



# THE ERIE COUNTY LEGISLATURE

Session No. 7  
APRIL 11, 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. Todaro

PLEDGE OF ALLEGIANCE: Mr. Mills

## TABLED ITEMS

## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

## MINUTES OF PREVIOUS MEETING

## PUBLIC HEARING

## MISCELLANEOUS RESOLUTIONS:

|                |  |
|----------------|--|
| GILMOUR        | In Remembrance of Daniel M. Yoviene  |
| VINAL          | Happy 100th Birthday Kean Stimm  |
| VINAL          | Congratulating and Honoring Rathi Ravichandran   |
| TODARO         | Recognizing Gavin O'Brien for His Contributions to the Village of Lancaster                            |
| GREENE         | Honoring and Congratulating Detective James McNamara on His Retirement                                 |
| GREENE         | Recognizing and Celebrating Bishop Robert Stearns and His 10 Years of Leadership at the Tabernacle     |
| LORIGO & MILLS | Recognizing Michael Schneider for 60 Years of Service to the Mortons Corners Volunteer Fire Department |
| TODARO         | Congratulating Bruno's on Broadway on Their Grand Opening in Lancaster                                 |
| LORIGO & MILLS | Recognizing Brian Schneider for 40 Years of Service to the Mortons Corners Volunteer Fire Department   |
| MILLS          | Honoring Ed Leak for His Service as Director of the Orchard Park Recreation Department                 |

|                             |  |   |
|-----------------------------|--|---|
| MILLS                       | Honoring Jack Degroat for 70 Years of Active Service with the Highland Hose Volunteer Fire Company and North Evans Fire District |   |
| LORIGO                      | Recognizing Vietnam Veterans Day 2024  |   |
| LORIGO                      | Recognizing the St. Matthias Episcopal Pet Food Pantry for 10 Years of Service to the Western New York Community                 |   |
| MEYERS, KOOSHOIAN & JOHNSON | Acknowledging and Recognizing National Financial Literacy Month  |   |
| BASKIN & JOHNSON            | National Minority Health Month   |   |
| JOHNSON                     | Celebrating and Honoring National Borinqueneers Day  |   |
| KOOSHOIAN                   | Congratulating and Recognizing Paul Poleon Jr. on Completing His Eagle Scout Project   |   |
| LOCAL LAWS:                 |  |   |
| COMMITTEE REPORTS:          |  |   |
| Report No. 6                | PUBLIC SAFETY COMMITTEE  |   |
| Report No. 6                | ECONOMIC DEVELOPMENT COMMITTEE   |   |
| Report No. 4                | HEALTH & HUMAN SERVICES COMMITTEE  |   |
| LEGISLATOR RESOLUTIONS:     |  |   |
| INTRO. 7-1                  | VINAL  | Supporting the Town of Amherst's Application for State Transportation Funds         |
| INTRO. 7-2                  | LORIGO   | Opposing New York State Senate Proposal to Add a Surcharge on Ride Sharing Services |
| INTRO. 7-3                  | LORIGO   | Opposing New York State Bills to Establish Applicability of Tip Credits             |
| INTRO. 7-4                  | MINORITY CAUCUS  | Appointments to the Arts in Public Places Committee                                 |



|            |                                   |  |
|------------|-----------------------------------|--|
| INTRO. 7-5 | MILLS, GREENE,<br>TODARO & LORIGO | Opposing New York State Bills to<br>Establish Minimum Wage<br>Requirements for Miscellaneous<br>Industry Workers |
|------------|-----------------------------------|--|

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

|             |                               |   |                         |
|-------------|-------------------------------|---|-------------------------|
| COMM. 7E-1  | COMPTROLLER                   | Department of Law Risk Retention<br>Fund Spending - January 2024  | Finance &<br>Management |
| COMM. 7E-2  | CHAIR BASKIN                  | Public Notice Concerning Position of<br>Commissioner of the ECWA  | Energy &<br>Environment |
| COMM. 7E-3  | CHAIR BASKIN                  | Letter to Democratic Party Caucus<br>Regarding Position of Commissioner of<br>the ECWA                      | Energy &<br>Environment |
| COMM. 7E-4  | CHAIR BASKIN                  | Letter to Republican Party Caucus<br>Regarding Position of Commissioner of<br>the ECWA                      | Energy &<br>Environment |
| COMM. 7E-5  | CLERK OF<br>LEGISLATURE       | Letters of Interest & Resumes for<br>Position of Commissioner of the<br>ECWA                                | Energy &<br>Environment |
| COMM. 7E-6  | CLERK                         | Clerk's Office Supplemental Response<br>to Mortgage Tax Audit   | Finance &<br>Management |
| COMM. 7E-7  | COMPTROLLER                   | Apportionment & Distribution of<br>4.75% Sales & Compensating Use Tax<br>for Dec. 2023, Jan., and Feb. 2024 | Finance &<br>Management |
| COMM. 7E-8  | DISTRICT<br>ATTORNEY          | Resignation Packet for DA Flynn   | Government<br>Affairs   |
| COMM. 7E-9  | DISTRICT<br>ATTORNEY          | Notification of Change in DA Office   | Government<br>Affairs   |
| COMM. 7E-10 | CLERK                         | Mortgage Tax Expense 2024   | Finance &<br>Management |
| COMM. 7E-11 | SHERIFF & COUNTY<br>EXECUTIVE | Transfer of Funds for Jail-Related<br>Purchases   | Public Safety           |
| COMM. 7E-12 | COUNTY<br>EXECUTIVE           | Department of Personnel -<br>Administration of the HELP Program   | Finance &<br>Management |

|             |                  |   |                         |
|-------------|------------------|---|-------------------------|
| COMM. 7E-13 | COUNTY EXECUTIVE | Department of Personnel - EC<br>Department of Probation   | Finance & Management    |
| COMM. 7E-14 | COUNTY EXECUTIVE | ECSD No. 3 - Engineering Term Contract Agreement  | Energy & Environment    |
| COMM. 7E-15 | COUNTY EXECUTIVE | ECSD No. 3 - Engineering Term Contract Agreement  | Energy & Environment    |
| COMM. 7E-16 | COUNTY EXECUTIVE | Community Forestry Partnership Project Authorization  | Energy & Environment    |
| COMM. 7E-17 | COUNTY EXECUTIVE | Authorization to Amend Contract for GIS Support and Technical Services  | Energy & Environment    |
| COMM. 7E-18 | COUNTY EXECUTIVE | Public Works - Authorization to Contract for the Provision of Equipment Rental Services                                   | Economic Development    |
| COMM. 7E-19 | COUNTY EXECUTIVE | 2023-2024 On-Call/Emergency Bridge & Culvert Engineering Services Amendment   | Economic Development    |
| COMM. 7E-20 | COUNTY EXECUTIVE | Bridge NY Project Agreement with NYSDOT - Mill Road Bridge Replacement Project  | Economic Development    |
| COMM. 7E-21 | COUNTY EXECUTIVE | Contracts for Construction & Construction Inspection Services - Towns of Hamburg, and Orchard Park and City of Lackawanna | Economic Development    |
| COMM. 7E-22 | COUNTY EXECUTIVE | Department of Social Services Lease Extension - AppleTree Business Park   | Economic Development    |
| COMM. 7E-23 | COUNTY EXECUTIVE | Acceptance of Baseball Game Ticket Donation by Buffalo Bisons for Foster Care Awareness Month                             | Health & Human Services |
| COMM. 7E-24 | COUNTY EXECUTIVE | Authorization to Accept FY23 State Interoperable Communications Grant Program Funds                                       | Economic Development    |
| COMM. 7E-25 | COUNTY EXECUTIVE | Authorization to Enter into Contract with The Research Foundation for SUNY on Behalf of the University at Buffalo         | Health & Human Services |
| COMM. 7E-26 | COUNTY EXECUTIVE | Acceptance of CDC Public Health Infrastructure Grant  | Health & Human Services |
| COMM. 7E-27 | COUNTY EXECUTIVE | Acceptance of NYSDOH Rental Registry Grant  | Health & Human Services |

|             |                  |  |                         |
|-------------|------------------|--|-------------------------|
| COMM. 7E-28 | COUNTY EXECUTIVE | Acceptance of Leading in Lead Grant  | Health & Human Services |
| COMM. 7E-29 | COUNTY EXECUTIVE | Authorization to Contract with NextGen Healthcare  | Health & Human Services |
| COMM. 7E-30 | COUNTY EXECUTIVE | Acceptance of State Aid for Youth Team Sports Services   | Economic Development    |
| COMM. 7E-31 | COUNTY EXECUTIVE | Authorization to Enter into Contracts with Community Providers for After Hour Detention Programs | Economic Development    |

