

By request of the Erie County Legislature, the Erie County Comptroller's Office has developed a resolution which would require County departments that have been formally audited by the Comptroller's Office to complete a Corrective Action Plan within 60 days after the formal issuance of the audit.

### **FISCAL IMPLICATIONS**

None.

### **REASONS FOR RECOMMENDATION**

County departments that have been audited by the Comptroller's Office have never been required to address audit findings or to implement changes or reforms recommended by audits. This has led to a situation in which departments can ignore audit findings and continue the same practices and actions which have been flagged as deficient or problematic.

By resolving to require a Corrective Action Plan, Erie County can establish a systematic approach to address the findings of future Comptroller audits. This will facilitate a structured process for identifying responsible parties, setting realistic timelines for implementation, and monitoring progress toward resolution. Moreover, a resolution of this nature will underscore the County's commitment to fiscal responsibility and judicious use of taxpayer funds. It will demonstrate to residents and businesses that their interests are safeguarded through a proactive and accountable approach to resolving financial discrepancies.

### **CONSEQUENCES OF NEGATIVE ACTION**

Comptroller audits will continue to be issued and departments may continue to not address findings or correct deficiencies or problems.

### **STEPS FOLLOWING APPROVAL**

Departments subject to audits will be required and directed to file Corrective Action Plans with the Legislature within 60 days after the issuance of audits.

**A RESOLUTION SUBMITTED BY  
THE COMPTROLLER'S OFFICE**

**Re: Mandating Corrective Action Plans Following County Comptroller Audits**

**WHEREAS**, Erie County is a municipal corporation primarily funded by taxpayers and bears a responsibility to ensure that such funds are being used to further legitimate governmental purposes for the benefit of the public; and

**WHEREAS**, among other obligations and mandates, the Erie County Comptroller is the municipal officer responsible for auditing agencies and departments of Erie County to ensure that taxpayer funds are being used for their intended purpose and that internal controls and procedures are designed and operating to prevent theft, loss, and shrinkage; and

**WHEREAS**, over the years, the Erie County Comptroller's Office has issued audits with findings and recommendations, many of which have been frequently agreed to by the auditees, but never followed up on, or implemented by the auditee after the audit ended; and

**WHEREAS**, the New York State Comptroller's Office requires local government auditees to develop, submit and implement a Corrective Action Plan to that office following the completion of a State Comptroller's audit; and

**WHEREAS**, there is no requirement in the Erie County Charter, Administrative Code, applicable State law or policy which requires an audited entity to devise a Corrective Action Plan in response to an Erie County Comptroller audit report, or to take any ameliorative action whatsoever; and

**WHEREAS**, this raises the potential that auditees could ignore or decline to acknowledge major audit findings and implement recommendations, thereby leaving serious deficiencies in place.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby determines that the ability of an auditee to ignore significant findings and/or material weaknesses contained in audit reports issued by the Erie County Comptroller is a disservice to the taxpayers of Erie County; and

**RESOLVED**, that the Erie County Legislature hereby states that effective upon passage of this resolution, all auditees who are audited by the Erie County Comptroller's Office shall be required to submit a Corrective Action Plan to the Erie County Legislature within 60 days following the issuance of a formal audit report by the Comptroller's Office; and be it further

**RESOLVED**, that a Corrective Action Plan shall separately address each significant finding, material weakness, and recommendation contained in the audit report and detail the auditee's action steps to address the findings and implement the recommendations; and

**RESOLVED**, that certified copies of this resolution be transmitted to the Erie County Comptroller, County Executive, County Clerk, County Sheriff, District Attorney, Commissioners of Elections, Director of the Buffalo and Erie County Public Library, and the heads/commissioners of each executive department.

**Fiscal Impact:** None for this resolution.

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-2	COUNTY CLERK	Recovery of the Intercepted SONYMA Check
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24COMM. 6E-2	Attachments
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EC LEG MAR 6 '24 PM 2:53

# COUNTY OF ERIE

**MICHAEL P. KEARNS**  
COUNTY CLERK

March 6, 2024

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

**Re: Recovery of the Intercepted SONYMA Check**

Dear Honorable Members:

I am pleased to report that, thanks to the joint efforts of the offices of the Erie County Clerk, Comptroller, District Attorney, Bank of America, M&T Bank, and the United States Secret Service, the stolen money from the intercepted check made payable to the State of New York Mortgage Agency's Insurance Fund (SONYMA), in the amount of \$326,456.16, has been recovered in full. My office received confirmation from the Secret Service of the good news earlier today.

I want to thank all agencies and law enforcement for their efforts. In addition, I want to thank this Honorable Body, and the public at large, for having patience and trust in this investigation.

The Clerk's Office has already instituted new security measures, including electronic transfers, in our continued focus to safeguard taxpayer dollars.

Very truly yours,

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

MICHAEL P. KEARNS  
Erie County Clerk

MPK/wal

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-3

COUNTY CLERK

Mortgage Tax Audit Meeting and FOIL for  
Working Papers

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Attachments

24COMM. 6E-3

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EC LEG MAR 7 '24 PM 2:48

# COUNTY OF ERIE

**MICHAEL P. KEARNS**  
COUNTY CLERK

March 7, 2024

Hon. Kevin R. Hardwick  
Erie County Comptroller  
Edward A. Rath County Office Building  
95 Franklin Street, Room 1100  
Buffalo, New York 14202

**Re: Mortgage Tax Audit Meeting and FOIL For Working Papers**

Dear Comptroller Hardwick:

On behalf of the Clerk's Office, I would like to thank your auditing team for hosting the meeting to discuss the recent mortgage tax audit today, March 7, 2024. I am memorializing that, as confirmed today by your Office, my Office has not received the entirety of the working papers and supporting documentation. As such, please consider this letter a FOIL request for all such documents and source files, in their complete, legible form.

At the meeting today, your Office acknowledged the difficulty in reviewing the PDF of the audit working papers, as shown when attempting to print the document in full or view the document on anything other than a giant screen. In addition, the actual documents reviewed in order to arrive at the various findings were not included in the file sent to my Office on SharePoint on February 27, 2024. Your Office promised to send us the source files of the documents following today's meeting, but it is my hope this FOIL request keeps the process moving.

My Office and I look forward to receiving the entirety of the working papers to continue our analysis of the mortgage tax audit, and to working with you and your Office on improving the efficiency of the Clerk's Office. As yesterday's announcement of the recovery of the funds from the intercepted check shows, more is able to be gained from departments working together than being at odds, and I hope this spirit of cooperation can continue.

Very truly yours,

A handwritten signature in blue ink that reads "Michael P. Kearns".

**MICHAEL P. KEARNS**  
Erie County Clerk

MPK/wal

Cc: Hon. Erie County Legislature  
ERIE COUNTY HALL • 92 FRANKLIN STREET • BUFFALO, N.Y. • 14202 • PHONE: (716) 858-8785 • [ErieCountyClerkOffice@erie.gov](mailto:ErieCountyClerkOffice@erie.gov)

COMM. 6E-3  
Page 1 of 1

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-4                      COMPTROLLER                      2024 Consolidated Bond Resolution

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24COMM. 6E-4

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Attachments



ERIE COUNTY COMPTROLLER  
KEVIN R. HARDWICK

March 18, 2024

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

**Re: 2024 Consolidated Bond Resolution**

Dear Honorable Legislators:

Please find attached the County's 2024 Consolidated Bond Resolution and 2024 List of Project Components for the County's proposed 2024 Capital Borrowing.

If you have questions concerning the projects, please contact the County Administration.

Sincerely,

A handwritten signature in blue ink, reading "Kevin R. Hardwick".

Kevin R. Hardwick, Ph.D.  
Erie County Comptroller

cc: Erie County Executive Mark C. Poloncarz, Esq.  
Erie County Attorney Jeremy C. Toth, Esq.  
Erie County Director of Budget and Management Robert W. Keating  
Erie County Fiscal Stability Authority

RESOLUTION NO. \_\_\_\_\_, 2024

BOND RESOLUTION DATED \_\_\_\_\_, 2024

**BOND RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (THE “COUNTY”), AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS PROJECTS THAT WERE INCLUDED IN THE COUNTY’S 2024 CAPITAL BUDGET (COLLECTIVELY, THE “PROJECTS”), STATING THE TOTAL ESTIMATED MAXIMUM COST OF THE PROJECTS TO BE \$79,525,000, APPROPRIATING SUCH AMOUNT THEREFOR (INCLUDING THE EXPENDITURE OF \$15,842,385 OF STATE AND FEDERAL AID), AND AUTHORIZING THE USE OF \$7,500,000 OF AVAILABLE FUNDS OF THE COUNTY THE ISSUANCE OF UP TO \$56,182,615 OF BONDS OR OTHER OBLIGATIONS OF THE COUNTY (THE “OBLIGATIONS”) TO FINANCE THE BALANCE OF THE MAXIMUM ESTIMATED COST OF SUCH PROJECTS, ADDRESSING CERTAIN RELATED MATTERS, AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR ANY OTHER SOURCE FOR THE PROJECTS TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF THE PROJECTS AS INDICATED HEREIN, OR TOWARDS THE REDEMPTION OF ANY OF THE OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH OBLIGATIONS.**

(Introduced) February 15, 2024

(Adopted) \_\_\_\_\_, 2024

WHEREAS, the County Legislature (the “Legislature”) of the County of Erie (the “County”), a municipal corporation of the State of New York (the “State”) has been in the process of planning various capital improvements projects (collectively, the “Projects”) that are listed on the schedule/listing of such Projects that is attached hereto and by this reference made a part hereof (the “Schedule”); and

WHEREAS, such planning has been undertaken, together with appropriate environmental compliance determination proceedings under the State Environmental Quality Review Act, by the County’s Energy and Environment Committee (the “Committee”) and/or the County’s Department of Environment & Planning (the “Department”), and has included such administrative actions as are necessary or required by the State or any federal agency with respect to assessing the potential environmental impacts of the Projects and ensuring the safety and security of persons and property in the County with respect to the Projects; and

WHEREAS, the New Road project environmental review documents have been attached to this resolution, have been approved and adopted herein, and are incorporated herein by reference; and

WHEREAS, the Legislature, in accordance with the recommendations of the Committee and the Department, has determined: (A) that the Projects are in the public interest of the County and should be undertaken, (B) that there should be expended toward certain of the Projects \$15,842,385 of State and Federal aid, as noted on the Schedule; (C) that the County intends to spend \$7,500,000 of available funds of the County toward the cost of certain projects as noted on the schedule; and (D) that there should be issued up to \$56,182,615 of bonds, notes, or other obligations of the County (collectively, the "Obligations"), to finance the balance of the estimated maximum cost of the Projects, as noted on the schedule;

NOW, THEREFORE, BE IT

RESOLVED, by the Legislature (by the favorable vote of not less than two-thirds of all the members of the Legislature) as follows:

SECTION 1. The County is hereby authorized to undertake the Projects that are listed in column A of the Schedule, each as more fully described in column I of the schedule. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the duly adopted 2024 Capital Budget of the County (the "Budget"), the Budget shall be deemed to be, and hereby is, amended. For each of the specific objects or purposes or classes of objects or purposes as specified in column B of the Schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column C of the Schedule, and the respective amounts are hereby appropriated therefor in accordance with the Budget.

SECTION 2. The plan of financing for the Projects includes the expenditure of \$15,842,385 in State and Federal aid that has been or is expected to be received for certain of the Projects (as detailed on the Schedule), along with the issuance of up to \$56,182,615 of Obligations to finance the balance of the aggregate estimated maximum cost of the Projects, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of such Obligations and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or from the State of New York or other sources for the Projects are hereby authorized to be expended towards the cost of the Projects or the redemption of any Obligations issued therefor, or to be budgeted as an offset to the taxes for payment of the principal of and interest on such Obligations.

SECTION 3. The respective periods of probable usefulness for the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which the \$56,182,615 of Obligations herein authorized are to be issued, within the limitations of §11.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), are set forth in column G of the Schedule. Obligations (including, without limitation, serial bonds of the County) in amounts up to the respective maximum principal amounts set forth in column D of the Schedule are hereby authorized to be issued pursuant to the provisions of the Law to finance the various objects or purposes that are listed on the Schedule.

SECTION 4. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized and (to the extent that such use has already occurred) is hereby ratified, pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution. The County intends to finance, and the County Comptroller, as the chief fiscal officer of the County (the "Comptroller") is hereby authorized to advance, such amounts as are necessary to pay the costs of the respective specific objects or purposes or classes of objects or purposes described in Section 1 hereof, prior to the issuance of the Obligations, out of any available funds of the County on an interim basis. The County reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) the date hereof or (B) any earlier expression by the County of its intent to reimburse expenditures for the applicable Project(s) or any earlier iteration thereof) with the proceeds of the Obligations, to the extent consistent with the financing plan for such Project(s) as stated herein. This resolution shall constitute the declaration (or reaffirmation) of the County's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the Obligations, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the Obligations shall contain the recital of validity prescribed by §52.00 of the Law and the Obligations shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Obligations as the same respectively become due and payable. An annual appropriation shall be made in each year in the County budget sufficient to pay the principal of and interest on the Obligations becoming due and payable in such year and, to the extent not paid from other sources or charges, there shall annually be levied on all the taxable real property of the County a tax sufficient to pay the principal of and interest on such Obligations.

SECTION 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00, 62.00, 62.10, 63.00, 164.00 and 168.00 of the Law, the powers and duties of the Legislature relative to authorizing the issuance of Obligations in the form of notes, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the final amounts, terms, form and contents and as to the procedures for the sale and issuance of the Obligations, and relative to executing any agreements for credit enhancement, are hereby delegated to the Comptroller. Without in any way limiting the scope of the foregoing delegation of powers, the Comptroller, to the extent permitted by Section 58.00(f) of the Local Finance Law, is hereby specifically authorized to accept bids for the Obligations that are submitted in electronic format. In the absence or unavailability of the Comptroller, the Deputy County Comptroller is hereby specifically authorized to exercise the powers delegated to the Comptroller in this resolution.

SECTION 7. When this resolution takes effect, the Clerk of the Legislature shall cause the same (or a summary thereof) to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Law, in the *Buffalo Challenger* and the *Lancaster Bee*, which



are newspapers having general circulation in the County and published in the County. The validity of the Obligations may thereafter be contested only if the Obligations are authorized for an object or purpose for which the County is not authorized to expend money, or the provisions of law which should have been complied with at the date of the publication of this resolution (or a summary thereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication, or if the Obligations are authorized in violation of the provisions of the Constitution of the State of New York.