**COMMUNICATIONS FROM THE DEPARTMENTS:**

|            |   |   |                      |
|------------|---|---|----------------------|
| COMM. 7D-1 | DEPUTY COMMISSIONER OF ENVIRONMENT & PLANNING | 2023 Climate Action Update                    | Energy & Environment |
| COMM. 7D-2 | COMMISSIONER OF SOCIAL SERVICES               | Comm. 12E-34 Compliance Report - January      | Government Affairs   |
| COMM. 7D-3 | COMMISSIONER OF SOCIAL SERVICES               | Comm. 12E-34 Compliance Report - February     | Government Affairs   |
| COMM. 7D-4 | COUNTY ATTORNEY                               | Transmittal of New Claims Against Erie County | Government Affairs   |

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

|            |                                   |   |                         |
|------------|-----------------------------------|---|-------------------------|
| COMM. 7M-1 | TOWN OF CONCORD                   | Opposition to Windmills in Lake Erie                                    | Energy & Environment    |
| COMM. 7M-2 | CONSTITUENT                       | Letter from Constituent Concerning Public Sanitation                    | Health & Human Services |
| COMM. 7M-3 | MICHELE IANNELLO                  | ECWA Commissioner Letter of Interest                                    | Energy & Environment    |
| COMM. 7M-4 | CITIZENS SALARY REVIEW COMMISSION | 2024 Citizens Salary Review Commission - Final Report & Recommendations | Finance & Management    |
| COMM. 7M-5 | NFTA                              | NFTA - Revised Annual Budget for FYE 2025                               | Economic Development    |
| COMM. 7M-6 | ECMCC                             | ECMCC 2023 Annual Report - Placeholder                                  | Finance & Management    |

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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GILMOUR

In Remembrance of Daniel M. Yoviene

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Attachments

Daniel M. Yoviene

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, MARCH 23, 2024

EC LEG MAR 21 '24 PM 1:07

*In Remembrance of  
Daniel M. Yoviene*

**WHEREAS**, Almighty God, in His infinite wisdom, on March 16, 2024, removed from our midst *Daniel M. Yoviene*, in whose death we have lost a loving son, brother, grandson, valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

**WHEREAS**, *Daniel M. Yoviene*, son of David and Karen Yoviene was born on April 5, 2002; and

**WHEREAS**, Daniel was well-educated in the Hamburg School System as a graduate of Hamburg High School (Class of 2020); and

**WHEREAS**, this young man possessed a strong work ethic as a very proud assistant coach at Hamburg Central (Modified Football); and

**WHEREAS**, as an individual, Daniel was a devoted and dedicated individual who would go above and beyond to provide leadership and guidance throughout Hamburg Central School; and

**WHEREAS**, as a young man who blessed this Earth for 21 fruitful years, Daniel cherished and valued his family and the countless friendships he made throughout high school, and throughout our community; and

**WHEREAS**, Daniel was special and represented the good that we all need every day in our lives; and

**WHEREAS**, his love blessed the hearts of many, his parents, Hamburg Central School, and many others with his respect, infectious personality, a lovable sense of humor, and he never hesitated to let people know that he loved them, which left those feeling an immeasurable warmth in their soul; and

**WHEREAS**, Daniel's life and legacy will continue to prosper on Earth through his loving parents, David M. Yoviene and Karen A. Yoviene; his siblings, Natalie Yoviene (Alex Arcese) and David D. Yoviene (Courtney); his nephew Matthew; his nieces, Vivienne and Valerie; his grandparents, James and Eleanor Nowakowski and a host of dear cousins and dear friends; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby remember the life of ***Daniel M. Yoviene*** and pause in its deliberations to recognize his praiseworthy life, his love for his family, his love for coaching, his love for creating happiness for others, and his commitment and devotion to the betterment of our community; and be it further

**RESOLVED**, that the Erie County Legislature expresses its sympathy and condolences to the Yoviene family and to ***Daniel's*** many friends, knowing full well that he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "*Well done, thou good and faithful servant.*"

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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VINAL

Happy 100th Birthday Kean Stimm

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Kean Stimm

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, MARCH 23, 2024

*Happy 100th Birthday Kean Stimm*

**WHEREAS**, *Kean Stimm*, native of Williamsville, received his engineering degree from Purdue University in 1948 — after serving in the U.S. Army in World War II, where he directed artillery fire against German troops in Europe — and in the subsequent decades, filed half a dozen patents; and

**WHEREAS**, Stimm then developed a prototype and had it tested at the Calspan Corporation testing center in Cheektowaga. The results confirmed his hypothesis; and

**WHEREAS**, Kean was known for developing a new wind turbine that had been deemed more cost efficient and more versatile than traditional wind turbines; and

**WHEREAS**, Kean bestowed discipline and emphasized hard work; and

**WHEREAS**, today, March 3, 2024, community leaders and family members gather here to participate and honor *Kean Stimm*, a 100-year-old World War II Veteran, engineer, and inventor and

**WHEREAS**, this Honorable Body celebrates *Kean Stimm* who is idolized by many for the person he is, for serving in World War II and for sharing his gifts with the community over his 100 years of life, spirit and joy.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby honor *Kean Stimm* on this occasion in celebrating his 100<sup>th</sup> birthday surrounded by family and friends and sincerely appreciates his love for life and devotion to Erie County and our nation; and be it further

**RESOLVED**, that the Erie County Legislature wishes *Kean Stimm* a very happy 100<sup>th</sup> birthday as well as health, love, happiness in all his years to come.

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

**Erie County Legislature**  
**Meeting Date: 04/11/2024**

**SUBJECT**

VINAL

## Congratulating and Honoring Rathi Ravichandran

## Attachments

Rathi Ravichandran

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, NY, MARCH 24, 2024**

EC LEG MAR 23 '24 AM 10:43

***Congratulating and Honoring Rathi Ravichandran***

**WHEREAS, Rathi Ravichandran**, devoted wife, mother and current resident of Amherst, has volunteered with numerous non-profits and has served as Cultural Secretary for various organizations; and

**WHEREAS**, Rathi completed her master's degree in computers, and is also an Indian Classical dance teacher (Director of Rasa Arts Dance Academy); and

**WHEREAS**, in 2019, Rathi was at the forefront in coordinating when the Tamil Nadu Chief Minister from India visited Buffalo, New York; and

**WHEREAS**, Rathi is the founder & Director for Kala Seva Arts & Cultural Society (not for profit) to educate Kids who are born in the US about their Indian roots via Songs, Dance, and various arts & cultural events; and

**WHEREAS**, throughout the years, Rathi has worked above and beyond in collaborating and bringing community together in a healthy and productive way; and

**WHEREAS**, under the leadership of Rathi, Kala Seva recently got into the American book of Records for resurrecting an age-old ancient art form called "Villu Pattu", a story telling art form with music and dance, to present to the American community; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates **Rathi Ravichandran** on her achievements on 10 years of service to Indian American community through Kala Seva Arts.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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TODARO

Recognizing Gavin O'Brien for His Contributions to the  
Village of Lancaster

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Gavin O'Brien

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Attachments

# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> Day of April 2024, A.D., a resolution was adopted, of which the following is a true copy:*

### **Recognizing Gavin O'Brien for His Contributions to the Village of Lancaster**

**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,** Gavin O'Brien is a proud and devoted resident of the Village of Lancaster, who through his many volunteer efforts, works to enhance its heritage, community spirit, and economic vitality; and

**WHEREAS,** Gavin O'Brien comes from rural Genesee County, growing up on a hog farm, which instilled in him a deep appreciation for community, hard work, and the values that make Lancaster a cherished place to live and thrive; and

**WHEREAS,** Gavin O'Brien played a pivotal role in the success of the Village of Lancaster's Restaurant Week, held for the first time from March 4 through March 10, 2024, and has worked to organize several other events to commemorate the One-Hundred Seventy-Fifth anniversary of the village, which is being celebrated throughout 2024; and

**WHEREAS,** Gavin O'Brien's contributions extend beyond event planning, as he also serves on the Climate Smart Taskforce and Forest Advisory Board and volunteers with the Lancaster Beautification Committee, actively working to enhance the visual appeal and charm of our beloved village for residents and visitors alike.