SECTION 8. Prior to the issuance of any Obligations, the County (acting through the Committee and the Department and, to the extent necessary or appropriate, the Legislature) has or will have complied (to the extent not accomplished already) with any applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable federal laws and regulations in connection with the environmental quality review process relating to the Projects (collectively, the "Environmental Compliance Proceedings"). The New Road project's compliance with the applicable provisions of the State Environmental Quality Review Act is hereby confirmed on the basis of the attached New Road project environmental documents. In the event that any of such Environmental Compliance Proceedings are not completed or require amendment or modification subsequent to the date of adoption of this resolution, the Legislature will re-adopt, amend or modify this resolution prior to the issuance of the relevant Obligations, to the extent required and acting upon the advice of counsel. It is hereby determined by the Legislature, on the basis of the Environmental Compliance Proceedings and the findings of the Committee and/or the Department, that to the extent that the Environmental Compliance Proceedings may apply to the Projects, the Projects (when assessed either individually or in the aggregate) will not result in a significant adverse impact on the environment. As to the New Road project, the Legislature declares itself Lead Agency and accepts all responsibilities associated with that designation. The Legislature finds that the New Road project is an Unlisted Action pursuant to the State Environmental Quality Review Act. Further, with respect to the New Road project, based upon a thorough review and examination of the known facts relating to such project and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings, including the Environmental Information, relating to such project, the Legislature finds that such project will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared. And further, with respect to the New Road project, the attached Negative Declaration, which is hereby incorporated by reference, is issued and adopted for the reasons stated in the determination of non-significance.

SECTION 9. The County intends to issue the Obligations to finance a portion of the maximum cost of the Projects. The Comptroller is hereby authorized to covenant, in the name and on behalf of the County and for the benefit of the holders and beneficial owners of the Obligations, that the County will not make any use of the proceeds of the Obligations, or any funds reasonably expected to be used to pay the principal of or interest on the Obligations or any other funds of the County, and will not make any use of the facilities to be financed with the proceeds of the Obligations that would cause the interest on the Obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") or subject the County to any penalties under Section 148 of the Code, and that the County will not take any action or omit to take any action with respect to the Obligations, the proceeds thereof or any facilities to be financed thereby if such action or omission would cause the interest on the Obligations to become

subject to federal income taxation under the Code or subject the County to any penalties under Section 148 of the Code.

SECTION 10. For the benefit of the holders and beneficial owners from time to time of the Obligations, the County agrees, in accordance with and as an obligated person with respect to the Obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination thereof, the Comptroller is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Clerk to the Legislature, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the Comptroller on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall constitute the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the County would be required to incur to perform thereunder. The County Comptroller is further authorized and directed to establish procedures in order to ensure compliance by the County with its various continuing disclosure agreements, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Comptroller shall consult with, as appropriate, the County Attorney and the County's bond counsel, the County's municipal advisor, or another qualified independent special counsel to the County. The Comptroller, acting in the name and on behalf of the County, shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

SECTION 11. The Comptroller is hereby specifically authorized to act, on the advice of bond counsel at the time of the issuance of the Obligations, to designate such Obligations, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 12. The Comptroller is further authorized to call in and redeem any outstanding Obligations that were issued pursuant to this bond resolution (at such times and in such amounts and maturities as may be deemed appropriate after consultation with the County officials and the County's municipal advisor), to approval any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such call(s) for redemption pursuant to Section 53.00 of the Law, with the understanding that no such call(s) for redemption will be made unless such notice of redemption shall have first been filed with the Clerk of the Legislature.

SECTION 13. This bond resolution shall take effect immediately upon approval by the County Executive

The adoption of the foregoing resolution was moved by Legislator \_\_\_\_\_ and seconded by Legislator \_\_\_\_\_, before being duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

Dated: Buffalo, New York,  
\_\_\_\_\_, 2024

The foregoing bond resolution is hereby approved.

\_\_\_\_\_  
Mark C. Poloncarz  
County Executive

\_\_\_\_\_, 2024.

I, Olivia M. Owens, HEREBY CERTIFY that the County Executive of Erie County approved a bond resolution of which the foregoing is a certified copy and returned the same for filing in the office of the Erie County Legislature.

\_\_\_\_\_, 2024.

\_\_\_\_\_  
Olivia M. Owens  
Clerk of the Erie County Legislature

APPROVED AS TO CONTENT:

By \_\_\_\_\_  
Erie County Comptroller

APPROVED AS TO FORM:

By \_\_\_\_\_  
Erie County Attorney

## CERTIFICATE

I, Olivia M. Owens, Clerk of the Erie County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Erie County Legislature duly called and held on \_\_\_\_\_, 2024, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County on \_\_\_\_\_, 2024.

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Olivia M. Owens  
Clerk of the Erie County Legislature

(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED  
WITH COPY OF RESOLUTION AFTER ADOPTION)

NOTICE

The bond resolution, a copy of which is published herewith, has been adopted by the Erie County Legislature on \_\_\_\_\_, 2024, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution of New York.

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Olivia M. Owens  
Clerk of the County Legislature

2024 CAPITAL BUDGET BOND RESOLUTION - BONDED PROJECTS												
COLUMN #		A	B	C	D	E	F	G	H	I		
LINE NO.	SAP PROJ NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC, CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	OTHER SOURCE REVENUE	Period of Probable Usefulness with Statute Reference	CAPITAL BUDGET PAGE	PROJECT DETAILS	SEQR Status	SEQR Type Information
1	A.24XXX	Rath Building Improvements	Specific	650,000	650,000			25 years Par. 12(a)(1)	114	The scope of work will include but is not limited to building wide improvements, building electrical system improvements, HVAC improvements, and other miscellaneous building improvements.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(31).
2	A.24XXX	Countywide Building Roof Reconstruction & Exterior Waterproofing	Class	650,000	650,000			25 years Par. 12(a)(1)	114	Many county buildings need building envelope and roof reconstruction to keep building interiors protected from water damage. This scope of work will include all countywide Buildings and can include evaluation, analysis, and design for building envelope and roof reconstruction. Such improvements will allow for the installation of a vegetative(green) roof system, solar panel array and, or energy conservation specific to roof systems	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(15); (3) if green roof is used. SHPO NOTE
3	A.24XXX	Countywide Mechanical, Electrical, Plumbing, and other Miscellaneous Improvements	Class	950,000	950,000			10 years Par. 13	114	The project is to reconstruct building systems of various County buildings. Scope of work includes all buildings owned by the County.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(31)
4	A.24XXX	Buffalo Niagara Convention Center (BNCC) Improvements	Specific	900,000	900,000			25 years Par. 12(a)(1)	114	General BNCC improvements, reconstruction, and improvements to keep the facility viable in the convention market to attract new events. Scope of work can include but will not be limited to; improvements to the ballroom, meeting room, internet systems, audiovisual systems, HVAC systems, and corridors.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1)
5	A.24XXX	Preservation of County Buildings & Facilities	Class	650,000	650,000			25 years Par. 12(a)(1)	115	This fund will include improvements to various County-owned buildings, and their components, including but not limited to; site improvements, interior improvements, and associated building system reconstruction.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(9) - Any physical alteration beyond NYCRR, Part 617.5(c)(9) at any one location (more than 4,000 SF) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a). SHPO NOTE
6	A.24XXX	Countywide Parks Improvements & ADA Accessibility	Class	750,000	750,000			15 years Par. 19(c)	116	This project will provide improvements of existing park system facilities and landscapes.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(8),(9)
7	A.24XXX	Countywide Shelter, Building & Restrooms	Class	750,000	750,000			10 years Par. 12(a)(3)	116	This is an ongoing rehabilitation effort that includes roof reconstruction, ADA accessibility, environmental abatement, and reconstruction of windows, doors, flooring, siding, masonry work, and other site work.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(9) - Any physical alteration beyond NYCRR, Part 617.5(c)(1),(2),(9) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a). SHPO NOTE
8	A.24XXX	Vehicles & Equipment Replacement	Class	750,000	750,000			15 years Par. 28	116	This project would include the annual purchasing of vehicles and equipment necessary to facilitate operational requirements. This may include purchasing of replacement large commercial mowers for parks and golf courses, and a dump truck.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(31)
9	A.24XXX	Inclusive Playground (1)	Class	600,000	600,000			15 years Par. 19(c)	117	This project consists of improving outdated playgrounds and replacing such outdated playgrounds with inclusive playgrounds. The scope of this project includes providing site work, drainage, increase parking and ADA accessibility.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(9) - Any physical alteration beyond NYCRR, Part 617.5(c)(9) at any one location (more than 4,000 SF) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a)
10	A.24XXX	Culvert Rehabilitation	Specific	525,000	525,000			15 years Par. 19(c)	117	The scope of this work is at Chestnut Ridge Park and includes design, construction, administration, and inspection.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(27)
11	A.24XXX	Public Health Lab Renovations - AA, BB, & Building 17	Specific	600,000	600,000			25 years Par. 12(a)(1)	117	The scope of this work is to improve the Erie County Health Laboratory building as a whole. Such improvements include the reconstruction of the HVAC system, reconstruction of various administrative spaces, conversion of conference rooms to lab spaces, improvements to restrooms, and cosmetic work to remove peeling paint and to reconstruct cracked floors.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(31)
12	A.24XXX	Feedmore WNY Consolidated Campus	Specific	3,000,000	3,000,000			30 years Par. 11(a)(1)	119	This project is for the recently purchased 74-acre facility in Hamburg, NY. This facility doubles the capacity of freezer storage, cold storage, and a large commercial kitchen with the capacity to prepare 20,000 meals per day. Food delivery will become more streamlined and efficient with the construction of six loading docks. Hunger is prevalent in Western New York, affecting every zip code.	COMPLETE	SEQR Type I Action; Negative Declaration issued 12/6/23
13	B.24XXX	Highway Safety Improvements	Class	650,000	650,000			5 years Par. 35	111	This project is for the reconstruction of a damaged guiderail together with the reconstruction of other highway deficiencies that are determined to be hazardous. The project is being undertaken to provide safe travel for motorists on the county highway system.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(5),(22) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
14	B.24XXX	Vehicles & Equipment Replacement	Class	2,000,000	2,000,000			15 years Par. 28	111	This project is to continue the long-term replacement program to control provide improved equipment for plow trucks, high lifts, tractors, sweepers, mowers, and various other pieces of equipment.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(31)
15	B.24XXX	Preservation of Roads – General Road Design Program	Class	1,000,000	1,000,000			10 years Par. (20)(b)	111	This program will designate roads for reconstruction across Erie County. Such improvements will address the aging infrastructure for all users.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(27). NOTE: Design only.
16	B.24XXX	Preservation of Roads – Construction – New Road	Specific	8,450,000	8,450,000			10 years Par. (20)(b)	112	This project will widen shoulders, enclose drainage, and reconstruct pavement to reduce hazards to pedestrians and cyclists on New Road.	INCOMPLETE	SEQR Unlisted Action as per NYCRR, Part 617.2(a). SEQR completion expected DATE; no work to begin before SEQR is complete.
17	B.24XXX	Preservation of Roads – Construction – Maryvale Drive	Specific	7,800,000	7,800,000			15 years Par. (20)(c)	112	This project will include drainage, curbs, and pavement reconstruction on Maryvale Drive in Cheektowaga.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.

2024 CAPITAL BUDGET BOND RESOLUTION - BONDED PROJECTS												
COLUMN #		A	B	C	D	E	F	G	H	I		
LINE NO.	SAP PROJ NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC, CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	OTHER SOURCE REVENUE	Period of Probable Usefulness with Statute Reference	CAPITAL BUDGET PAGE	PROJECT DETAILS	SEQR Status	SEQR Type Information
18	B.24XXX	Preservation of Roads – Construction – Pine Street	Specific	5,600,000	5,600,000			15 years Par. (20)(c)	112	This project will include pavement and drainage reconstruction on Pine Street in East Aurora. Pavement is showing distress and improvements will address the aging infrastructure.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
19	B.24XXX	Preservation of Roads - Construction - Borden Road (CR 322)	Specific	2,700,000	2,700,000			15 years Par. (20)(c)	112	Phases 2 & 3 of Borden Road (CR 322), from Seneca Creek Road (CR 325) in West Seneca to Broadway (NY130) in the Village of Depew. The project is to rehabilitate the pavement and install new closed drainage, curb, and gutters.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
20	B.24XXX	Preservation of Roads – Retaining Walls	Specific	600,000	600,000			10 years Par. 20(b)	112	This project is to reconstruct the existing East Eden retaining wall and Rapids Rd (CR 42) from leaning and large pieces of loose concrete posing safety hazards and possible roadway collapse.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
21	B.24XXX	Federal Aid – Road Construction – Elmwood Avenue (CR 119)	Specific	2,850,000	1,159,615	1,690,385		15 years Par. (20)(c)	112	The scope of this work is to reconstruct the drainage system on Elmwood Avenue in Tonawanda. The current system is past useful service life. Pavement is also deteriorated and requires reconstruction for safety of pedestrians, cyclists, and motorists.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
22	B.24XXX	Federal Aid - Road Construction - Bailey Avenue	Specific	6,800,000	1,360,000	5,440,000		15 years Par. (20)(c)	113	Federal Aid project to reconstruct pavement and perform minor drainage reconstruction on Bailey Ave.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2),(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
23	B.24XXX	Preservation of Bridges - Construction - Genesee Road Bridge	Specific	2,300,000	2,300,000			20 years Par. 10	113	This project is to reconstruct the Genesee Road bridge over Hosmer Brook bridge (BIN 3328690) as rehabilitation is no longer an option due to excessive deterioration of girders, bearings, and substructure.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
24	B.24XXX	Preservation of Bridges - Construction - Sanders Hill Road Bridge	Specific	1,800,000	1,800,000			20 years Par. 10	113	This project is to reconstruct the Sanders Hill Road bridge over Hunters Creek bridge (BIN 3328180) as rehabilitation is no longer a cost effective alternative due to several deficiencies including a R-Permit posting.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
25	B.24XXX	Federal Aid Bridge Preservation - Construction	Class	3,500,000	788,000	2,712,000		20 years Par. 10	114	Federal Aid project to perform washing, sealing, deck reconstruction, joint improvements, painting, substructure reconstruction, and bearing replacement to prolong the usable life span of County bridges.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(2)
26	B.24050	Capital Overlay Program (Highways)	Class	10,000,000	2,500,000		7,500,000	15 years Par. (20)(c)	111	The 2024 capital overlay program provides for reconstruction work to include, but not limited to: pavement and shoulder widening, drainage improvements, site distance, and safety improvements.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(5) and Part 617.5(b), Erie County Type II List 1(a) – All work must be done within the Erie County Right-of-Way or within an expanded right-of-way of less than one acre. Any additional right of way above one acre will require additional SEQR.
27	E.24XXX	SUNY Erie Community College ("ECC") - wide Network Infrastructure Replacement	Specific	4,000,000	2,000,000	2,000,000		5 years Par. 32	115	The scope of this work will consist of procuring and installing network switching equipment purchased in 2013 located in the college's three data centers and replacing the virtual server at North campus.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(31)
28	E.24XXX	ECC Master Plan - Phase 3	Class	6,000,000	3,000,000	3,000,000		25 years Par. 12(a)(1)	115	SUNY Erie is in the process of finalizing a facility master plan which included a condition assessment that is used as the basis for this request along with discussion with the Erie County Department of Public Works. Project will consist of power distribution, wiring and mechanical upgrades, roof reconstruction, ADA upgrades, window and door replacements, classroom infrastructure, and site improvements are needed at all three campus locations, many involving health and safety. Some projects have had planning and/or design completed to date. Others have not yet started due to lack of funds available.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2),(10) - Any physical alteration beyond 10,000 square feet as per NYCRR, Part 617.5(c)(10) is required to comply with SEQR provisions as per NYCRR, Part 617.3(a). SHPO NOTE
29	E.24XXX	ECC Security Camera Replacement	Class	2,000,000	1,000,000	1,000,000		5 years Par. 32	116	This project would replace the college's twenty-year-old camera system and software. This upgrade would allow for expanded coverage of hallways, stairwells, sidewalks, and parking lots along with updated alarm and watch box functions.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(31)
30	F.24XXX	Buffalo & Erie County Public Library - Various Improvements and Upgrades	Specific	700,000	700,000			25 years 12(a)(1)	116	This work will include but is not limited to: interior and exterior building components and various mechanical, electrical, hazardous material abatement, and plumbing systems, miscellaneous interior/ exterior renovations, and overall improvements to the facility.	COMPLETE	SEQR Type II Action as per NYCRR, Part 617.5(c)(1),(2). SHPO NOTE
TOTAL				79,525,000	56,182,615	15,842,385	7,500,000					
COMM-6F-4												



Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-5

COUNTY EXECUTIVE

Appointment to the Assigned Counsel  
Program

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Attachments

24COMM. 6E-5

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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

EC LEG MAR 15 '24 PM 2:59

March 13, 2024

Assigned Counsel  
403 Main Street, Suite 215  
Buffalo, NY 14203

Dear Honorable members,

Please be advised that, pursuant to Article IV, section (a) of the By-laws of the Assigned Counsel Bylaws, I hereby appoint the following individual to the board for a term of one year ending on **April 1, 2025**.

Mr. Matthew Kibler, Esq.  
4182 Tisbury Lane  
Hamburg, NY 14075

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, reading "Mark C. Poloncarz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nn

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-6                      COUNTY EXECUTIVE                      Appointments to the Youth Services Board

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24COMM. 6E-6

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Attachments



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG MAR 15 '24 PM 2:59

March 13, 2024

Erie County Legislature  
92 Franklin St. – 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Honorable Members:

**RE: APPOINTMENTS TO THE YOUTH SERVICES BOARD**

Be advised that, pursuant to Article 12, I hereby appoint the following individuals to the Youth Services Advisory Board. Their terms shall expire December 31, 2025.

**Appointees:**

Ashleigh Worthy  
2753 Sheridan Drive, Apt. 2  
Tonawanda, New York 14150

Bethany Morgan  
120 Ullman Avenue  
Buffalo, New York 14207

Should you have any questions, please contact my office at (716) 858-8500.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz". The signature is fluid and cursive.

Mark C. Poloncarz  
Erie County Executive

cc: Marie Cannon, Commissioner of Social Services  
Appointees

Erie County Legislature  
Meeting Date: 03/21/2024

SUBJECT

COMM. 6E-7

COUNTY EXECUTIVE

Authorization to Contract for Home Care  
Services

Attachments

24COMM. 6E-7



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 15, 2024

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

**Re: Authorization to Contract for Home Care Services**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Senior Services seeking legislative authorization to contract with thirteen Home Care agencies, selected through an RFP process to provide in-home services to qualified older adults.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Angela Marinucci in the Department of Senior Services. Thank you for your consideration in 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/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:** Authorization to Contract for Home Care Services  
**Date:** March 15, 2024

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### **SUMMARY**

Approve the attached resolution to allow the Department of Senior Services to contract with thirteen Home Care agencies:

- Allcare Family Services, Inc.;
- All Metro Home Care Services of New York, d/b/a All Metro Health Care;
- America Homecare Inc.;
- Caring Enterprises, Inc., d/b/a Health Force;
- Ciambella Home Care Inc., d/b/a First Light Home Care;
- Community Care Companions, Inc., d/b/a Community Care HHS;
- Crane Home Care, Inc.;
- GoodCare Home Health Services, Inc.;
- Good Samaritan Home Health Agency, Inc.;
- Harmonia Collaborative Care, Inc.;
- Homemakers of Western New York, Inc., d/b/a Caregivers;
- Independent Nursing Care, LLC; and
- Willcare, Inc., d/b/a WILLCARE

These agencies will provide in-home care to eligible older adults for the period of April 1, 2024, through March 31, 2027. Contracting with these agencies will allow the Department of Senior Services to continue to provide much needed homecare to existing clients on the program and allow for the growth of the program to expand to additional eligible older adults to receive assistance.

### **FISCAL IMPLICATIONS**

No additional County funds are required. Aggregate budgetary appropriations totaling \$2,860,149 are available in various Departmental grants (163III-E2024, 163III-EARP2124, 163EISEP2425, 163CSE2425, 163UNMETNEED2425) via Home Care services account (516026). Homecare appropriations for subsequent contract years are to be determined by amounts available in each of those year's County budgets.

### **REASONS FOR RECOMMENDATION**

Providing Home Care services allows older adults to remain in their homes longer, delays costly placement in long-term care facilities, reduces social isolation and maintains a sense of dignity and purpose to the clients. Home Care aides are often in short supply and staff turnover is high. Contracting with numerous agencies increases the Department's ability to obtain aides for as many clients as possible.

## **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Senior Services would be unable to provide Home Care services to eligible older adults in Erie County.

## **STEPS FOLLOWING APPROVAL**

Contracts with the thirteen Home Care agencies will be executed, and home care services will continue to be provided to the community.



A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF SENIOR SERVICES

RE: Authorization to Contract for Home Care Services

WHEREAS, the Department of Senior Services continually looks to enhance services to help older adults in Erie County remain in their homes longer; and

WHEREAS, the Department of Senior Services wishes to reduce long-term care costs by providing services to reduce or delay placement in long-term care facilities; and

WHEREAS, providing home care is a cost-effective manner to provide service and expand it's offering to more at-risk older adults in the community; and

WHEREAS, the Department of Senior Services, through an RFP process selected thirteen Home Care agencies: Allcare Family Services, Inc.; All Metro Home Care Services of New York, d/b/a All Metro Health Care; America Homecare Inc; Caring Enterprises, Inc., d/b/a Health Force; Ciambella Home Care Inc., d/b/a First Light Home Care; Community Care Companions, Inc., d/b/a Community Care HHS; Crane Home Care, Inc.; GoodCare Home Health Services, Inc.; Good Samaritan Home Health Agency, Inc.; Harmonia Collaborative Care, Inc.; Homemakers of Western New York, Inc., d/b/a Caregivers; Independent Nursing Care, LLC; and Willcare, Inc., d/b/a WILLCARE, to provide services to eligible clients of the Department and

WHEREAS, the contracts with the thirteen Home Care agencies for a 3-year period will begin April 1, 2024 through March 31, 2027, which at the sole discretion of the County may be extended beyond the initial term for up to two, one-year periods, at prices and conditions agreed upon by the County and Agency; and

WHEREAS, existing aggregate budgetary appropriations totaling \$2,860,149 are available in various Department grants' (163III-E2024, 163III-EARP2124, 163EISEP2425, 163UNMETNEED2425, 163CSE2425) via Home Care services account (516026) to pay for these services; and

WHEREAS, amounts for subsequent contract years are to be determined by appropriations available in each of those year's County budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to contract with: Allcare Family Services, Inc.; All Metro Home Care Services of New York, d/b/a All Metro Health Care; America Homecare Inc; Caring Enterprises, Inc., d/b/a Health Force; Ciambella Home Care Inc., d/b/a First Light Home Care; Community Care Companions, Inc., d/b/a Community Care HHS; Crane Home Care, Inc.; GoodCare Home Health Services, Inc.; Good Samaritan Home Health Agency, Inc.; Harmonia Collaborative Care, Inc.; Homemakers of Western New York, Inc., d/b/a Caregivers; Independent Nursing Care, LLC; and Willcare, Inc., d/b/a WILLCARE to provide Home Care services for the Department during the April 1, 2024 through March 31, 2027 period, which at the sole discretion of the

County may be extended beyond the initial term for up to two, one-year periods, at prices and conditions agreed upon by the County and Agency; and be it further

RESOLVED, that authorization is hereby given that existing aggregate Home Care Services account (516026) appropriations in the Department's various grants, including 163EISEP2425, 163III-E2024, 163III-EARP2124, 163UNMETNEED2425, and 163CSE2425 be utilized to pay for these services, with amounts for subsequent contract years to be determined by appropriations available in each of those year's County budgets; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the grant budgets as required to comply with the grantor approved funding levels; and be it further

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

## Total Score by Reviewer

Agency	Overall Grade of Proposal	MBE/WBE/SDVOB	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Average
	MAX POSSIBLE = 5	MAX POSSIBLE = 5	MAX POSSIBLE = 100	MAX POSSIBLE = 100	MAX POSSIBLE = 100	MAX POSSIBLE = 100	MAX POSSIBLE = 100	MAX POSSIBLE = 100
Allcare	3	0	87	81	82	64	75	77.8
All Metro	4.4	0	77	73	81	63	73	73.4
America Home Care	4.4	5	73	95	86	67	78	79.8
Buffalo Home Care	2.4	0	26	56	53	24	23	36.4
Careglvers	3.8	0	80	81	91	70	73	79
Community Care	2	0	30	33	40	22	27	30.4
Crane	3.8	0	78	95	94	69	78	82.8
First Light	1.6	0	27	32	39	22	22	28.4
Good Samaritan	4.6	5	81	100	100	70	77	85.6
Good Care	4.2	0	93	87	92	68	75	83
Harmonia	3	0	81	79	89	64	63	75.2
Health Force	4.6	0	87	91	83	77	79	83.4
Independent Nursing Care	2.8	0	93	93	93	74	80	86.6
Willcare	4.2	0	78	78	77	65	74	74.4

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-8                      COUNTY EXECUTIVE                      Authorization to Accept FY23 PSAP Funds

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24COMM. 6E-8

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Attachments



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEC MAR 15 '24 PM 2:58

March 15, 2024

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

**Re: Authorization to Accept FY23 Public Safety Answering Point Operations  
Grant Program (PSAP) Funds**

Dear Honorable Members:

Please find an accompanying memorandum and proposed resolution from the Department of Homeland Security and Emergency Services requesting authorization to accept \$202,408 in funding from the NYS Division of Homeland Security and Emergency Services.

Should your Honorable Body require further information, I encourage you to contact Dan Neaverth Jr. at the Department of Homeland Security & Emergency Services. Thank you for your consideration on this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/crn  
Enclosure

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Homeland Security & Emergency Services  
**Re:** Authorization to Accept FY23 Public Safety Answering Point Grant (PSAP)  
**Date:** March 15, 2024

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### **SUMMARY**

Legislative authorization is requested to accept \$202,408 in funding from the NYS Department of Homeland Security and Emergency Services, for the Fiscal Year 2023 Public Safety Answering Point Operations (PSAP) Grant (January 1, 2023 – December 31, 2024). This funding will be used to enhance public safety call-taking and dispatch expenses.

### **FISCAL IMPLICATIONS**

The funding for this action is derived entirely from 100% State Aid dollars. No County tax dollars are necessary to support this request.

### **REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION**

The Department of Homeland Security & Emergency Services has been awarded \$202,408 of NYS Department of Homeland Security and Emergency Services funds. These are to be utilized for eligible public safety call-taking and dispatching expenses. As a result of existing threats to homeland security, the federal government through various State agencies has allocated funds to be utilized to improve the ability of local governments to deal effectively with emergency preparedness and support public safety.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Homeland Security and Emergency Services would be unable to supplement the increasing cost of call-taking and dispatch expenses negatively impacting the public.

### **STEPS FOLLOWING APPROVAL**

The Department of Homeland Security and Emergency Services will work with the Division of Budget and Management to amend the 2024 Adopted Budget amounts.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY  
SERVICES

RE: Authorization to Accept FY23 Public Safety Answering Point Operations Grant (PSAP)

WHEREAS, the Erie County Department of Homeland Security and Emergency Services has been awarded \$202,408 in 100% state aid funding to enhance call-taking and emergency dispatch services through the NYS Department of Homeland Security and Emergency Services in the FY23 Public Safety Answering Point Operations (PSAP) Grant; and

WHEREAS, the Department of Homeland Security and Emergency Services requires legislative approval to accept the State funds and to amend the Adopted 2024 budget; and

WHEREAS, no County funds will be necessary for Erie County to accept this State aid to enhance public safety.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept \$202,408 from NYS Department of Homeland Security and Emergency Services and be made available as a multi-year grant to Department of Homeland Security and Emergency Services in Fund 281, Funds Center 1670030 as follows:

Erie County Department of Homeland Security & Emergency Services  
FY 2023 PUBLIC SAFETY ANSWERING POINT OPERATIONS GRANT (PSAP)  
(HS167PSAP2324)  
1/1/2023-12/31/2024

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>BUDGET</u>
409000	State Aid Revenues	<u>\$202,408</u>
	TOTAL	<u>\$202,408</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
916500	ID Central Police Services	<u>\$202,408</u>
	TOTAL	<u>\$202,408</u>

and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage public safety and emergency preparedness; and be it further:

RESOLVED, that authorization is hereby given to the County Executive to enter into contract with any outside agency, including the state and federal governments, in order to accept and administer any grants and awards identified as part of the Grant Fund in the 2024 Adopted Erie County Budget; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to establish and adjust budgets as required to comply with State and Federal approved funding levels, as well as approve no-cost grant extensions without additional legislative approval; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Comptroller's Office, Department of Homeland Security and Emergency Services, Department of law, and Division of Budget and Management.