**NOW, THEREFORE, BE IT RESOLVED,** the Erie County Legislature pauses in its deliberations to honor and recognize **Gavin O'Brien** for his commitment to the Village of Lancaster and congratulate him on the successes of the Demisemiseptcentennial Celebration events.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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GREENE

Honoring and Congratulating Detective James McNamara on  
His Retirement

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James McNamara

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April, 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring and Congratulating Detective James McNamara on his Retirement**

WHEREAS, the contributions a police department makes to the quality of life for the residents they serve are immeasurable and made possible only by the dedication of the brave men and women of law enforcement; and

WHEREAS, for 31 years, *Captain James McNamara* has provided distinguished service to the Amherst Police Department, the residents of the Village of Williamsville, the Town of Amherst, and the public and private entities located in our community; and

WHEREAS, *Captain James McNamara* began his law enforcement career as a road patrol officer in 1994, he was promoted to lieutenant in 2001, detective lieutenant in 2011, and captain in 2015; and

WHEREAS, *Captain James McNamara* served as Team Commander of the Emergency Response Team, Training Officer, and headed the school safety program for School Resource Officers; and

WHEREAS, *Captain James McNamara* received the Distinguished Service Award, several departmental Merit Awards, Amherst Bee Officer of the Year, Donald Kieffer Leadership Award, and is a three-time recipient of Muck Officer of the Year Honorable Mention; and

WHEREAS, throughout each step of his career, *Captain James McNamara* exhibited honesty, creativity, confidence, resilience, accountability, and decisiveness, all characteristics that contributed to his success as a law enforcement leader; and

WHEREAS, *Captain James McNamara's* leadership and communication skills inspired the more than 150 sworn officers and 35 employees of the Amherst Police Department who ensure the Town of Amherst remains one of the safest communities in the United States.

NOW, THEREFORE BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and congratulate *Captain James McNamara* on his retirement and wish him all the best in his future endeavors.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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GREENE

Recognizing and Celebrating Bishop Robert Stearns and His  
10 Years of Leadership at the Tabernacle

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Attachments

Bishop Robert Stearns

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**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April, 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing and Celebrating Bishop Robert Stearns and his  
10 Years of Leadership at the Tabernacle**

**WHEREAS**, Bishop Robert Stearns, renowned worldwide as a powerful international communicator, respected author, and accomplished recording artist, has tirelessly devoted his life to fostering inter-religious dialogue and understanding; and

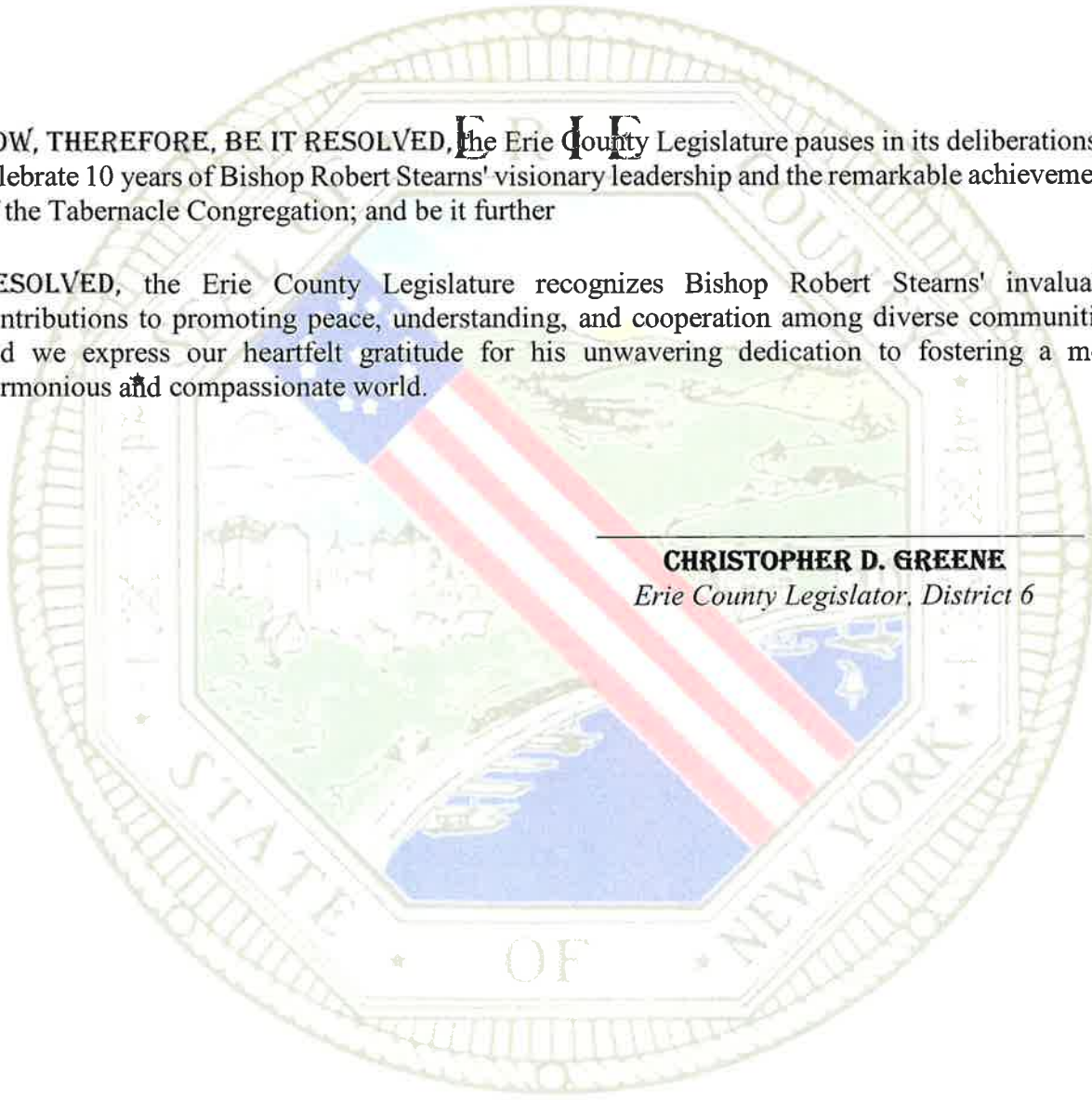
**WHEREAS**, Bishop Robert Stearns has demonstrated exemplary leadership by actively engaging in initiatives to build bridges between Jews, Christians, and Muslims, promoting harmony, mutual respect, and cooperation among diverse communities; and

**WHEREAS**, Bishop Robert Stearns has graciously accepted invitations to consult with leading Muslim clerics in Azerbaijan, at the behest of His Excellency Ilham Aliyev, President of the Republic of Azerbaijan, contributing significantly to the improvement of intercultural relations and interfaith dialogue; and

**WHEREAS**, Bishop Robert Stearns has demonstrated unwavering commitment to advocating for justice and freedom by standing alongside the Iranian resistance in Paris, and lending his voice at the "Free Iran" Rally at the United Nations, alongside distinguished leaders such as Senator Joseph Lieberman, Ambassador John Bolton, and Senator Sam Brownback; and

**WHEREAS**, Bishop Robert Stearns has consistently shown profound support for the state of Israel, leading international pastors and leaders on annual trips to Israel, engaging with dignitaries including past and current Prime Ministers, Chief Rabbis, and President Isaac Herzog, and receiving prestigious awards such as the Bnai Zion "American Israel Friendship Award" and the "Genesis Award"; and

**WHEREAS**, Bishop Robert Stearns has been recognized for his significant contributions to Jewish life and the promotion of positive influence, being honored among the "top 100 people positively influencing Jewish life" at the 51st Annual Algemeiner Gala, alongside notable heads of state, celebrities, innovators, and spiritual leaders.

The seal of the Erie County Legislature, New York, is a circular emblem. It features a central shield with a landscape scene including a body of water, a bridge, and a building. The shield is divided into four quadrants by a diagonal band with red and white stripes. The words "ERIE COUNTY" are arched across the top, and "STATE OF NEW YORK" is arched across the bottom. The word "LEGISLATURE" is written vertically on the right side of the shield.

NOW, THEREFORE, BE IT RESOLVED, **E I E** the Erie County Legislature pauses in its deliberations to celebrate 10 years of Bishop Robert Stearns' visionary leadership and the remarkable achievements of the Tabernacle Congregation; and be it further

RESOLVED, the Erie County Legislature recognizes Bishop Robert Stearns' invaluable contributions to promoting peace, understanding, and cooperation among diverse communities, and we express our heartfelt gratitude for his unwavering dedication to fostering a more harmonious and compassionate world.