Erie County Legislature  
Meeting Date: 03/21/2024

SUBJECT

COMM. 6E-9

COUNTY EXECUTIVE

Authorization to Establish Legionella Testing  
Fee

Attachments

24COMM. 6E-9



EC LEG MAR 15 '24 PM 2:58

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 15, 2024

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

**RE: Authorization to Establish Legionella Testing Fee**

Dear Honorable Members:

The Erie County Department of Health's Public Health Lab is seeking legislative authorization to establish a \$175 fee to offer Legionella testing.

Should your Honorable Body require further information, please contact Commissioner of Health Gale Burstein. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah  
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Authorization to Establish Legionella Testing Fee  
**Date:** March 15, 2024

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### **SUMMARY**

ECDOH's Public Health Lab would like to begin offering Legionella testing as a new service. The testing fee would be \$175, compared to about \$250 for private labs. The Lab can use current equipment with some modifications to offer this new service and the fee would cover staff and supplies to do the testing.

This service is in high demand because all owners of cooling towers in New York State are required to register, maintain, sample, disinfect and notify local health departments and the public of elevated levels of Legionella.

### **FISCAL IMPLICATIONS**

Positive. This is new revenue that would cover the staff and supplies needed for the Public Health Lab to offer a new service.

### **REASONS FOR RECOMMENDATION**

Legionella is a bacteria that can cause Legionnaires' disease and other flu-like infections. The most common source of Legionnaires' disease outbreaks are cooling towers because of the widespread circulation. New York State. All owners of cooling towers in New York State are required to register, maintain, sample, disinfect and notify local health departments and the public of elevated levels of Legionella. Due to these requirements, Legionella testing is in high demand. The Lab can offer this testing for less than private labs and help meet demand using existing equipment.

### **CONSEQUENCES OF NEGATIVE ACTION**

ECDOH will not be able to offer this new service that is in high demand.

### **STEPS FOLLOWING APPROVAL**

ECDOH will work with Budget and Management and Office of the Comptroller to establish and collect the fee for Legionella testing.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HEALTH

RE: Authorization to Establish Legionella Testing Fee

WHEREAS, the Erie County Department of Health (ECDOH) is responsible to protect and promote public health throughout Erie County; and

WHEREAS, ECDOH's Public Health Lab offer many tests as a service to residents, businesses, and municipalities, from STIs to environmental analysis; and

WHEREAS, after several Legionnaires' disease outbreaks, New York State requires all owners of cooling towers in New York State are required to register, maintain, sample, disinfect and notify local health departments and the public of elevated levels of Legionella; and

WHEREAS, these requirements have created high demand for Legionella testing to prevent a future outbreak; and

WHEREAS, the Lab is able to offer Legionella testing to help with demand with current equipment for a \$175 fee to cover staff and supplies; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Health's Public Health Lab to create a Legionella Testing fee for \$175; and be it further

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

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-10	COUNTY EXECUTIVE	On Call General Civil Engineering & Land Surveying Contract
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	Attachments
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24COMM. 6E-10

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EC LEG MAR 15 '24 PM 2:58

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

March 15, 2024

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

**RE: On Call General Civil Engineering and Land Surveying Contract Licensed Land  
Surveying Services Various Towns, Erie County**

Dear Honorable Members:

The accompanying resolution requests execution of an amendment to On Call General Civil and Land Survey Services contract with Greenman Pederson for land surveying services.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/gmw  
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/Division of Highways  
**Re:** On Call General Civil and Land Surveying Services Contract Various Towns, Erie County  
**Date:** March 15, 2024

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### **SUMMARY**

The accompanying resolution requests execution of an amendment to the On Call Term agreement with Greenman Pedersen Inc. (GPI) referenced above for land surveying services. There are outstanding right of way issues in various locations around Erie County, which require Land Survey services to resolve. GPI was selected through the County's RFP consultant selection process to provide On-Call General Civil Engineering and Land Surveying Services. This selection was approved by your Honorable Body via COMM. 2E-21 (February 2, 2023).

### **FISCAL IMPLICATIONS**

The sum of \$45,865 is requested for a contract Amendment for ongoing right of way issues. Funding is available in Fund 420, Fund Center 123, Capital Project B.18051 – 2018 Capital Right of Way.

### **REASONS FOR RECOMMENDATION**

There are land issues, which arise within the operations of a highway division. These issues require the acquisition and transference of lands, acquisition of maintenance easements, etc. The Department of Public Works Division of Highways works with the County Attorney's office to resolve these issues. However, legal descriptions and maps are required to complete these tasks. The County does not have in its employ a licensed land surveyor, which is required to prepare the necessary documents for the County Attorney's office. The above-referenced contract allows for these land surveying services.

### **BACKGROUND INFORMATION**

At present, there are several issues the Division of Highways needs to resolve. They involve sections of county roadway which are not within the highway right of way. These property transactions are not related to specific highway projects.

### **CONSEQUENCES OF NEGATIVE ACTION**

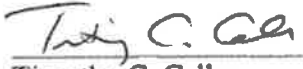
If the use of these available funds is not approved these right of way transactions will remain unresolved and the County could face consequences from other landowners.

### **STEPS FOLLOWING APPROVAL**

Available funds will be added to the existing term contract with GPI, and the required land surveying and mapping will take place.

## **COMPTROLLER'S OFFICE REVIEW**

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

 3/6/24  
\_\_\_\_\_  
Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.18051 – 2018 Capital Right of Way



A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

RE: Licensed Land Surveying Services for Various Towns, Erie County

WHEREAS, it is necessary to address outstanding land issues within the operations of a highway division and in conjunction with the County Attorney's office; and

WHEREAS, Greenman Pedersen Inc. was selected via the County's RFP process and approved via COMM. 2E-21 (February 2, 2023) for the provision of On-Call General Civil and Land Surveying Services; and

WHEREAS, it is desired to amend the agreement with Greenman Pedersen Inc. for the land surveying, legal descriptions and mapping services required for these transactions; and

WHEREAS, it is desired to also establish a budget of \$45,865 for this task within the term agreement; and

WHEREAS, the funding required is available from Project B. 18051, 2018 Capital Right of Way.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to amend the existing term contract with Greenman Pedersen, Inc. in the amount of \$45,865 to perform additional land surveying services; and be it further

RESOLVED, that sufficient funding for this contract is available in capital project B.18051 –2018 Capital Right of Way (Fund 420, Funds Center 123); and be it further

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

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE  
RE: 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>Greenman Pedersen Inc.</u>  |
| 2. | AMOUNT OF CONTRACT | <u>\$45,865</u>  |
| 3. | PROJECT NUMBER     | <u>B.18051 - 2018 Capital Right of Way</u>   |
| 4. | PROJECT TITLE      | <u>Land Surveying Services</u>   |
| 5. | DEPARTMENT CONTACT | <u>Funding questions: William E. Geary, Jr. at 8301<br/>Letter pickup: Christy Weber at 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |    |                                    |  |
|----|------------------------------------|--|
| 6. | AVAILABILITY OF FUNDS              | <u>\$ 45,865.00</u>  |
| 7. | PERFORMED BY                       | <u></u> |
|    | Date Sent to Comptroller's Office: | <u>March 5, 2024</u>   |

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-11	COUNTY EXECUTIVE	Authorization to Enter into Contract for New EMS Support Facility Design Services
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	Attachments
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24COMM. 6E-11

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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

30 LEG MAR 15 '24 11:25:57

March 15, 2024

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

**RE: Authorization to Enter into Contract for New EMS Support Facility Design Services**

Dear Honorable Members:

This resolution, from the Department of Public Works, is seeking authorization for the County Executive to enter into an Agreement with the engineering firm Labella Associates, for professional architectural and engineering services for an Erie County – New EMS Support Facility (Ambulance HQ) project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on September 15, 2023.

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, appearing to read "Mark C. Poloncarz", with a long, sweeping horizontal line extending to the right.

Mark. C. Poloncarz, Esq.  
Erie County Executive

MCP/jk  
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:** Authorization to Enter into Contract for New EMS Support Facility Design Services  
**Date:** March 15, 2024

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### **SUMMARY**

This Department of Public Works is seeking authorization for the County Executive to enter into an agreement with the firm of Labella Associates for architectural/engineering services to provide a project design report to build a New EMS Support Facility (Ambulance HQ) in the Town of Aurora. County owned property was identified as the proposed construction site located at 586 Olean Rd., East Aurora, NY 14051.

### **FISCAL IMPLICATIONS**

An amount not to exceed \$110,000 is available within the Division of Buildings and Grounds Budget, Fund 410, Funds Center 122, Capital Project A.23073 – 2023 EMS Ambulance Building.

### **REASON FOR RECOMMENDATION**

In 2023, the County launched an ambulance service to expand coverage, particularly in the southern townships. A central headquarters is needed to house the emergency vehicles and provide support facilities for EMS personnel.

### **BACKGROUND INFORMATION**

Erie County established ambulance service to provide supplemental emergency medical support and ambulance transport, particularly in the Southern rural communities of the county. The ambulance service is intended to fill the gaps in coverage, address transit times, and assist local EMTs and paramedics.

A new EMS support Facility (Ambulance HQ) is needed to station the emergency vehicles and provide support facilities for EMS personnel and equipment. County owned property located at 586 Olean Rd., East Aurora, NY 14051 was identified as a proposed construction site. Professional design services are required to evaluate the suitability of the site for construction, provide a project design report inclusive of environmental assessment, pre-design/ programming, and construction estimate. Construction of the headquarters will further provide the rural residents of southern Erie County with access to fast, efficient, life-saving emergency medical response and transport where needed.

### **CONSEQUENCES OF NEGATIVE ACTION**


If the ambulance headquarters is not built, ambulance service will not be effectively provided to meet the needs of the southern townships. The effect on residents is longer wait times for an ambulance in these underserved communities.

### **STEPS FOLLOWING APPROVAL**

The County Executive will enter into an Agreement with the engineering firm of Labella Associates so that design work can proceed.

## **COMPTROLLER'S OFFICE REVIEW**

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

  
2/28/24

TIMOTHY C. CALLAN

Deputy Comptroller

Comptroller's Office

A.23073 – 2023 EMS Ambulance Building

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Enter into Contract for New EMS Support Facility Design Services

WHEREAS, the County of Erie established its own ambulance service; and

WHEREAS, ambulance service is intended to fill gaps in ambulance coverage in the southern townships;

WHEREAS, it is prudent to construct an ambulance facility headquarters to station vehicles and EMS personnel for effective dispatch; and

WHEREAS, a county owned property at 586 Olean Road in the Town of East Aurora has been identified as a potential construction site; and

WHEREAS, the site must be evaluated for suitability of construction; and

WHEREAS, professional design services are needed to provide a project design report inclusive of environmental assessment, pre-design/ programming, and construction estimate; and

WHEREAS, the County reserved the right to negotiate additional design, detailing and, construction administration services if development is determined to be feasible; and

WHEREAS, Labella Associates has the necessary expertise and manpower to provide professional design services for the project; and

WHEREAS, authorization is required for the County Executive to issue an Agreement with Labella Associates for providing professional design and construction administration services for the Erie County – New EMS Support Facility (Ambulance HQ) project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into agreement with Labella Associates to providing professional design and construction administration services for the Erie County - New EMS Support Facility (Ambulance HQ) for an amount not to exceed \$110,000, including design contingency; and be it further

RESOLVED, that that sufficient funding for this contract exists within capital project A.23073 – 2023 EMS Ambulance Building (Fund, 410, Funds Center 122); 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's Office, Comptroller's Office, Division of Budget and Management and Department of Health Division of Emergency Medical Services.



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

1. CONTRACTOR'S NAME Labella Associates
2. AMOUNT OF CONTRACT Not to exceed \$110,000
3. PROJECT NUMBER A.23073 \$110,000
4. PROJECT TITLE Erie County – New EMS Support Facility  
(Ambulance HQ)  
Funding questions: Kristofer Straus #7294
5. DEPARTMENT CONTACT Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 & 7

6. AVAILABILITY OF FUNDS \$1,724,620.30
7. PERFORMED BY 

Date sent to Comptroller's Office: February 28, 2024

[55 compt\_10]



It is my opinion in recommending Firm Name, Address, City, NY ZIP: The Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works' office during regular business hours.

  
William F. Geary  
Commissioner of Public Works

Date 27 Dec 2023

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-12

COUNTY EXECUTIVE

Authorization to Amend Term Contract for  
Hazardous Materials Design

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Attachments

24COMM. 6E-12

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 15, 2024

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

**RE: Authorization to Amend Term Contract for Hazardous Materials Design and/or  
Sample Testing and Air Monitoring**

Dear Honorable Members:

The Department of Public Works (DPW) entered into Contract with Watts Architects on August 22, 2022 per COMM 13E-10 (2022), for Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring. The Department of Public Works (DPW) needs additional funding for this Term contract.

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

Sincerely yours,

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

Mark. C. Poloncarz, Esq.  
Erie County Executive

MCP/ks  
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:** Authorization to Amend Term Contract for Hazardous Materials Design and/or Sample Testing and Air Monitoring  
**Date:** March 15, 2024

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### **SUMMARY**

The Department of Public Works (DPW) advertised for an Erie County On-Call Hazardous Material Consultant for assistance in projects Countywide as requested by DPW. Watts Architects and Engineers was selected to provide said consulting services and \$75,000 funding was provided for the Term Agreement per COMM 13E-10 (2022). Due to project workload, an additional \$75,000 for to a total contract value of \$150,000 per COMM 19E-4 (2023). This resolution seeks to increase the contract with an additional \$46,763 for a total contract value of \$196,763.

At this time, The Department of Public Works (DPW) is seeking approval for additional funding for this Term Agreement as there have been unforeseen conditions on existing projects related to Hazardous Materials requiring additional services through the term agreement beyond what could have been anticipated.

Air sampling and asbestos abatement monitoring is required for all abatement projects in County owned facilities in accordance with all applicable local, state, and federal standards including Code Rule 56.

The Commissioner of Public Works is, therefore, recommending that the Erie County Legislature authorize the County Executive to approve the Additional Funding request.

### **FISCAL IMPLICATIONS**

Sufficient funding exists for this contract amendment within the existing capital projects (Fund 410, Funds Center 122) as follows:

A.23005 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$24,000
A.22052 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$22,763
Total Not to Exceed	\$46,763

Consultant billing would be on an hourly basis according to the approved rate schedule per their proposal unless an agreed upon work scope and fee can be determined prior to beginning any services.

## **REASONS FOR RECOMMENDATION**

The County does not have the capability internally to perform these services and the County has several older buildings within their inventory that contain hazardous materials. The original amount provided for the Term Agreement is almost depleted.

## **BACKGROUND INFORMATION**

The environmental consulting services necessary include hazardous materials design and/or sample testing and air monitoring on various County projects to maintain compliance with federal regulations. These services are necessary to implement new asbestos abatement programs and to continue previously initiated asbestos abatement programs.