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**CHRISTOPHER D. GREENE**

*Erie County Legislator, District 6*

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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LORIGO & MILLS

Recognizing Michael Schneider for 60 Years of Service to the  
Mortons Corners Volunteer Fire Department

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Michael Schneider

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Attachments

EC LEG APR 5 '24 PM 2:53

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Michael Schneider for 60 Years of Service  
to the Mortons Corners Volunteer Fire Department**

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

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

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

**WHEREAS,** the Mortons Corners Fire Department provides fire, rescue, and emergency services every day for residents in the Town of Concord and Village of Springville; and

**WHEREAS,** for sixty years, **Michael Schneider** has served the Mortons Corners Volunteer Fire Department in all nine unit positions within the company; and

**WHEREAS,** **Michael Schneider** has also served as a Fire Police officer, ensuring public safety during critical emergency situations by working closely with law enforcement, emergency medical services, and first responders; and

**WHEREAS,** **Michael Schneider** has proven himself a vital member of the Mortons Corners Fire Department through his years of effort, demonstrating a sincere dedication to his work and fellow officers to serve the community.

**NOW, THEREFORE, BE IT RESOLVED,** the Erie County Legislature pauses in its deliberations to honor and recognize **Michael Schneider** for sixty years of service and dedication to the Mortons Corners Volunteer Fire Department.

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**LINDSAY R. LORIGO**  
*Erie County Legislator, District 10*

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**JOHN J. MILLS**  
*Erie County Legislator, District 11*

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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TODARO

Congratulating Bruno's on Broadway on Their Grand Opening  
in Lancaster

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Bruno's™s on Broadway

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Attachments



STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., APRIL 11, 2024 A.D.

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**Congratulating Bruno's on Broadway on  
their Grand Opening in Lancaster**

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

WHEREAS, restaurants make up the heartbeat of any local economy and contribute to the vitality of every community across America by providing employment, partnering with local non-profit organizations, and ensuring that our money is invested within our region; and

WHEREAS, **Bruno's on Broadway** was founded by Chad Sweeney, an experienced restaurateur and chef with a rich heritage in the culinary arts, having honed his skills in his family's restaurants like Cambria's and subsequently managed kitchens at establishments in various industries, showcasing a deep-rooted passion for delivering exceptional dining experiences; and

WHEREAS, **Bruno's on Broadway** is located at 5259 Broadway Street in Lancaster, NY, and distinguishes itself by embracing time-honored family recipes dating back decades, ensuring a classic and authentic Italian dining experience; and

WHEREAS, **Bruno's on Broadway** prioritizes health-conscious practices such as using non-seed oils like olive and avocado, offering gluten-free options for pizza and pasta, catering to diverse dietary needs and preferences, all crafted with house-made doughs and a focus on wholesome ingredients; and

WHEREAS, Chad Sweeney is building his restaurant around a commitment to affordability with a vision to provide accessible price points that welcome middle-class families, reflecting his understanding of the importance of a dining experience that brings communities together.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate **Bruno's on Broadway** on their Grand Opening in Lancaster, NY, and wishes them many years of success.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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LORIGO & MILLS

Recognizing Brian Schneider for 40 Years of Service to the  
Mortons Corners Volunteer Fire Department

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Brian Schneider

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Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., APRIL 11, 2024 A.D.

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**Recognizing Brian Schneider for 40 Years of Service  
to the Mortons Corners Volunteer Fire Department**

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

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

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

**WHEREAS**, the Mortons Corners Fire Department provides fire, rescue, and emergency services every day for residents in the Town of Concord and Village of Springville; and

**WHEREAS**, for forty years, **Brian Schneider** has served with the Mortons Corners Volunteer Fire Department in all nine unit positions within the company; and

**WHEREAS**, **Brian Schneider** has also served as an Emergency Medical Technician, Treasurer, and a member of the Mortons Corners Volunteer Fire Department Board of Directors; and

**WHEREAS**, **Brian Schneider** has proven himself a vital member of the Mortons Corners Fire Department through his years of effort, demonstrating a sincere dedication to his work and fellow officers to serve the community.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize **Brian Schneider** for forty years of service and dedication to the Mortons Corners Volunteer Fire Department.

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LINDSAY R. LORIGO  
*Erie County Legislator, District 10*

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JOHN J. MILLS  
*Erie County Legislator, District 11*



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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MILLS

Honoring Ed Leak for His Service as Director of the Orchard  
Park Recreation Department

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Ed Leak

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Attachments

**STATE OF NEW YORK**  
**LEGISLATURE OF ERIE COUNTY**  
**BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring Ed Leak for His Service as Director of  
The Orchard Park Recreation Department**

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

**WHEREAS,** Ed Leak has served the Orchard Park community with dedication and distinction as the Director of the Recreation Department for over twenty-one years, fostering growth, innovation, and community engagement; and

**WHEREAS,** Under Ed Leak's leadership, the Orchard Park Recreation Department has experienced exponential growth, expanded offerings, and continuously strived to meet the evolving needs of the community; and

**WHEREAS,** Ed Leak's collaborative efforts with the Orchard Park Central School District have facilitated the utilization of school facilities for recreational purposes, fostering a strong and mutually beneficial relationship; and

**WHEREAS,** Ed Leak's partnership with Kristin Welch, culminating in her role as Director of Recreation, underscores his dedication to mentorship and succession planning, ensuring the continuity of quality leadership within the department; and

**WHEREAS,** Ed Leak's tenure has been marked by his unwavering advocacy for the community, including his aspirations for the completion of an inclusive playground and the enhancement of recreational facilities for all residents.

**NOW, THEREFORE, BE IT RESOLVED,** the Erie County Legislature pauses in its deliberations to express its deepest gratitude to Ed Leak for his exemplary service, leadership, and dedication to the Orchard Park community.

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

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SUBJECT

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MILLS

Honoring Jack Degroat for 70 Years of Active Service with the Highland Hose Volunteer Fire Company and North Evans Fire District

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Attachments

Jack Degroat

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring Jack Degroat for 70 Years of Active Service with the  
Highland Hose Volunteer Fire Company and North Evans Fire District**

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

WHEREAS, born on February 6, 1936, **Jack Degroat** began his remarkable journey with the **Highland Hose Volunteer Fire Company** in 1954, instilling a legacy of unwavering dedication and service that continues to inspire all who know him; and

WHEREAS, in recognition of his seventy years of active service, **Jack Degroat** will be honored on April 5, 2024; and

WHEREAS, **Jack Degroat** has not only become a cornerstone of the **Highland Hose Volunteer Fire Company** but has also left an indelible mark on **North Evans Fire District**, serving with distinction as past commissioner; and

WHEREAS, **Jack Degroat** has consistently exemplified the spirit of service, assuming leadership roles including, but not limited to, past president, past chief, and fundraiser chairman of the **Highland Hose Volunteer Fire Company**; and

WHEREAS, **Jack Degroat's** dedication to his community endures as he continues to serve as a fire police officer, ensuring the safety of his community to this day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Jack Degroat** and thank him for his **seventy years of selfless service to the Highland Hose Volunteer Fire Company** and the community.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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LORIGO

Recognizing Vietnam Veterans Day 2024

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Vietnam Veterans Day 2024

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Attachments



STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April 2024 A.D., a resolution was adopted, of which the following is a true copy:*

## Recognizing Vietnam Veterans Day 2024

**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**, in 2017, the Vietnam War Veterans Recognition Act designated March 29<sup>th</sup> as **Vietnam Veterans Day**, amending Title 4 of the United States Code to encourage display of the flag of the United States on this day; and

**WHEREAS**, the Vietnam War was a challenging and tumultuous time in our nation's history, where millions of deployed United States service members were called upon to protect the ideals of freedom; and

**WHEREAS**, the brave service members who fought in the jungles of Vietnam demonstrated immense resilience when faced with circumstances testing their physical and mental strength to the limit, supporting one another at every turn; and

**WHEREAS**, as a result of the United States' campaign in Vietnam, the Association of Southeast Asian Nations, including Indonesia, Malaysia, the Philippines, Singapore, and Thailand, have remained free of Communism to this day; and

**WHEREAS**, on **Vietnam Veterans Day**, we honor and pray for the servicemen and women who gave their lives to protect the United States of America and support those who are still suffering from the effects of the war.

**NOW, THEREFORE, BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to recognize **Vietnam Veterans Day** and remember the brave individuals who fought for freedom during the Vietnam War.

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LINDSAY R. LORIGO  
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 04/11/2024

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SUBJECT

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LORIGO

Recognizing the St. Matthias Episcopal Pet Food Pantry for 10  
Years of Service to the Western New York Community

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Attachments

St. Matthias Episcopal Pet Food Pantry

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STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, N.Y., APRIL 11, 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 11<sup>th</sup> day of April 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing the St. Matthias Episcopal Pet Food Pantry for  
10 Years of Service to the Western New York Community**

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

**WHEREAS,** in 2014, Karen Johnson-Stoj and Debbie Smith began to plan and operate the pet food pantry from the basement of the current-day Revive Wesleyan Church in East Aurora, inviting local pet owners to pick up supplies multiple times per month; and

**WHEREAS,** since its founding, the **St. Matthias Episcopal Pet Food Pantry** has grown with sponsors and donations over the years to currently serve nearly three hundred cats and over one hundred and twenty dogs; and

**WHEREAS,** **St. Matthias Episcopal Pet Food Pantry** is currently led by Sandy Ensminger Stroh and Bill Bermingham and staffed by dedicated parishioners and local volunteers to continue to give back to the community's family pets; and

**WHEREAS,** even during the COVID-19 pandemic, Bill Bermingham and his fellow volunteers set up a drive-thru pantry to offer pet food while persevering through heat and cold and encouraged social connections during the lockdown through virtual church services; and

**WHEREAS,** **St. Matthias Episcopal Pet Food Pantry** has remained a dedicated part of the East Aurora community, serving families and their pets in need through rain or shine.

**NOW, THEREFORE, BE IT RESOLVED,** the Erie County Legislature pauses in its deliberations to honor and recognize the **St. Matthias Episcopal Pet Food Pantry** for ten years of service to residents of Western New York and their pets.

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LINDSAY R. LORIGO  
Erie County Legislator, District 10



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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MEYERS, KOOSHOIAN & JOHNSON

Acknowledging and Recognizing National Financial Literacy  
Month

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Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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BASKIN & JOHNSON

National Minority Health Month

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National Minority Health Month

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Attachments

EC LEG APR 9'24 AM 10:00

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

BUFFALO, NY, APRIL 5, 2024

*National Minority Health Month*

**WHEREAS**, *National Minority Health Month* brings to the forefront the devastating impact of personal illness on the lives of undiagnosed individuals in minority communities, their family and friends; and

**WHEREAS**, this annual observance in April – which addresses the health needs of African Americans, Hispanics, Asians, Native Americans and other minorities – provides an opportunity to elevate and discuss issues that negatively impact patient and community health; and

**WHEREAS**, during National Minority Mental Health Month, its goal is to strengthen the capacity of local communities to eliminate the disproportionate burden of premature death and preventable illness in minority populations through prevention, early detection, and control of disease complications; and

**WHEREAS**, such disparities lead to unnecessary health care, social and economic costs, as well as reductions to lifespan and quality of life; and

**WHEREAS**, physical activity promotes health and reduces the risk of chronic diseases and other conditions that are often more common and more severe among racial and ethnic minority groups; and

**WHEREAS**, during the month of April, we recognize *National Minority Health Month* and recommit ourselves to evolving racial equity for minorities.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby recognize *National Minority Health Month* in bringing awareness to the various struggle's stigmas and environmental barriers that ethnic and marginalized minority communities face in relation to personal health.

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

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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JOHNSON

Celebrating and Honoring National Borinqueneers Day

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National Borinqueneers Day

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Attachments

STATE OF NEW YORK  
LEGISLATURE OF ERIE COUNTY  
BUFFALO, NY, APRIL 13, 2024

*Celebrating and Honoring National Borinqueneers Day*

**WHEREAS**, the designation of April 13 as National Borinqueneers Day "recognizes the bravery, service, and sacrifice" of the 65th Infantry Regiment, which consisted mostly of Puerto Rican soldiers; and

**WHEREAS**, the regiment carried the name Borinqueneers, in reference to Puerto Rico's pre-colonial name Borinquen; and

**WHEREAS**, members of the 65th Infantry Regiment fought in World War I, World War II, and the Korean War, where their members endured years of unfair treatment and discrimination while fighting for the United States, while garnering 90 Purple Heart medals and many other combat awards; and

**WHEREAS**, on June 10th, 2014, President Barack Obama signed bills H.R. 1726 and S. 1174 awarding the Congressional Gold Medal to The 65th U.S. Army Infantry Regiment; and

**WHEREAS**, on April 13, 2016, the Borinqueneers were awarded a Congressional Gold Medal and the medal was unveiled in Congress' Emancipation Hall; and

**WHEREAS**, the Borinqueneers went from forgotten soldiers who had to face both the enemy and discrimination, to heroes earning praise from Congressional and military leaders; and

**WHEREAS**, the Borinqueneers fought in some of the Korean War's most intense battles; and

**WHEREAS**, during this conflict alone, the regiment's members earned a Medal of Honor, nine Distinguished Service Crosses, about 250 Silver Stars, more than 600 Bronze Stars, and more than 2,700 Purple Hearts, according to a statement from the US House of Representatives; and

**WHEREAS**, the Western New York Hispanic American Veterans Memorial Monument has a written inscription in tribute to the Gabriel A. Rodríguez American Legion Post No. 1928 and the 65th Infantry Regiment; and

**WHEREAS**, today, this ceremony provides overdue recognition of honor to the Borinqueneers soldiers and pay tribute to the sacrifices they made and hardships overcome by Puerto Rican and Hispanic members of the Armed Forces.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby wholeheartedly recognize and celebrate April 13<sup>th</sup> as *National Borinqueneers Day* in Western New York, and appreciates the contributions and opportunity for educational and cultural harmony that this wonderful event brings to our community.

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

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

Erie County Legislature

Meeting Date: 04/11/2024

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SUBJECT

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KOOSHOIAN

Congratulating and Recognizing Paul Poleon Jr. on  
Completing His Eagle Scout Project

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Attachments

Paul Poleon Jr.

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

EC LEG APR 9'24 AM 9:59

*Congratulating and Recognizing  
Paul Poleon Jr. On Completing his Eagle Scout Project*

**WHEREAS**, Troop 539 Boy Scout organization is located in Kenmore, NY; and

**WHEREAS**, *Paul Poleon Jr.* of Troop 539 Boy Scout organization, has conquered the long road for a Boy Scout to soar through the ranks and earn the highly lauded title of Eagle Scout by completing his Eagle Scout Service project; and

**WHEREAS**, Paul Poleon Jr. graduated from City Honors, Class of 2023, obtaining an International Baccalaureate Diploma and played football (Hutch Tech) and lacrosse there; and

**WHEREAS**, Paul is a current student at the University of Buffalo, majoring in Mechanic Engineering and has been involved in scouting since the first grade (Tiger Cub); and

**WHEREAS**, his Eagle Scout project involved the remodeling the Welcome to Riverside Sign and community garden repair (reconstructed and painted raised beds, repaired a picnic table, and cleaned the garden of debris); and

**WHEREAS**, Paul Poleon Jr. completed all of the requirements for Eagle Scout by demonstrating high levels of personal achievement, leadership, community service and scouting skills.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that with the utmost respect and admiration, the Erie County Legislature hereby recognizes and congratulates *Paul Poleon Jr.* for his outstanding accomplishment of Eagle Scout and offer our deepest appreciation for his dedicated work and wish him the best in all his future endeavors.

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



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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Report No. 6                      PUBLIC SAFETY COMMITTEE

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Report No. 6                      Attachments

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March 28, 2024

PUBLIC SAFETY COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.

1.

RESOLVED, the following item is hereby received and filed:

a.

COMM. 6D-7 (2024)  
**COMMISSIONER OF PROBATION DEPARTMENT:** “EC Conditional Release Commission – 2023 Annual Report”  
(Chair’s Ruling)

2.

COMM. 6E-8 (2024)  
**COUNTY EXECUTIVE**  
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

AS AMENDED

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, that authorization is hereby given to amend the Department of Central Police Services’ 2024 Adopted E-911 Fund (Fund 230, Funds Center 16500) Budget to recognize \$202,408 in additional funding transferred from grant HS167PSAP2324 via Interdepartmental Billing as follows:

Central Police Services  
2024 E-911 Adopted Budget  
Fund 230, Funds Center 16500

ACCOUNT

APPROPRIATIONS

BUDGET

516030

Maintenance Contracts

\$202,408

916500

ID Central Polices Services

(\$202,408)

TOTAL

\$\_\_\_\_\_0

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.

(5-0)

3. COMM. 6E-11 (2024)  
**COUNTY EXECUTIVE**  
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; and

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.

(3-2) Legislators Greene and Todaro vote in the negative.