## **CONSEQUENCES OF NEGATIVE ACTION**

If the additional funding is not approved, the County will not have the ability to have suspect materials sampled and tested in a timely manner. Furthermore, full compliance with State and Federal standards for abatement and monitoring hazardous materials, including NYS Department of Labor Code Rule 56, would be put in jeopardy.

## **STEPS FOLLOWING APPROVAL**

Upon legislative approval, additional funding will be provided for the term contract with Watts Architecture and Engineering.

## **COMPTROLLER'S OFFICE REVIEW**

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

  
TIMOTHY C. CALLAN

Deputy Comptroller John Solecki  
Comptroller's Office Director of Accounting Services & Cash Management

A.23005 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities  
A.22052 -DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Authorization to Amend Term Contract for Hazardous Materials Design and/or Sample Testing and Air Monitoring

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

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

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

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

WHEREAS, the previous funds allocated for the Hazardous Material services have either been previously utilized on construction projects or planned for on upcoming construction project assignments; and

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

WHEREAS, the need for additional funds reflects the amount of construction projects currently being managed by DPW; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Executive or Deputy County Executive amend the existing term agreement with Watts



Architecture and Engineering, P.C. in the amount of \$46,763 to for additional hazardous materials design and/or sample testing and air monitoring services; and be it further

RESOLVED, that sufficient funding exists for this contract amendment within the existing capital projects (Fund 410, Funds Center 122) as follows:

A.23005 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$24,000
A.22052 - DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$22,763
Total Not to Exceed	\$46,763

and be it further

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

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE  
PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME Watts Architecture and Engineering, P.C.
2. AMOUNT OF CONTRACT Additional funds not to exceed \$ 46,763.00
3. PROJECT NUMBER A.23005 - DPW (Buildings and Grounds) –  
Preservation of County Buildings and Facilities  
A.22052 -DPW (Buildings and Grounds) –  
Preservation of County Buildings and Facilities
4. PROJECT TITLE Countywide Hazardous Materials Design and/or  
Sample Testing and Air Monitoring
5. DEPARTMENT CONTACT Funding questions: Kristofer Straus x7294  
Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 257,891.20
7. PERFORMED BY 
- Date Sent to Comptroller's Office: February 22, 2024

[55 compt\_10]

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-13	COUNTY EXECUTIVE	Rehab of Abbott Road from Fisher Road to City of Buffalo Line
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Attachments

24COMM. 6E-13

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 15, 2024

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

**RE: Rehabilitation of Abbott Road (CR 4) from Fisher Road (TH) to City of Buffalo  
Line NYSDOT Agreement and Contract for Engineering Design Services  
PIN 5764.15 - City of Lackawanna**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to enter into an agreement with New York State Department of Transportation (NYSDOT) for the above referenced project. The Department is also requesting authorization for the County Executive to execute an agreement with the design firm of Bergmann Associates for engineering design services 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 that reads "Mark C. Poloncarz". The signature is written in a cursive style.

Mark C. Poloncarz  
Erie County Executive

MCP/gmw  
Enclosure

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

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works/Division of Highways  
**Re:** Rehabilitation of Abbott Road (CR 4) from Fisher Road (TH) to City of Buffalo Line, NYSDOT Agreement and Contract for Engineering Design Services  
PIN 5764.15 - City of Lackawanna  
**Date:** March 15, 2024

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### **SUMMARY**

The Department of Public Works is seeking authorization to enter into an agreement with the New York State Department of Transportation (NYSDOT) for the engineering design and Right of Way Incidentals phases of the above referenced federal aid project.

Additionally, the Department is requesting authorization to execute an agreement between the County of Erie and the design firm of Bergmann Associates in the amount of \$830,600 for engineering design services, and to establish a project contingency of \$71,400, for a total project design cost not to exceed \$902,000. Bergmann Associates was selected using the Procedures for Locally Administered Federal Aid Projects (PLAFAP) guidelines.

### **FISCAL IMPLICATIONS**

The total cost of the engineering design and Right of Way incidentals phase with a project contingency for this project is currently estimated at \$902,000. The NYSDOT Agreement is in the amount of \$902,000 and funding is available in B.23005 – 2023 Federal Aid – Road Design. The budget needs to be adjusted for federal and non-federal monies and an allocation of a local share in the amounts listed below;

#### B.23005 – 2023 Federal Aid Road Design

Federal Aid Revenue	\$721,600
Marchiselli Revenue	\$135,300
Local Share	<u>\$ 45,100</u>
	\$902,000

The negotiated agreement between Erie County and Bergmann Associates, as the project design engineer, for engineering design services plus a project contingency will not exceed the total budget of \$902,000. Should the agreement receive any additional federal or non-federal reimbursements in the future, the capital project budget would be adjusted to reflect that increase.

### **REASONS FOR RECOMMENDATION**

The Rehabilitation of Abbott Road project is eligible as a Surface Transportation Block Grant (STBG) Project which allows the County of Erie to utilize available county funds to leverage federal and New York State funds towards the improvement of its infrastructure on a federal aid eligible highway. Bergmann Associates is recommended as project design engineers because of their expertise, experience, and manpower to provide the County of Erie with the service required. Erie County is eligible for reimbursement, from federal funds and NYS Marchiselli

funds, under this Agreement with NYSDOT.

## **BACKGROUND INFORMATION**

The crash rate at the Abbott Road and Ridge Road intersection exceeds the statewide average for similar intersections. The existing Abbott Road pavement section is showing signs of distress with longitudinal cracking. The road has received numerous patches due to pavement failures and utility repairs, and the existing drainage system needs repairs. The project objective is to mitigate high crash rates, to correct identified pavement deficiencies, to extend the useful life of the pavement, and to maintain a structurally sound road.

The Project meets eligibility requirements for the federal STBG and is approved by the NYSDOT in their current Capital Program to be funded with federal aid and NYS Marchiselli funds.

## **CONSEQUENCES OF NEGATIVE ACTION**


This action is required to ensure project advancement and financing through the Locally Administered Federal Aid Program using STBG funds to pay for the design costs of the road rehabilitation. Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, increased maintenance responsibilities and cost, as well as jeopardize existing and future reimbursement funding available through this program.

## **STEPS FOLLOWING APPROVAL**

The Highway Division will proceed with execution of agreements in accordance with the federal and NYSDOT guidelines. Upon the Erie County Legislature's approval, the County Executive will execute agreements between Bergmann Associates and the County and the State and Local agreement between Erie County and New York State.

## **COMPTROLLER'S OFFICE REVIEW**

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

 3/6/24  
\_\_\_\_\_  
Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.23005 – Fed Aid Rehabilitation of Abbott Road  
PIN 5764.15

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

RE: Rehabilitation of Abbott Road (CR 4) from Fisher Road (TH) to City of Buffalo Line,  
NYSDOT Agreement and Contract for Engineering Design Services  
PIN 5764.15 - City of Lackawanna

WHEREAS, the Rehabilitation of Abbott Road (CR 4) from Fisher Road (TH) to City of Buffalo Line, in the City of Lackawanna, PIN 5764.15 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of federal funds and a local share; and

WHEREAS, the County of Erie desires to execute an Agreement with the New York State Department of Transportation (NYSDOT) to obtain federal and non-federal reimbursement funds, for the Project; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the reimbursable federal and non-federal shares of the costs of the Engineering Design and Right of Way Incidentals phases of the Project; and

WHEREAS, this agreement, is in the amount of \$902,000, which provides for the County of Erie's required local share commitment of \$45,100 and acceptance of federal revenue in the amount of \$721,600 and State Marchiselli revenue in the amount of \$135,300 for the design engineering and Right of Way incidentals phases of the Project; and

WHEREAS, after the Federal Aid RFQ process, the firm of Bergmann Associates, was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the rehabilitation of the above noted segment of Abbott Road; and

WHEREAS, the Department desires to enter into an Engineering Design Services agreement with Bergmann Associates for \$830,600 and establish a project contingency of \$71,400 with the project total not to exceed \$902,000; and

WHEREAS, there are sufficient funds for the project in Fund 420, Funds Center 123, B.23005 – 2023 Federal Aid – Road Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive enter into agreement between the County of Erie and NYSDOT for the Rehabilitation of Abbott Road, PIN 5764.15; and be it further

RESOLVED, that the NYSDOT Agreement, in the amount of \$902,000, provides for \$721,600 in Federal Aid, \$135,300 in Marchiselli State Aid, and \$45,100 in local share funds; and be it further



RESOLVED, that authorization is hereby given to the Department of Public Works, Division of Highways with the Division of Budget and Management to adjust the budget of Capital Project B.23005 – 2023 Federal Aid – Road Design (Fund 420, Funds Center 123) and that the funds be made available to cover the cost of participation in the above phases of the Project, as follows:

Project B.23005  
2023 Federal Aid – Road Design  
Fund 420, Funds Center 123

<b>REVENUES</b>	<b>BUDGET</b>	<b>CHANGE</b>	<b>REVISED BUDGET</b>
405160 Marchiselli Aid	<u>\$ 150,000</u>	<u>\$135,000</u>	<u>\$ 285,300</u>
414000 Federal Aid	<u>\$3,850,000</u>	<u>(\$135,300)</u>	<u>\$3,714,700</u>
475000 General Obligation Bond	<u>\$1,750,000</u>	<u>\$ 0</u>	<u>\$1,750,000</u>
	<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>
<b>APPROPRIATIONS</b>			
Capital Project Expense	<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>
<b>TOTAL</b>	<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive execute an agreement between the County of Erie and the selected Project Design Engineers, Bergmann Associates, for engineering design services in the amount of \$830,600; and be it further

RESOLVED, that authorization is hereby given to the County Executive to establish a project contingency in the amount of \$71,400 with a project total not to exceed \$902,000; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to adjust the Project budget for any and all additions or reductions in federal and/or non-federal revenue that are made available for this Project; and be it further

RESOLVED, that authorization is hereby given to accept all federal and state reimbursements from the NYSDOT Agreement, as well as any other federal or non-federal funding which may be made available; and be it further

RESOLVED, that authorization is hereby given to the County of Erie to pay for the first instance 100% of the federal and non-federal shares of the cost of the Project or portions thereof, with an understanding that qualified costs may be eligible for federal aid and or state aid reimbursement; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the federal and non-federal shares of the cost of the Project's Design Engineering and Right of Way Incidentals phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon

the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive of the County of Erie to execute all necessary Agreements, certifications or reimbursement requests for federal and non-federal aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and providing for the administration of the Project and the County's first instance funding of Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that authorization is hereby given to the County executive to execute any necessary change orders, amendments, and agreements; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE  
RE: 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  | New York State Department of Transportation;<br>Bergmann Associates                         |
| 2. AMOUNT OF CONTRACT | \$830,600 - Bergmann Associates<br>\$ 71,400 - Contingency                                  |
| 3. PROJECT NUMBER     | B.23005   |
| 4. PROJECT TITLE      | 2023 Fed Aid Project Design<br>5764.15 Rehab of Abbott Road                                 |
| 5. DEPARTMENT CONTACT | Funding questions: William E. Geary, Jr. at<br>8301<br>Letter pickup: Christy Weber at 8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |  |
|------------------------------------|--|
| 6. AVAILABILITY OF FUNDS           | \$5,017,000  |
| 7. PERFORMED BY                    |  |
| Date Sent to Comptroller's Office: | March 5, 2024  |

[55 compt\_10]

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-14	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement
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24COMM. 6E-14	Attachments
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EC LEG MAR15 '24 PM2:58

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

March 15, 2024

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

**RE: Erie County Sewer District No. 3  
Engineering Term Contract Agreement  
Erdman Anthony and Associates, Inc.  
Work Order: EA-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 Erie County Legislature, 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", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:mas  
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District No. 3  
Engineer Term Contract Agreement  
Erdman Anthony and Associates, Inc.  
Work Order: EA-2  
**Date:** March 15, 2024

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### **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 Erdman Anthony and Associates, Inc. (EA) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$46,337.00.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 3 Professional Services Account 516020.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management has issued work order EA-2 to provide a survey and subsurface investigation report related to the protection of an exposed sanitary sewer pipe crossing under Eighteenmile Creek in ECSD No. 3.

### **BACKGROUND INFORMATION**

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with EA for engineering services for small and/or time critical projects. At the time of the award, the DSM committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the DSM with engineering services required to complete various initiatives throughout the ECSDs. As part of work order EA-2, EA will provide a survey and subsurface investigation report to identify access and alternatives to protect the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3.

### **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS TO FOLLOW APPROVAL**

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 3  
WORK ORDER NO. EA-2**

**ENGINEER:** Erdman Anthony

**CONTRACT DATE:** November 17, 2022

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**1. Title of Proposal:**

Provide survey and subsurface investigation report related to an exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3.

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**2. Company/Address/Principal In-Charge:**

Daniel Ziemianski, P.E.  
Erdman Anthony and Associates, Inc.  
8608 Main Street, Buffalo, NY 14221

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**3. Effective Dates of Proposal:**

March 1, 2024

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**4. Brief Description of Work for Which Proposal is Submitted:**

The engineer will provide a survey and subsurface investigation report to identify access and alternatives to protect the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteenmile Creek in ECSD No. 3., as detailed in the attached scope, dated February 27, 2024.

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**5. Engineering Total Cost:**

\$46,337.00

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**6. Source of Funds:**

7. ECSD No. 3 Professional Services Account 516020

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**8. Project No:** EA-2

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**9. Attachments:** Scope proposal, dated 2/27/2024 (6 pages)

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**10. File:** 0.3.2. Erdman Anthony (23-25) Eng.

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DATE: March 1, 2024

Accepted By: \_\_\_\_\_

Prepared By: \_\_\_\_\_  
Matt A. Salah, P.E.

Authorized By: \_\_\_\_\_  
Joseph Fiegl, P.E., BCEE  
Deputy Commissioner



Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-15

COUNTY EXECUTIVE

PILOT Agreement for Perry Homes I, City of  
Buffalo

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24COMM. 6E-15

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Attachments



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

CC LEG MAR 15 '24 PM 2:58

March 15, 2024

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Perry Homes I, City of Buffalo**

**IMMEDIATE CONSIDERATION REQUESTED**

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 Perry Homes I. The resolution authorizes the County Executive to execute an agreement with Perry Homes I Housing Development Fund Company, Inc., Perry Homes I LLC, and the City of Buffalo.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jw  
Enclosure

cc: Daniel R. Castle, Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Payment in Lieu of Taxes (PILOT) Agreement Perry Homes I, City of Buffalo – Affordable Housing Project  
**Date:** March 15, 2024

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### **SUMMARY**

The resolution authorizes the County Executive to execute a PILOT Agreement with Perry Homes I Housing Development Fund Company, Inc., Perry Homes I LLC, and the City of Buffalo.