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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Report No. 6                      ECONOMIC DEVELOPMENT COMMITTEE

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Report No. 6                      Attachments

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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 6D-5 (2024)  
COMMISSIONER OF PUBLIC WORKS: “Timelines – Borden Road and New Road”  
(Chair’s Ruling)
2. COMM. 4E-19 (2024)  
COUNTY EXECUTIVE  
WHEREAS, Amherst Ridge Senior Apartments consists of the development of one hundred fifty (150) low income rental units for seniors at 467 John James Audubon Parkway, Amherst, 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 Amherst Senior Apartments LP to operate the housing project it is necessary to extend tax relief from the County of Erie and the town of Amherst.  
  
NOW, THEREFORE, BE IT  
  
RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Amherst Senior Apartments LP, and the Town of Amherst, 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 County Comptroller, and the Department of Law.
- | Schedule A<br>PILOT Payment Schedule |                 |             |                   |                               |
|--------------------------------------|-----------------|-------------|-------------------|-------------------------------|
| TAX<br>YEAR                          | Town of Amherst | Erie County | Williamsville CSD | Total Annual<br>PILOT Payment |
| 2024-25                              | 36,721          | 15,300      | 9,180             | 61,201                        |
| 2025-26                              | 37,822          | 15,759      | 9,456             | 63,037                        |
| 2026-27                              | 38,957          | 16,232      | 9,739             | 64,928                        |
| 2027-28                              | 40,126          | 16,719      | 10,031            | 66,876                        |
| 2028-29                              | 41,329          | 17,221      | 10,332            | 68,882                        |
| 2029-30                              | 42,569          | 17,737      | 10,642            | 70,949                        |
| 2030-31                              | 43,846          | 18,269      | 10,962            | 73,077                        |
| 2031-32                              | 45,162          | 18,817      | 11,290            | 75,270                        |
| 2032-33                              | 46,517          | 19,382      | 11,629            | 77,528                        |
| 2033-34                              | 47,912          | 19,963      | 11,978            | 79,853                        |
| 2034-35                              | 49,349          | 20,562      | 12,337            | 82,249                        |
| 2035-36                              | 50,830          | 21,179      | 12,707            | 84,716                        |
| 2036-37                              | 52,355          | 21,814      | 13,089            | 87,258                        |
| 2037-38                              | 53,925          | 22,469      | 13,481            | 89,876                        |
| 2038-39                              | 55,543          | 23,143      | 13,886            | 92,572                        |
| TOTALS                               | 682,963         | 284,568     | 170,741           | 1,138,272                     |

(5-0)

3. COMM.6E-10 (2024)  
COUNTY EXECUTIVE  
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.  
(5-0)

4. COMM. 6E-13 (2024)  
**COUNTY EXECUTIVE**

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<br>2023 Federal Aid – Road Design<br>Fund 420, Funds Center 123 |                    |                    |                    |
|---|--------------------|--------------------|--------------------|
| REVENUES  | BUDGET             | CHANGE             | REVISED<br>BUDGET  |
| 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> |
| APPROPRIATIONS  |                    |                    |                    |
| Capital Project Expense   | <u>\$5,750,000</u> | <u>\$ 0</u>        | <u>\$5,750,000</u> |
| TOTAL   | <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.

(5-0)

5. COMM. 6E-16 (2024)  
**COUNTY EXECUTIVE**  
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.

(5-0)



6. COMM. 6E-17 (2024)  
**COUNTY EXECUTIVE**

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.

(5-0)

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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Report No. 4                      HEALTH & HUMAN SERVICES COMMITTEE

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Report No. 4                      Attachments

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March 28, 2024

HEALTH & HUMAN SERVICES  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
- a. INTRO. 5-2 (2024)  
**MINORITY CAUCUS:** “Calling on the Department of Health to Appear at the Erie County Legislature’s Health and Human Services Committee to Discuss Health Permitting for Fitness Facilities”  
(Chair’s Ruling)

b. COMM. 6E-5 (2024)  
**COUNTY EXECUTIVE:** “Appointment to the Assigned Counsel Program”  
(Chair’s Ruling)

c. COMM. 6E-6 (2024)  
**COUNTY EXECUTIVE:** “Appointments to the Youth Services Board”  
(Chair’s Ruling)

d. COMM. 6E-19 (2024)  
**BASKIN:** “Independent Commission Creation – Revisions to LL Intro. 9-1 (2023)”  
(Chair’s Ruling)
2. COMM. 6E-7 (2024)  
**COUNTY EXECUTIVE**

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.  
(5-0)

3. COMM. 6E-9 (2024)  
**COUNTY EXECUTIVE**

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.  
(5-0)

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

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SUBJECT

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INTRO. 7-1

VINAL

Supporting the Town of Amherst's  
Application for State Transportation Funds

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Attachments

24INTRO. 7-1

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

**Re: Supporting the Town of Amherst's Application for State Transportation Funds**

WHEREAS, on September 29, 2023, Governor Kathy Hochul announced that \$165 million in new funding is available for the 2023 Transportation Alternatives Program, Congestion Mitigation and the Air Quality Improvement, and Carbon Reduction Program (TAP/CMAQ/CRP); and

WHEREAS, TAP/CMAQ/CRP funding supports bicycle, pedestrian, multi-use path and transportation-related projects and programs that support the goals of New York's nation-leading Climate Leadership and Community Protection Act (CLCPA); and

WHEREAS, the Town of Amherst is eligible as a Local Government to apply for these funds; and

WHEREAS, a recently conducted Traffic Impact Study for the Boulevard Central District identified that the intersection of N. Bailey Avenue and Maple Road has approaches operating at poor levels of service and will degrade further with planned redevelopment in the area; and

WHEREAS, a reconfiguration project at N. Bailey Avenue and Maple Road has the ability to reduce vehicle emissions and traffic congestion at this intersection; and

WHEREAS, N. Bailey Avenue is a Town of Amherst-owned right-of-way; and

WHEREAS, a project of this scope, magnitude and expected benefits line up with a CMAQ-specific application; and

WHEREAS, TAP/CMAQ/CRP funding is made available to New York State through the Federal Highway Administration (FHWA) and administered by NYSDOT, with NYSDOT providing up to 80 percent of the total eligible project costs with a minimum 20 percent match provided by the project sponsor; and

WHEREAS, the Town of Amherst is committed towards providing a minimum 20 percent match either using future capital improvement funding or use of transportation mitigation fees collected within the Boulevard Central District, or a combination thereof.

NOW, THEREFORE, BE IT, RESOLVED,

RESOLVED, that the County of Erie supports the application of the Town of Amherst for a CMAQ application to improve traffic flow with pedestrian accommodations at the intersection of N. Bailey Avenue and Maple Road.

Financial Implication to County: None

| SUBJECT      |        |   |
|--------------|--------|---|
| INTRO. 7-2   | LORIGO | Opposing New York State Senate Proposal to Add a Surcharge on Ride Sharing Services |
|              |        |   |
| Attachments  |        |   |
| 24INTRO. 7-2 |        |   |



**A Resolution to be Submitted By  
Legislator Lorigo**

Re: Opposing New York State Senate Proposal to Add a Surcharge on Ride Sharing Services

WHEREAS, ride sharing services have become an increasingly popular and affordable mode of transportation for millions of people in New York State; and

WHEREAS, the New York State Senate has proposed a new \$1 per ride surcharge on ride sharing services that originate outside of the metropolitan commuter district; and

WHEREAS, such a surcharge would increase the cost of these services for consumers and harm the livelihoods of ride sharing drivers; and

WHEREAS, ride sharing services have already faced significant financial challenges due to the COVID-19 pandemic, with many drivers experiencing decreased demand and reduced earnings; and

WHEREAS, a tax on ride sharing services would unfairly burden low-income and disadvantaged communities who rely on these services for transportation to work, school, and medical appointments; and

WHEREAS, the proposed tax would also undermine efforts to reduce congestion and air pollution by discouraging the use of shared transportation options; and

WHEREAS, increasing the cost of ride sharing services serves as a disincentive for individuals who have consumed excess legal substances, and are therefore impaired, to use such services to return home without jeopardizing the safety of themselves or others; and

WHEREAS, ride sharing users already pay tax on their rides and it has been reported that rides in New York State are the most expensive in the United States.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the proposed additional surcharge on ride sharing services in New York State and calls on the State Senate to withdraw this proposal; and be it further

RESOLVED, that the Erie County Legislature supports efforts to promote sustainable transportation options, including ride sharing services, and wishes to ensure that these services remain accessible and affordable for all residents of New York State.

RESOLVED, that copies of this resolution be transmitted to the Governor of New York State, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, and members of the local New York State Senate and Assembly delegations.

Fiscal Implications: None.