The owner is seeking a PILOT from the City of Buffalo and Erie County consistent with the PILOT Policy adopted by the Erie County Legislature on December 16, 1999.

### **FISCAL IMPLICATIONS**

In accordance with the PILOT policy, the proposed PILOT payment for the Perry Homes I project shall be based on a payment of \$161,134 in year 1 and would escalate by 3% each year for an additional fifteen-year term. The County would receive twenty-five percent (25%) of each annual payment, and the City of Buffalo would receive seventy-five percent (75%) of each annual payment. The payment Schedule A lists the payments for the 15 years of the Agreement.

### **REASONS FOR RECOMMENDATION**

The City of Buffalo supports the PILOT and on March 5, 2024, the Common Council of the City of Buffalo approved the Perry Homes I PILOT Agreement. The project conforms to the provisions of Article XI of the New York Private Housing Finance Law.

### **BACKGROUND INFORMATION**

The residential project is located at 339 Perry Street & 448 South Park Avenue in the City of Buffalo, zip code 14204. The project consists of the demolition of blighted buildings and the new construction of 27 buildings comprised of 24 townhouse and stacked flat residential buildings and 3 mid-rise buildings totaling 405 units. All units in the project will be low-income and will include 284 units with rental vouchers, 48 units at 50% area median income and 73 units at 60% area median income. The total development cost is projected to be \$246,333,007.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without the PILOT, it would not be economically feasible for Perry Homes I Housing Development Fund Company, Inc. and/or Perry Homes I LLC to operate the project as it is currently structured.

### **STEPS FOLLOWING APPROVAL**

The County Executive or Deputy 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 Perry Homes I, City of Buffalo – Affordable Housing Project

WHEREAS, Perry Homes I consists of the construction of four hundred and five (405) affordable housing units at 339 Perry Street & 448 South Park Avenue, City of Buffalo, NY; and.

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

WHEREAS, in order to make the Project economically feasible for Perry Homes I Housing Development Fund Company, Inc., Perry Homes I LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Perry Homes I Housing Development Fund Company, Inc., Perry Homes I LLC, and the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

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

**SCHEDULE A**  
**PILOT Payments**

<b>YEAR</b>	<b>PILOT</b>	<b>CITY</b>	<b>COUNTY</b>
<b>1</b>	\$161,134	\$120,851	\$40,284
<b>2</b>	\$165,968	\$124,476	\$41,492
<b>3</b>	\$170,947	\$128,210	\$42,737
<b>4</b>	\$176,076	\$132,057	\$44,019
<b>5</b>	\$181,358	\$136,018	\$45,339
<b>6</b>	\$186,799	\$140,099	\$46,700
<b>7</b>	\$192,403	\$144,302	\$48,101
<b>8</b>	\$198,175	\$148,631	\$49,544
<b>9</b>	\$204,120	\$153,090	\$51,030
<b>10</b>	\$210,244	\$157,683	\$52,561
<b>11</b>	\$216,551	\$162,413	\$54,138
<b>12</b>	\$223,047	\$167,286	\$55,762
<b>13</b>	\$229,739	\$172,304	\$57,435
<b>14</b>	\$236,631	\$177,473	\$59,158
<b>15</b>	\$243,730	\$182,797	\$60,932

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-16	COUNTY EXECUTIVE	2024 Buffalo Niagara Film Commission Contract Authorization
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	Attachments
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24COMM. 6E-16

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG MAR 15 '24 PM 2:58

March 15, 2024

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

**Re: 2024 Buffalo Niagara Film Commission Contract Authorization**

Dear Honorable Members:

The attached resolution requests authorization to enter into contract with the newly formed Buffalo Niagara Film Commission, Inc., a non-profit 501c3 entity. Funding for the Buffalo Niagara Film Commission (BNFC) in the amount of \$321,287 was adopted in the 2024 Erie County Budget, and funding for BNFC has been provided by Erie County for nearly 20 years. However, since the adoption of the 2024 Erie County Budget, BNFC has incorporated as a new, non-profit 501c3 entity. This resolution seeks proper authorization by your Honorable Body to contract with this newly-created corporation, and maintain the booming film industry in Erie County.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nb  
Enclosure

cc: Daniel R. Castle, AICP, Commissioner, Environment and Planning

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** 2024 Buffalo Niagara Film Commission Contract Authorization  
**Date:** March 15, 2024

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### **SUMMARY**

It is recommended that the Legislature authorize the County to enter into a contract with the newly-incorporated Buffalo Niagara Film Commission, Inc. ("BNFC") to accept funding in the amount of \$321,287.00 for the continuance of operations of film and television development in Erie County. At the request of Erie County, BNFC incorporated as its own 501c3 non-profit corporation as of December 2023. In prior years, BNFC funding was provided to a grant administrator, most recently the SUNY Research Foundation at Buffalo State University. This resolution requests recognition and authorization to instead contract with this newly incorporated entity.

### **FISCAL IMPLICATIONS**

This appropriation would be funded by \$321,287.00 in approved and adopted funds in the 2024 Erie County Budget - Fund 110, Funds Center 1331010, Account 518055 – Buffalo Niagara Film Commission.

### **REASONS FOR RECOMMENDATION**

Legislative approval is required for the County to enter into contract with outside entities, including the newly incorporated Buffalo Niagara Film Commission, Inc.

### **BACKGROUND INFORMATION**

Prior to the COVID-19 pandemic and subsequent WGA and SAG-AFTRA strikes, the Buffalo-Niagara region had seen a truly burgeoning film industry. With the conclusion of the COVID pandemic and resolution of strikes, Erie County seeks to maintain our support of BNFC and their instrumental role in attracting film and television production to our region. This resolution is a proper good-governance and procedural request to authorize contracting with the newly incorporated non-profit 501c3 entity, as opposed to a third-party grant administrator, as was done in previous years.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve this resolution will place the continued operation of BNFC, and therefore, film and television production in Erie County, in serious jeopardy.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution the Department of Environment and Planning and County Attorney's Office will begin the drafting of a contract with Buffalo Niagara Film Commission, Inc.



**A RESOLUTION SUBMITTED BY:  
THE ERIE COUNTY EXECUTIVE**

RE: 2024 Buffalo Niagara Film Commission, Inc. Contract Authorization

WHEREAS, Erie County is home to a vibrant and growing film and television production industry; and

WHEREAS, Buffalo Filmworks in south Buffalo is home to the largest film production soundstage, by square-footage, in North America; and

WHEREAS, Great Points Studios on Niagara Street in Buffalo has just been completed, bringing more studio activity online in Erie County; and

WHEREAS, film and television production in Erie County is a tremendous workforce development tool and sales tax generating activity; and

WHEREAS, the Buffalo Niagara Film Commission has been instrumental in growing film and television industry in Erie County; and

WHEREAS, the Buffalo Niagara Film Commission has formally incorporated as a 501c3 non-profit corporation known as Buffalo Niagara Film Commission, Inc., creating a new legal entity;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County to enter into contract with Buffalo Niagara Film Commission, Inc. for the purposes of continued development of the film and television industry in Erie County; and be it further

RESOLVED, that the amount of \$321,287.00 has been appropriated in the 2024 Erie County Budget from Fund 110, Funds Center 1331010, Account 518055 – Buffalo Niagara Film Comm., for the purposes of funding the Buffalo Niagara Film Commission; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any technical adjustments necessary to facilitate this resolution; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, Department of Personnel, and Department of Environment and Planning.

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-17

COUNTY EXECUTIVE

Authorization to Contract with Sandra White  
dba Mustard Seed World Group

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Attachments

24COMM. 6E-17

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COLEG MAR 15 '24 PM 2:58

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 15, 2024

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

**RE: Authorization to Contract with Sandra White dba Mustard Seed World Group**

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Environment and Planning authorizing the Erie County Purchasing Director to execute a contract with an MBE contractor, Sandra White dba Mustard Seed World Group to provide video production services for the Erie County Environmental Management Council's Award Program. This contract's value is less than \$10,000 and this request is in accordance with Erie County Administrative Code Section 26.08.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Bonnie L. Lawrence at the Department of Environment and Planning. 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/nb  
Enclosure

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

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Authorization to Contract with Sandra White dba Mustard Seed World Group  
**Date:** March 15, 2024

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### **SUMMARY**

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Environment and Planning (ECDEP) to authorize the Erie County Purchasing Director to enter into an agreement with an MBE contractor, Mustard Seed Productions, to provide professional services to prepare short videos about the winners the Erie County Environmental Management Council's Award Program. This contract's value is less than \$10,000, and in accordance with Erie County Administrative Code Section 26.08, except where 26.08 specifies that action shall be taken by the county executive, the action of the Purchasing Director shall be substituted as sufficient.

### **FISCAL IMPLICATIONS**

The program expenses will be funded by the Department of Environment and Planning's Environmental Management Council budget line.

### **REASONS FOR RECOMMENDATION**

Approval of this resolution will enable the ECDEP to work with Sandra White dba Mustard Seed World Group Mustard Seed Productions, to develop four short videos – one for each award winner and a summary video of the award program.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without the requested authorization, Erie County will be unable to engage this contractor to assist in creating videos about the award winners.

### **STEPS FOLLOWING APPROVAL**

An agreement with Sandra White dba Mustard Seed World Group will be executed by the Director of Purchasing and the project will commence.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Authorization to Contract with Sandra White dba Mustard Seed World Group

WHEREAS, the Erie County Department of Environment and Planning (DEP) works with the Erie County Environmental Management Council on matters related to the environment; and

WHEREAS, the Erie County Environmental Management Council runs an annual awards program to recognize local environmental projects; and

WHEREAS, the Environmental Management Council has a budget line of \$7,500 in the Department of Environment and Planning's 2024 Erie County Budget Book A; and

WHEREAS, the Environmental Management Council and DEP have selected the MBE contractor, Sandra White dba Mustard Seed World Group, to provide professional video services about the aforementioned award program winners; and

WHEREAS, the contracted amount is less than \$10,000 and as per Erie County Administrative Code 26.08, except where sections specify that action may be taken by the county executive, the Purchasing Director will be substituted as sufficient.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to the Erie County Legislature to the Director of Purchasing to execute an agreement with Sandra White dba Mustard Seed World Group for \$3,000 to be paid for by the Environmental Management Council budget line; and be it further

RESOLVED, that authorization is hereby given to the Director of the Division of Budget and Management to implement any budget adjustments as required to comply with local funding requirements; 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 Division of Purchase, the Department of Law, the Office of the Comptroller, and the Department of Environment and Planning.

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-18	COUNTY EXECUTIVE	Personnel Modification for the Division of Budget & Management
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Attachments

24COMM. 6E-18

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EC LEG MAR 18 '24 PM 2:27

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 18, 2024

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

**RE: Personnel Modification for the Division of Budget and Management**  
**IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

The attached proposed resolution for Immediate Consideration requests authorization to create a part-time position of Senior Executive Assistant - CE within the Division of Budget and Management.

Should your Honorable Body require further information, I encourage you to contact Deputy Budget Director Mark Cornell. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink that reads "Mark C. 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

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Executive's Office  
**Re:** Personnel Modification for the Division of Budget and Management  
**Date:** March 18, 2024

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### **SUMMARY**

The Erie County Division of Budget and Management is requesting authorization create a part-time position of Senior Executive Assistant - CE effective April 20, 2024.

### **FISCAL IMPLICATIONS**

This new part-time position will be Job Group 18, Step F on the MC-01 pay scale. The only fringe benefits associated with this position would be the mandatory contributions related to the Federal Insurance Contributions Act (FICA) of 7.65% or \$4,192 for the remainder of 2024. Sufficient funding exists with the Division's 2024 Adopted Budget (Fund 110, Funds Center 10210) Account 516020 – Professional Services, Contracts & Fees, which was originally appropriated to allow the retiring Budget Director to assist in training as a fee-for-service contractor.

**Position:** Senior Executive Assistant - CE  
**Annualized Salary:** \$79,153  
**Salary for Balance of Year:** \$54,798  
**Funding Source:** 100% County Share

### **REASONS FOR RECOMMENDATION**

The current Budget Director is retiring after 39 years of county service (12 years of which have been as Budget Director) as of April 5, 2024. As part of the transition process, the current Budget Director had agreed to return in a reduced role to assist with training and special projects and funds were set aside as part of the 2024 Adopted Budget. However, it was recently determined that the best way to take advantage of his vast amount of knowledge was as a part-time employee vs a fee-for-service contractor as originally anticipated.

### **CONSEQUENCES OF NEGATIVE ACTION**

The retiring Budget Director would be forced to enjoy his retirement rather than continuing his service to Erie County in a reduced role and the current Budget Office staff would not have the opportunity to continue to learn under his mentorship.

### **STEPS FOLLOWING APPROVAL**

The Department of Personnel and Division of Budget and Management will take the necessary budgetary actions to effectuate the job group increase.



**A RESOLUTION SUBMITTED BY:  
THE ERIE COUNTY EXECUTIVE’S OFFICE**

RE: Personnel Modification for the Division of Budget and Management

WHEREAS, the current Budget Director will be retiring after 39 years of service to Erie County, including 12 years as the Budget Director, as of April 5, 2024; and

WHEREAS, in order to aid in the transition process upon his retirement, the current Budget Director had agreed to continue to serve Erie County in a reduced role; and

WHEREAS, given the incredible wealth of knowledge of the County and its fiscal practices, it is advantageous to retain his services for training and special projects as long as he is willing to provide them; and

WHEREAS, sufficient funding was appropriated as part of the Division of Budget and Management’s 2024 Adopted Budget to retain the retiring Budget Director’s services as a fee-for-service contractor; and

WHEREAS, it has been determined that the best option to take advantage of his services is to assume a part-time role within the Division of Budget and Management.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one (1) part-time managerial confidential position of Senior Executive Assistant - CE, Job Group 18 (B-100# 14188) effective April 20, 2024; and be it further

RESOLVED, that authorization is hereby given to modify the Division of Budget and Management’s 2024 Adopted Budget (Fund 110, Funds Center 10210) as follows

Division of Budget and Management  
Fund 110, Funds Center 10210

<u><b>APPROPRIATIONS</b></u>	<u><b>CHANGE</b></u>
500010 Part Time -Wages	\$54,798
510000 Fringe Benefits	\$ 4,192
516020 Professional Svcs Contracts & Fees	(\$58,990)
TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management and the Department of Personnel.

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6E-19	BASKIN	Independent Commission Creation - Revisions to LL Intro. 9-1 (2023)
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	Attachments
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24COMM. 6E-19

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**ERIE COUNTY LEGISLATURE**

92 Franklin St., 4th Fl.  
Buffalo, NY 14202  
**716/858-8869**  
**FAX: 716/858-8895**

**HON. APRIL N.M. BASKIN****CHAIR OF THE LEGISLATURE****2<sup>ND</sup> DISTRICT LEGISLATOR**

March 19, 2024

Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, NY 14202

Clerk Owens:

Per Section 1.01 (12) of the Rules of the Erie County Legislature, I am creating an independent commission to develop recommendations on revisions to LL INTRO. 9-1 (2023) The Erie County Language Access Act.

I have invited the Erie County Executive, Erie County Sheriff, Erie County District Attorney, and Erie County Clerk, as well as the Commissioners of the Erie County Board of Elections to designate a representative to this commission. Additionally, I am appointing three individuals to the commission. Thus far, here are the commission members:

- Eric Tower, designee of the Erie County Executive
- Amanda Wyzykiewicz, designee of the Erie County Board of Elections
- Justin Rooney, designee of the Erie County Board of Elections
- Dejia James, designee of the Erie County Legislature
- Jennifer Connor, designee of the Erie County Legislature
- Sean Mulligan, designee of the Erie County Legislature

The Erie County Sheriff, Erie County Clerk, the District Attorney, and the Republican Commissioner of the Board of Elections have yet to designate an appointee, but they remain welcome name a designee.

The commission will be tasked with developing a draft, revised Erie County Language Access Act, with the primary focus on addressing the concerns of the Erie County Executive and Erie County Board of Elections as per the Erie County Executive veto of Local Law Intro. 9-1 (2023).

**Website: <http://www2.erie.gov/baskin/> - E-Mail: [April.McCants-Baskin@erie.gov](mailto:April.McCants-Baskin@erie.gov)**

# **ERIE COUNTY LEGISLATURE**

**HON. APRIL N.M. BASKIN**

**CHAIR OF THE LEGISLATURE**

**2<sup>ND</sup> DISTRICT LEGISLATOR**



92 Franklin St., 4th Fl.  
Buffalo, NY 14202  
**716/858-8869**  
**FAX: 716/858-8895**

The commission's first meeting will be Tuesday, April 9 at 10am at the Erie County Legislature, 92 Franklin Street, 4<sup>th</sup> Floor, Buffalo, NY 14202.

Thank you for your attention to this letter.

Sincerely,

A handwritten signature in blue ink that reads "April Baskin".

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

Cc: Erie County Sheriff  
Erie County Clerk  
Erie County District Attorney  
Republican Board of Elections Commissioner

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SUBJECT

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COMM. 6D-1	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare School District Tax Rolls & Bills
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	Attachments
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24COMM. 6D-1

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# County of Erie

## DEPARTMENT OF REAL PROPERTY TAX SERVICES

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

Office 716-858-2715  
Fax 716-858-8502

March 5, 2024

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

RE: Cost to Prepare School District Tax Rolls & Bills

Honorable Members:

Please receive, file, and print the attached billing for the preparation of 2023-2024 School District Tax Rolls at your next meeting.

As directed by Section 4-3.1 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading School District Tax Rolls, together with the apportionment to each School District benefitted for the year 2023-2024.

Very truly yours,

  
Scott A. Bylewski  
Director of Real Property Tax Services

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

TO THE ERIE COUNTY LEGISLATURE 2023-2024  
 STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL DISTRICT TAX  
 BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills Paper	\$11,200.00
Tax Roll Paper	\$1,000.00
Data Processing Charges	\$60,741.80
Wages	\$76,697.98

Total	\$149,639.78
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273,937.00	parcels	0.546256169	Cost per parcel
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Alden Out of County	\$100.00
AKC1 Out of County	\$200.00
Gowanda Extra Roll	\$0.00
Attica Flat Charge @ \$150.00	\$150.00
Silver Creek Charge @ \$150.00	\$150.00
Pioneer Extra Set Bills	\$0.00

Total to Spread: Cost per parcel and Flat Charge	<b>\$150,239.78</b>
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School	Parcels	Rate	Amount Due
Alden	4965	0.546256169	\$2,812.16
Akron	3835	0.546256169	\$2,294.89
Amherst	9103	0.546256169	\$4,972.57
Sweet Home	11219	0.546256169	\$6,128.45
Attica	0	0	\$150.00
East Aurora	6343	0.546256169	\$3,464.90
Cheektowaga	8405	0.546256169	\$4,591.28
Maryvale	7489	0.546256169	\$4,090.91
Cleveland Hill	4603	0.546256169	\$2,514.42
Sloan	5114	0.546256169	\$2,793.55
Clarence	12976	0.546256169	\$7,088.22
Springville	6946	0.546256169	\$3,794.30
Depew	6815	0.546256169	\$3,722.74
Eden	4946	0.546256169	\$2,701.78
Frontier	17087	0.546256169	\$9,333.88
Grand Is	9126	0.546256169	\$4,985.13
Gowanda	1529	0.546256169	\$835.23
Hamburg	10470	0.546256169	\$5,719.30
Holland	3632	0.546256169	\$1,984.00
Iroquois	8517	0.546256169	\$4,652.46

Lancaster	18806	0.546256169	\$10,272.89
Lake Shore	10102	0.546256169	\$5,518.28
North Collins	2762	0.546256169	\$1,508.76
Orchard Park	14442	0.546256169	\$7,889.03
Pioneer	1026	0.546256169	\$560.46
Silver Creek	0	0	\$150.00
Ken-Ton	26568	0.546256169	\$14,512.93
Williamsville	28559	0.546256169	\$15,600.53
West Seneca	22112	0.546256169	\$12,078.82
City of Tonawanda	6440	0.546256169	\$3,517.89
<b>Total</b>	<b>273,937</b>		<b>\$150,239.78</b>



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SUBJECT

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COMM. 6D-2	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare Village Tax Rolls & Bills
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24COMM. 6D-2	Attachments
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# County of Erie

## DEPARTMENT OF REAL PROPERTY TAX SERVICES

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

Office 716-858-2715  
Fax 716-858-8502

March 5, 2024

EC LEG MAR 6 '24 PM 3:57

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

RE: Cost to Prepare Village Tax Rolls & Bills

Honorable Members:

Please receive, file and print the attached billing for the preparation of Village Tax Rolls and Bills for the year 2023-2024 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading Village Tax Rolls and Bills.

Very truly yours,

  
Scott A. Bylewski  
Director of Real Property Tax Services

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

TO THE ERIE COUNTY LEGISLATURE      2023-2024

STATEMENT, MATERIALS AND LABOR IN PRODUCING

VILLAGE BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills/Paper Costs	\$3,700.00
Tax Rolls, Assessment Roll & Worksheets	\$950.00
Wages	\$5,159.92
Data Processing Time	\$7,041.08

Total Cost	\$16,851.00	
Extra Bills	\$110.00	
		\$16,961.00
Cost per parcel	\$0.469322	

Village	parcels	1 Extra set of bills	Rate	Cost
Akron	1265	\$20.00	\$0.469322	\$613.69
Alden	886		\$0.469322	\$415.82
Angola	944		\$0.469322	\$443.04
Blasdell	1143	\$20.00	\$0.469322	\$556.43
Depew	6725		\$0.469322	\$3,156.19
East Aurora	2605		\$0.469322	\$1,222.58
Farnham	207	\$10.00	\$0.469322	\$107.15
Gowanda	1204		\$0.469322	\$565.06
Hamburg	3825		\$0.469322	\$1,795.16
Kenmore	5667		\$0.469322	\$2,659.65
Lancaster	4327		\$0.469322	\$2,030.76
North Collins	540		\$0.469322	\$253.43
Orchard Park	1168	\$20.00	\$0.469322	\$568.17
Sloan	1567		\$0.469322	\$735.43
Springville	1665		\$0.469322	\$781.42
Williamsville	2167	\$40.00	\$0.469322	\$1,057.02
	35905	\$110.00		\$16,961.00

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6D-3	DIRECTOR OF REAL PROPERTY TAX SERVICES	Cost to Prepare City of Tonawanda Tax Rolls & Bills
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24COMM. 6D-3	Attachments
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# County of Erie

## DEPARTMENT OF REAL PROPERTY TAX SERVICES

SCOTT A BYLEWSKI  
DIRECTOR REAL PROPERTY  
Email: [Scott.Bylewski@erie.gov](mailto:Scott.Bylewski@erie.gov)

Office 716-858-2715  
Fax 716-858-8502

March 5, 2024

EC LEG MAR 6 '24 PM 3:57

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

RE: Cost to Prepare City of Tonawanda Tax Rolls & Bills

Honorable Members:

Please receive, file and print the following billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2023 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills.

Very truly yours,

  
Scott A. Bylewski  
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE

2023

STATEMENT, MATERIALS AND LABOR IN PRODUCING CITY OF

TONAWANDA BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills	\$225.00
Tax Rolls, Assessment Roll & Worksheets	\$200.00
Wages	\$1,129.31
Data Processing Time	\$1,781.18
<hr/>	
Total Cost	\$3,335.49

Erie County Legislature  
Meeting Date: 03/21/2024

SUBJECT

COMM. 6D-4

PERSONNEL  
COMMISSIONER

Budget Resolution 13 Report

Attachments

24COMM. 6D-4



EC LEG MAR 11 '24 AM 9:28

# COUNTY OF ERIE

## Personnel Department

March 4, 2024

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

**Re: Budget Resolution 13 Report**

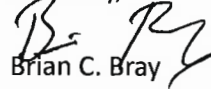
Dear Honorable Members:

As required by Budget Resolution 13, please find the two candidates for an entry-level position that require an occupational license a step increase above the minimum during the month of February that I authorized receive a step above the minimum. Both candidates accepted the position.

**Name:** Audrey Smith  
**Department:** Health  
**Job Title:** Physician Assistant  
**Bargaining Unit:** CSEA  
**Required Years of Prior Service for Job Title:**  
None  
**Required Occupational License:** Physician Assistant (New York State Education Department)  
**Years of Prior Experience:** 25 Years  
**Approved Step:** 5  
**Factors Used to Grant Step Increase:** The Health Department posted the position for ten days and did not receive another candidate with the desired type of experience. This candidate previously worked as an independent contractor in the Health Department, and the posted position will perform work similar to what she did as an independent contractor.

**Name:** Amy Corson  
**Department:** Health  
**Job Title:** Physician Assistant  
**Bargaining Unit:** CSEA  
**Required Years of Prior Service for Job Title:**  
None  
**Required Occupational License:** Physician Assistant (New York State Education Department)  
**Years of Prior Experience:** 14 Years  
**Approved Step:** 5  
**Factors Used to Grant Step Increase:** The Health Department posted the position for ten days and did not receive another candidate with the desired type of experience. This candidate previously worked as an independent contractor in the Health Department, and the position will perform work similar to what she did as an independent contractor.

Sincerely,



Brian C. Bray  
Personnel Commissioner



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SUBJECT

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COMM. 6D-5

COMMISSIONER OF  
PUBLIC WORKS

Timelines - Borden Road and New Road

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24COMM. 6D-5

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Attachments



## COUNTY OF ERIE

WILLIAM E. GEARY, JR.  
COMMISSIONER

### DEPARTMENT OF PUBLIC WORKS

WILLIAM E. GEARY, JR.  
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS  
RATH BUILDING, ROOM 1400

TELEPHONE: 716.858.8300  
FAX: 716.858.8301

To: Olivia Owens, Clerk, Erie County Legislature

From: William E. Geary Jr., Commissioner of Public Works

Date: March 15, 2024

Subject: Timelines-Borden Road and New Road

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Please see the attached information regarding Borden Road and New Road and potential timelines contingent on approval of the Consolidated Bond Resolution on Thursday, March 21<sup>st</sup>, 2024:

**Borden Phase II-** from French to Strasmer (Cheektowaga) includes pavement rehabilitation, new enclosed drainage and curb and gutters.

**New Road Phase I-** from Dodge to Smith. This project is for full reconstruction, including shoulder widening, enclosed drainage, mill and overlay.

The Department of Public Works would be able to **advertise by April 4<sup>th</sup>**. After a three week bidding period, **bids would be opened on April 25<sup>th</sup> and anticipate legislature approval for May 23<sup>rd</sup> session**. It is important to note that the later in the season we bid the less likely we are to have the top tier contractors bidding our projects.

The contract would be executed pending EEO approval and required signatures before the contractor could then begin submitting shop drawings for catch basins/drainage structures. This would take at least two weeks for shop drawing approvals.

Catch basin/Drainage structures could **begin fabrication mid-June**.

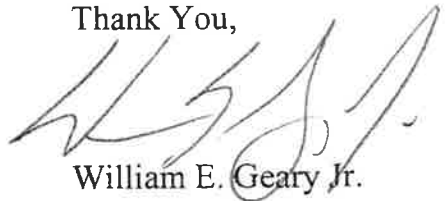
Our Engineering department indicated fabrication could take up to 90 days. The exact timeline for completion of structure fabrication is a variable outside of the department's control. The longer we have to wait to begin submitting drawings for fabrication the longer it could take as other municipalities are already submitting their orders.

Depending on the completion of the required structures this could put **project mobilization and drainage work beginning in September.**

\*If fabrication timelines are shorter the start could be end of July, early August.

The delay of this timeline would push the project completion date resulting in a delay to the following year which would also delay Phase III of Borden Road (West Seneca) an additional year and New Road Phase II -Smith to Tonawanda Creek.

Thank You,



William E. Geary, Jr.

RECEIVED BY THE ERIE COUNTY LEGISLATURE

\_\_\_\_\_  
BY

\_\_\_\_\_  
DATE

Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6D-6	DEPUTY COMPTROLLER	EC Comptroller's Office Audit of Electronic Vendor Payments
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24COMM. 6D-6	Attachments
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EC LEG MAR 18 '24 PM 1:55

## ERIE COUNTY COMPTROLLER KEVIN R. HARDWICK

March 18, 2024

Dr. Timothy Callan  
Deputy Comptroller  
95 Franklin Street, Room 1100  
Buffalo, NY 14227

### **Re: Erie County Comptroller's Office Audit of Electronic Vendor Payments**

Dear Dr. Callan:

The Erie County Comptroller's Office Audit Division is commencing a performance audit of Electronic Payments (E-Payments) made to vendors by the Accounts Payable Department within the Comptroller's Office Accounting Division.

The scope of the audit will include an examination of the policies and procedures in place to verify, process and execute E-payments to vendors within the Comptroller's Office-Accounts Payable Department for the period of January 1, 2023 through December 31, 2023. The scope of this audit will not be changed without written notice.