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SUBJECT

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INTRO. 7-3

LORIGO

Opposing New York State Bills to Establish  
Applicability of Tip Credits

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Attachments

24INTRO. 7-3

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**A Resolution to be Submitted By  
Legislator Lorigo**

Re: Opposing New York State Bills to Establish Applicability of Tip Credits

WHEREAS, New York State law allows employers of tipped workers at restaurants, hotels and other businesses to pay less than the regular minimum wage if gratuities at least cover the difference; and

WHEREAS, sometimes, employees work at one of these establishments work in roles for which gratuities are typically given and other roles, for which gratuities are not typically offered, in the same day; and

WHEREAS, some employers pay the same rate to such employees who work in different roles throughout the day, which is often the sub-minimum wage rate; and

WHEREAS, New York State Senate Bill S. 8200 and Assembly Bill A. 3041 seek to prevent employers from taking the tip credit for the times during the day that an employee is not working in roles that are typically tipped; and

WHEREAS, an example of such a scenario may be if a wait staff employee, who receives tips when directly serving customers, spends part of a slow day preparing food, an activity that is not currently typically tipped and not eligible for the tip credit; and

WHEREAS, this situation is burdensome for restaurant employers, because of the time keeping difficulties in evaluating and tracking whether and employee is serving in a tip credit eligible occupation or a non-eligible task throughout the day; and

WHEREAS, in addition to the confusion caused by such a rule, operations would become less efficient, and therefore more costly, for restaurant owners, who would then pass these unnecessary expenses on to customers.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes New York State Senate Bill S. 8200 and New York State Assembly Bill A. 3041, establishing when a tip credit applies to employees working at tipped and non-tipped occupations on the same day; and be it further

RESOLVED, that copies of this resolution be transmitted to the Governor of New York State, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, and members of the local New York State Senate and Assembly delegations.

Fiscal Implications: None.

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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INTRO. 7-4

MINORITY CAUCUS

Appointments to the Arts in Public Places  
Committee

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Attachments

24INTRO. 7-4

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A RESOLUTION TO BE SUBMITTED BY  
THE MINORITY CAUCUS

**RE: Appointments to the Arts in Public Places Committee**

**WHEREAS**, the Arts in Public Places Committee was created in 2023 via Local Law 4-2023; and

**WHEREAS**, the law established a variety of appointing authorities for candidates seeking to serve on the Arts in Public Places Committee, including an appointment from the Minority Caucus of the Legislature; and

**WHEREAS**, the law states that Committee members shall be experts in the fields of art, art history, architecture or architectural history and must be Erie County residents and may not serve on any other County advisory board or be a County employee or officer, as well as the members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least ten (10) years' experience in creating professional art; and

**WHEREAS**, the Minority Caucus' appointee, Susan O'Connor Baird, is an expert in the field of art history, resides in Buffalo, New York in the County of Erie, and currently serves on the Board of Directors of the AKG.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this honorable body appoints Susan O'Connor Baird as a member of the Arts in Public Places Committee; and

**RESOLVED**, that certified copies of this resolution be transmitted to the County Executive, the Commissioner of Public Works, and the Commissioner of Environment and Planning.

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SUBJECT

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|            |                                   |   |
|------------|-----------------------------------|---|
| INTRO. 7-5 | MILLS, GREENE,<br>TODARO & LORIGO | Opposing New York State Bills to Establish<br>Minimum Wage Requirements for<br>Miscellaneous Industry Workers |
|------------|-----------------------------------|---|

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|              |             |
|--------------|-------------|
| 24INTRO. 7-5 | Attachments |
|--------------|-------------|

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**A Resolution to be Submitted By  
Legislators Mills, Greene, Todaro and Lorigo**

Re: Opposing New York State Bills to Establish Minimum Wage Requirements for  
Miscellaneous Industry Workers

WHEREAS, New York State law allows employers of tipped workers at restaurants, hotels and other businesses to pay less than the regular minimum wage if gratuities at least cover the difference; and

WHEREAS, in Erie County, an employer of an employee who is normally tipped can pay employees 66% of the minimum wage if the amount of tips received would bring that employee to, or in excess of, minimum wage; and

WHEREAS, the average restaurant worker in New York State makes between \$18 and \$24 per hour after tips; and

WHEREAS, New York State Senate Bill S. 5567 and Assembly Bill A. 1710 would eliminate the tipping credit for employers, which would raise the floor compensation for restaurant and other hospitality industry workers who typically receive tips to the minimum wage, plus the amount of tips received; and

WHEREAS, because the costs for industry employers will increase, prices will either rise for customers or costs will have to be cut, such as by hiring less service staff; and

WHEREAS, in inflationary times for customers and in an industry that is still recovering from draconian mandates imposed upon them during COVID, it is not advisable to increase the minimum wage for certain employers who are already guaranteed at least the minimum wage.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes New York State Senate Bill S. 5567 and New York State Assembly Bill A. 1710, eliminating the tipping credit for employers; and be it further

RESOLVED, that copies of this resolution be transmitted to the Governor of New York State, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, and members of the local New York State Senate and Assembly delegations.

Fiscal Implications: None.



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-1

COMPTROLLER

Department of Law Risk Retention Fund  
Spending - January 2024

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24COMM. 7E-1

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Attachments



EC LEG MAR 20 '24 PM12:47

ERIE COUNTY COMPTROLLER  
KEVIN R. HARDWICK

March 20, 2024

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

**Re: Department of Law Risk Retention Fund Spending – January 2024**

Dear Honorable Members:

Pursuant to Resolution Intro. 3-2 (2016), as amended, please find attached an accounting of expenses from the County's Risk Retention Fund for January 2024.

Sincerely,

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

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

Attachment

**County of Erie**  
**Law Department Spending**  
**Risk Retention**  
**January, 2024**

**Run Date: 03/20/2024**

| <u>Vendor Number</u> | <u>Vendor Name</u>                  | <u>Expenditures</u> |
|----------------------|-------------------------------------|---------------------|
| 1                    | Joseph Miller & Chiacchia & Fleming | 40,000.00           |
| 139834               | LEGAL MED                           | 22,000.00           |
| 143279               | BENGART & DEMARCO LLP               | 5,235.50            |
|                      |                                     | <u>67,235.50</u>    |

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-2

CHAIR BASKIN

Public Notice Concerning Position of  
Commissioner of the ECWA

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Attachments

24COMM. 7E-2

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# ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN  
CHAIR OF THE LEGISLATURE  
2<sup>ND</sup> DISTRICT LEGISLATOR



2495 Main St., Suite 450  
Buffalo, NY 14214  
716/895-1849  
FAX: 716/895-1910

92 Franklin St., 4th Fl.  
Buffalo, NY 14202  
716/858-8869  
FAX: 716/858-8895

March 25, 2024

Olivia M. Owens, Clerk  
Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

**Re: Public Notice Concerning Position of Commissioner of the Erie County Water Authority**

Dear Clerk Owens:

Pursuant to Section 5.01 of the Erie County Legislature's Rules of Order: "Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position."

Accordingly, please take the necessary steps to provide proper public notice to interested parties who wish to apply for the position of Commissioner of the Erie County Water Authority. This requires that notice be given to members of the Legislature, the news media and that the notice should be posted on the Erie County Legislature's website informing all interested parties to submit letters of interest, including a resume, not later than 5:00 pm on Tuesday, April 9, 2024.

Thank you in advance for your assistance.

Sincerely yours,

April N.M. Baskin, Chair  
Erie County Legislature

**Website:** <http://www2.erie.gov/baskin/> - **E-Mail:** [April.McCants-Baskin@erie.gov](mailto:April.McCants-Baskin@erie.gov)

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-3

CHAIR BASKIN

Letter to Democratic Party Caucus Regarding  
Position of Commissioner of the ECWA

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Attachments

24COMM. 7E-3

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# ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN  
CHAIR OF THE LEGISLATURE  
2<sup>ND</sup> DISTRICT LEGISLATOR



2495 Main St., Suite 450  
Buffalo, NY 14214  
716/895-1849  
FAX: 716/895-1910

92 Franklin St., 4th Fl.  
Buffalo, NY 14202  
716/858-8869  
FAX: 716/858-8895

EC LEG MAR 25 '24 PM 2:56

March 25, 2024

Timothy J. Meyers, Majority Leader  
Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

**Re: Letter to Democratic Party Caucus Regarding Position of Commissioner of the Erie County Water Authority**

Dear Legislator Meyers:

I am writing you to inform your caucus of their opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to Section 1053 of the New York Public Authorities Law and Section 5.01 of the Erie County Legislature's Rules of Order.

Please provide any submissions for the position to Olivia M. Owens, Clerk of the Legislature by 5:00 pm on Tuesday, April 9, 2024.

Thank you in advance for your assistance.