The audit objectives will include an evaluation of the internal controls for Accounts Payable regarding all varieties of electronic payments and evaluating the effectiveness and efficiency of the Accounts Payable process as well as compliance with established policies, procedures and guidelines. Additional objectives will include testing and evaluating documentation, recordkeeping practices, timeliness, completeness, and system controls relating to the maintenance and access of vendor files.

We will contact your office to arrange an entrance conference where we will review your vendor maintenance and Accounts Payable policies and procedures while also outlining our audit process. We encourage you to bring any additional personnel to the meeting that would be assisting our auditor during the audit. 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 716.858.6927 or by email at [Mary.Nytz-Hosler@Erie.gov](mailto:Mary.Nytz-Hosler@Erie.gov), if you have any questions or concerns. Thank you in advance for your assistance and cooperation.

Sincerely,

  
Mary K. Nytz-Hosler  
Deputy Comptroller for Audit and Control

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: 03/21/2024

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SUBJECT

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COMM. 6D-7	COMMISSIONER OF PROBATION DEPARTMENT	EC Conditional Release Commission - 2023 Annual Report
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	Attachments
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24COMM. 6D-7

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County of Erie  
Department of Probation

Richard B. Robillard  
Commissioner

Sheila Ruhland  
Deputy Commissioner

March 15, 2024

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

RE: **Erie County Conditional Release Commission  
2023 Annual Report**

Dear Honorable Members,

In accordance with Erie County Local Law No. 2-2015 which established the Erie County Conditional Release Commission, the Commission shall present an annual report to the Erie County Legislature, on its findings and actions on submitted applications.

As the Commissioner of the Erie County Probation Department who serves as an ex officio member of the Erie County Conditional Release Commission, this annual report is being submitted for your review on behalf of the Commission.

In 2021, all five members of the Erie County Conditional Release Commission (CRC) were appointed/re-appointed by the Erie County Executive upon advice and consent of this Honorable Body and this membership remains intact. The current Commission members include Karima Amin, Dixie Farr, William Crowe, Robert Lonski and Penny Wolfgang. The terms of all Commission members will expire on December 31, 2025.

During the initial four-year period (2016-2019) of the Erie County Conditional Release Program, applications for conditional release from inmates at the Erie County Correctional Facility averaged 56 annually. However, in 2020 the Conditional Release Program only received 18 applications, in 2021 the program received 20 applications, in 2022 it received 26 applications, and last year it received 43 applications. It is significant to note though that according to the Erie County Sheriffs Office, in 2018 the average number of sentenced inmates at the Erie County Correctional Facility was 183 while in 2023 it was 145. This was an increase in the 2022 number of 98.

Below is an overview of the findings and actions on applications submitted in 2021, 2022, and 2023:

FINDINGS/ACTION	2021	2022	2023
Applications Received	20	26	43
Application Withdrawn by Inmate	1	2	4
Ineligible for Release	15	22	35
Release Denied by CRC	0	1	2
Release Granted by CRC	**4	1	2

**\*\* Note, two applications received in 2021 were granted release by the Conditional Release Commission in early 2022.**

As noted in the above table, a significant percentage of the conditional release applications are determined ineligible for release primarily as a result of the applicant's legal history. Per NY Corrections Law §273, prior criminal convictions for several listed offenses inclusive of domestic violence offenses preclude eligibility for conditional release.

From program inception through December 31, 2023 the Erie County Probation Department has received 334 applications for conditional release consideration. The department has screened out 213 applications due to release ineligibility, 26 inmates withdrew their applications during the screening process while the Erie County Conditional Release Commission has interviewed and considered for release a total of 89 inmates. During this same period, 48 inmates who were interviewed/considered by the Conditional Release Commission were denied release while 41 were granted release. Of those individuals conditionally released from the Erie County Correctional Facility, 23 (or 56%) have successfully completed the program while four individuals remain active in the program.

The Erie County Probation Department continues on-going contact with personnel within the Erie County Correctional Facility in an effort to re-enforce program availability and ensure program information is readily available for inmates within the facility. Additionally, efforts have been initiated to increase communication lines between the Erie County Probation Department and both Erie County Correctional Facility and Project Blue staff that are located within the facility.

Should your Honorable Body require any additional information regarding the Erie County Conditional Release Commission, please do not hesitate to contact me.

Respectfully submitted,



Richard B. Robillard  
Commissioner  
Erie County Probation Department

cc: Mark C. Poloncarz, County Executive  
Karima Amin, Dixie Farr, William Crowe, Robert Lonski and Penny Wolfgang,  
Erie County Conditional Release Commission members



Erie County Legislature  
Meeting Date: 03/21/2024

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SUBJECT

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COMM. 6M-1	HAMBURG TOWN BOARD	Opposition to Windmills in Lake Erie
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	Attachments
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24COMM. 6M-1

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# CATHY A. RYBCZYNSKI, R.M.C.

## TOWN CLERK

TOWN OF HAMBURG  
6100 SOUTH PARK AVENUE  
HAMBURG, NY 14075-3774  
(716) 649-6111 ext.2360  
townclerk@townofhamburgny.gov



EC LEG MAR 6 '24 PM 1:42

Deputy Town Clerks:  
Brad Rybczynski  
Jill A. Slisz

February 29, 2024

Honorable Olivia Owens  
County Legislator Clerk  
92 Franklin St. 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Legislator Clerk Owens:

Please find a certified copy of the resolution entitled "Opposition to Windmills in Lake Erie" approved by the Hamburg Town Board on February 26, 2024, attached.

If you have any questions or require any additional information, please do not hesitate to contact our office via email at [townclerk@townofhamburgny.gov](mailto:townclerk@townofhamburgny.gov) or by phone at 716-649-6111; extension 2360.

Thank you for your time and consideration in this matter.

Thank you,

Catherine A. Rybczynski  
Hamburg Town Clerk

CR/BR/mm

Enclosure

# TOWN OF HAMBURG RESOLUTION



State of New York  
County of Erie  
Town of Hamburg

I, Catherine A. Rybczynski, Town Clerk of the Town of Hamburg, Erie County, New York, do hereby certify that at a Regular Meeting of the Town Board of the aforesaid Town on the 26th day of February 2024, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, the following resolution was adopted, every member present voting therefore, to wit:

On the motion of Councilmember Farrell Lorentz, seconded unanimously (Hoak, Bogulski, Comerford, Kozub) the following resolution was:

<b>APPROVED</b>	Ayes	5	Hoak, Bogulski, Comerford, Farrell Lorentz, Kozub
	No	0	
	Abstain	0	

*WHEREAS, approximately twelve million people live in the Lake Erie watershed, including seventeen metropolitan areas with more than 50,000 residents, an area shared between the United States and Canada, and Lake Erie provides drinking water for approximately 11 million of the inhabitants of this region, and*

*WHEREAS, the Town of Hamburg, a town situated in Erie County and in the Lake Erie watershed, recognizes and values the importance of Lake Erie and continues to work diligently to safeguard and improve its own stewardship of Lake Erie and the Lake Erie Watershed, and*

*WHEREAS, the Town of Hamburg has great concern that New York State and/or any authority, agency, commission, or department thereof might allow private and/or public entities to construct, place, position, and/or install, with or without permanent bases, pylons, piers, or similar structures, one or more wind turbines in the waters of Lake Erie, and*

*WHEREAS, the Town of Hamburg has great concern that the fresh water of Lake Erie along with the overall health of Lake Erie, the wildlife that depends on Lake Erie, the wildlife that traverses Lake Erie, and the continuing restoration of Lake Erie will be placed at risk if wind turbines are constructed in the waters of Lake Erie, and*

*WHEREAS, New York State has passed the Climate Leadership and Community Protection Act (the Climate Act) calling for 70 percent of electricity in the state to be produced by renewable resources by 2030, and 100 percent of the state's electricity be generated by renewable resources by 2040; and*

*WHEREAS, wind energy has been designated by the Climate Act as an essential form of renewable energy and there are a number of commercial wind energy facilities operating in Western New York, with more in the planning and permitting stages; and*

*WHEREAS, New York State's power grid manager New York Independent Systems Operator (NYISO) has determined the Western New York zone of grid to be 89 percent free of carbon emissions in the generation of electricity, and*

*WHEREAS, NYISO has described the lack of electricity transmission facilities capable of transmitting electricity from Western New York to downstate grid zones which are 90 percent dependent on fossil fuels for generating electricity, and*

*WHEREAS, the New York State Energy Research and Development Authority determined in 2022 that it's not the right time to consider constructing offshore wind facilities in Lake Erie, and*

*WHEREAS, the offshore wind industry is experiencing global difficulties related to inflation and supply line shortages as evidenced by the recent New York State Public Service Commission decision denying industry requests for higher power delivery rates, and*

*WHEREAS, the long planned Lake Erie offshore wind energy project known as Icebreaker Wind near Cleveland, Ohio, has recently been suspended, and*

*WHEREAS, questions concerning offshore wind energy facilities in fresh water bodies remain unanswered such as these which are not included in the NYSERDA reports of 2011 and 2022 and including:*

*+ What assurances are there that toxic industrial wastes in the lake bed will not be disturbed to endanger safe drinking water and enter the food chain of Lake Erie's fish and bird species?*

*+ How would the placement of offshore wind turbines in Lake Erie affect the migratory pathways and behavior of economically important game fish?*

*+ What would be the impact on tourism of placing wind turbines in Lake Erie?*

*+ Specifically how would offshore wind turbines in Lake Erie contribute to the emissions reduction goals of the Climate Act?*

*+ How would the radar interference created by offshore wind turbines in Lake Erie affect the safety of shipping, recreational boating, search and rescue operations, and international border security?*

*+ How would microplastics and toxic chemicals like BPA and PFAS emitted by wind turbines impact water quality and the ecology of Lake Erie?*

+ *How much oil and other petroleum products are contained within each offshore wind turbine and how would oil spills from wind turbines be mediated, and other maintenance performed during annual periods of ice coverage on Lake Erie ?*

+ *How would noise and vibrations emitted by wind turbines impact the quiet enjoyment of Lake Erie by fishers, boaters and nearshore residents and visitors?*

+ *What are the effects of vibrations emitted by turbines on organisms living in the lake bed?*

+ *How would the blinking red lights atop each offshore wind turbine be reconciled with increased interest in preventing light pollution in dark skies?*

+ *What would be the impact of placing offshore wind turbines in Lake Erie's migratory flyways of birds, bats and butterflies?*

+ *What are the cumulative impacts of placing offshore wind turbines in Lake Erie given the already large concentration of onshore wind turbines along the Ontario shoreline and the elevations overlooking the lake in Chautauqua County?*

+ *What restrictions or no-go zones would be imposed on fishers and boaters in Lake Erie?*

+ *How would the Public Trust Doctrine which serves to protect the interests of all Western New Yorkers in a healthy Lake Erie be honored in the context of primary financial benefits to the offshore wind industry ?*

+ *How would offshore wind turbines impact historic sites such as shipwrecks and lighthouses?*

+ *Would the rights of the Seneca Nation of Indians to administer water quality standards on the Cattaraugus Reservation be a consideration in placing offshore wind turbines in Lake Erie?*

+ *Would the high costs of offshore wind energy in Lake Erie be explained to Town of Hamburg electricity ratepayers in terms of monthly increases to their utility b and*

+ *How would property values along the lake shore be impacted by viewsheds including offshore wind turbines and their industrial support and maintenance activities?, and*

*WHEREAS, some of these questions cannot be answered, or would be cost prohibitive to address, and there are many documented examples of negative impacts of wind turbines on aquatic environments, and*

*WHEREAS, there are other alternatives which deserve significant consideration as possible future sources of power which do not negatively affect Lake Erie or other large bodies of water, and*

*WHEREAS, deep concern on the addition of Wind Turbines in Lake Erie has been expressed by elected officials throughout the region including Congressman Nicholas A. Langworthy, who has introduced legislation, H.R. 426, the Lakes Before Turbines Act, which would protect our environment and local economies from ill-conceived wind energy projects on these waters,*

*NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board declares that the Town of Hamburg opposes any efforts to introduce offshore wind turbines in the waters of Lake Erie, and calls for*

*a moratorium on the development and/or construction of any wind turbines in the waters of Lake Erie, and*

*BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this Town Board resolution to Honorable Governor Kathy Hochul, Honorable United States Congressman Nicholas Langworthy, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Senate Minority Leader Rob Ort, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, Honorable New York State Senator Patrick Gallivan, Honorable New York State Senator George Borrello, Honorable New York State Assemblyman Andrew W. Goodell, Honorable New York State Assemblyman David DiPietro, Honorable New York State Assemblyman Jon Rivera, and the Western New York Delegation of the New York State Senate and New York State Assembly, Honorable Erie County Executive Mark Poloncarz, Clerk of the Erie County and Chautauqua County Legislatures, Honorable Erie County Legislator John Mills, Honorable Erie County Legislator John Gilmour, Honorable Supervisors of the Towns of Evans, Silver Creek, Eden, Concord, Springville, North Collins, and Dunkirk, Honorable Mayor of the City of Lackawanna Annette Iafallo, and Honorable Mayor of the City of Buffalo Byron Brown.*

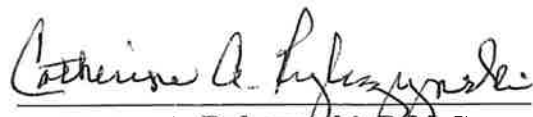
**I do further certify that I have compared the foregoing with the original minutes of the Regular Meeting of the Town Board of said Town held on the 26<sup>th</sup> day of February 2024, and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the minutes duly adopted by the said Town Board are on file in the office of the Town Clerk.**

**I do further certify that the following members of the Town Board were present at such meeting, with each member voting therefore, as follows:**

<b>Randy Hoak</b>	<b>Supervisor</b>	<b>(Aye)</b>
<b>Megan Comerford</b>	<b>Councilmember</b>	<b>(Aye)</b>
<b>Frank Bogulski</b>	<b>Councilmember</b>	<b>(Aye)</b>
<b>Elizabeth Farrell Lorentz</b>	<b>Councilmember</b>	<b>(Aye)</b>
<b>Daniel Kozub</b>	<b>Councilmember</b>	<b>(Aye)</b>

**and being all the persons constituting said Town Board of the Town of Hamburg, Erie County**

**In Witness Whereof, I have hereunto set my hand and affixed the seal of the Town of Hamburg, Erie County, New York, on this 29<sup>th</sup> day of February 2024.**



**Catherine A. Rybczynski, R.M.C.  
Town Clerk  
Town of Hamburg, New York**