Sincerely yours,

April N.M. Baskin  
Chair  
Erie County Legislature

**Website:** <http://www2.erie.gov/baskin/> - **E-Mail:** [April.McCants-Baskin@erie.gov](mailto:April.McCants-Baskin@erie.gov)

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-4

CHAIR BASKIN

Letter to Republican Party Caucus Regarding  
Position of Commissioner of the ECWA

Attachments

24COMM. 7E-4



# ERIE COUNTY LEGISLATURE

HON. APRIL N.M. BASKIN  
CHAIR OF THE LEGISLATURE  
2<sup>ND</sup> DISTRICT LEGISLATOR



2495 Main St., Suite 450  
Buffalo, NY 14214  
716/895-1849  
FAX: 716/895-1910

92 Franklin St., 4th Fl.  
Buffalo, NY 14202  
716/858-8869  
FAX: 716/858-8895

EC LEG MAR 25 '24 PM 2:56

March 25, 2024

John J. Mills, Minority Leader  
Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

**Re: Letter to Republican Party Caucus Regarding Position of Commissioner of the Erie County Water Authority**

Dear Legislator Mills:

I am writing you to inform your caucus of their opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to Section 1053 of the New York Public Authorities Law and Section 5.01 of the Erie County Legislature's Rules of Order.

Please provide any submissions for the position to Olivia M. Owens, Clerk of the Legislature by 5:00 pm on Tuesday, April 9, 2024.

Thank you in advance for your assistance.

Sincerely yours,

April N.M. Baskin  
Chair  
Erie County Legislature

**Website: <http://www2.erie.gov/baskin/> - E-Mail: [April.McCants-Baskin@erie.gov](mailto:April.McCants-Baskin@erie.gov)**

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-5

CLERK OF  
LEGISLATURE

Letters of Interest & Resumes for Position of  
Commissioner of the ECWA

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24COMM. 7E-5

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Attachments

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



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

## **Public Notice/Media Advisory**

March 25, 2024

**To:** All Interested Parties

**From:** Olivia M. Owens  
Clerk of the Legislature

**Subject:** Letters of Interest and Resumes for Position of Commissioner of the  
Erie County Water Authority

**PLEASE TAKE NOTICE**, that letters of interest and resumes from individuals interested in appointment or reappointment to the position of Commissioner of the Erie County Water Authority are being accepted by the Erie County Legislature.

Pursuant to Section 5.01 of the Erie County Legislature's 2023 Rules of Order:

Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position.

Individuals interested in consideration for Commissioner should submit a letter of interest and resume to Legislature Chairman April N.M. Baskin, c/o Olivia M. Owens, Clerk of the Legislature, 92 Franklin St., Fourth Floor, Buffalo, New York 14202 or via electronic mail to [Olivia.Owens@erie.gov](mailto:Olivia.Owens@erie.gov).

The deadline for receipt of all documents is no later than 5:00 pm on Tuesday, April 9, 2024.

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-6

CLERK

Clerk's Office Supplemental Response to  
Mortgage Tax Audit

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Attachments

24COMM. 7E-6

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# COUNTY OF ERIE

**MICHAEL P. KEARNS**  
COUNTY CLERK

March 28, 2024

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

**Re: Clerk's Office Supplemental Response to Mortgage Tax Audit**

Dear Honorable Members:

The Erie County Clerk's Office ("Clerk's Office") has conducted a secondary analysis of the Mortgage Tax Audit released on February 5, 2024. This analysis was based on a meeting with the Erie County Comptroller's Office ("Comptroller's Office") auditing team on March 7, 2024, and the working papers provided by the Comptroller in full on March 11, 2024 in response to the Clerk's Office's FOIL request. The Clerk's Office again thanks the Comptroller's Office for the recommendations to improve government operations.

## Conclusions

While explained in more detail below, these are the conclusions of the Clerk's Office analysis:

- There is no missing taxpayer money, only money that was not distributed to the tax districts due to a combination of clerical and technical error.
- Any money that was not distributed to municipalities and agencies is in the process of being redistributed.
- A review of the Basic Tax collection and distribution was performed by the Clerk's Office which shows substantial compliance over the past four (4) years.
- There are at least seven (7) false "Findings" in the Comptroller's Office Mortgage Tax Audit.
- Because of the significant errors and mischaracterizations in the Mortgage Tax Audit, the Comptroller's Office should remove it from its website and note it has been taken down pursuant to the Erie County Charter and Section 9.68 of the Generally Accepted Government Auditing Standards ("GAGAS").

## **2020 – 2024 Basic Tax Review**

“Basic Tax” is the portion of the mortgage tax collected by the Clerk’s Office that is apportioned to the tax districts.

While the Mortgage Tax Audit reviewed a sample size of transactions and distributions from 2022, the Clerk’s Office endeavored to get a more complete picture of the Basic Tax collection and reviewed Basic Tax for 2020, 2021, 2022, 2023, and 2024. The analysis confirmed that the Clerk’s Office was substantially compliant in its distribution of Basic Tax since 2020, and was 100% accurate in 2023 and the first quarter of 2024. As a result of the analysis, certain municipalities will be receiving an additional distribution to correct any shortages from 2020-2022, which resulted from a combination of clerical and technical error. Letters to the municipalities regarding the additional distribution have already been sent.

Attached as **Exhibit A** are charts outlining the compliance of the Clerk’s Office for mortgage tax distribution for the years 2020-2024. Attached as **Exhibit B** is a table detailing the additional amounts to be distributed to the tax districts.

### **February 2024 Mortgage Tax Audit Inaccuracies:**

- *Audit p.13, Finding #1: “Mortgage Tax Revenue Calculated on Five Transactions Did Not Reconcile to the Fees Established in NewVision.”*
  - False. The auditors concluded there were variances that did not reconcile because the mortgages tested were closed in other counties, not Erie. The auditors acknowledged at the March 7, 2024 meeting that they were not aware of these apportioned mortgages being in their sample that was tested. All amounts were properly distributed.
- *Audit p.15, Finding #1: “The MT-4 Reported Incorrect Amounts Totaling \$156,340.04.”*
  - False. 12 of the 14 cases cited are confirmed to have no variances or transaction issues at all. All payments were made properly, and a simple technical issue prevented these from being displayed on the MT-4, which is the form required by New York State for mortgages recorded.
- *Audit p.17, Finding #2: “A Variance of \$17,660.79 between the Hold Report and Release Report Indicates that the Variance Amount was Not Distributed.”*
  - False. All funds were properly distributed, despite any issue with reconciling reports. Issues in comparing reports alone does not indicate the presence of distribution errors to the tax districts and/or state agencies.

- *Audit p.18, Finding #3: “Seven Mortgages That Received State Determinations Were Incorrectly Reported on the MT-4 and Not Distributed to Tax Districts, SONYMA or NFTA.”*
  - False. All funds were properly distributed, despite any issue with reconciling reports. Issues in comparing reports alone does not indicate the presence of distribution errors to the tax districts and/or state agencies.
- *Audit p.19, Finding #4: “Five Mortgages Apportioned by New York State were Released and Distributed Incorrectly.”*
  - False. We confirmed based on our Basic Tax Summary-C reports that there were no double payments made. The auditors could have confirmed this with the raw data they had but failed to do so.
- *Audit p.21, Finding #6: “Mortgage Tax Revenue in the Amount of \$29,654.00 was Unaccounted For.”*
  - False. The mortgage in question was recorded on November 22, 2022. The Clerk’s Office received the State Apportionment on December 27, 2022, when Erie County was under a State of Emergency due to the blizzard. The mortgage was properly released on January 4, 2023. The auditors, through no fault of their own, did not have the correct Hold Report to reflect the mortgage was properly released, but the Finding is false regardless.
- *Audit, p.22, Finding #7: “Five Mortgages Apportioned by New York State Were Not Placed on Hold in NewVision.”*
  - False. All five mortgages were properly listed on their respective Hold Reports and were properly released. The auditors, through no fault of their own, did not have the correct Hold Report to reflect the mortgages were properly on hold, but the Finding is false regardless. As acknowledged in the Audit, there was no issue with the release and distribution of these mortgages.

Attached as **Exhibit C** is a summary of the most important improvements already implemented by the Clerk’s Office over the past year to policies and workflow.

### **Working Paper Access Delay and March 7, 2024 Audit Review Meeting:**

- The March 7, 2024 meeting was requested by the Clerk’s Office to get clarity on the evidence used by the auditors to support the findings the Mortgage Tax Audit. The Clerk’s Office requested the working papers even before the release of the Mortgage Tax Audit, but had not yet received complete, legible copies.

- The Comptroller's Office auditors acknowledged at the March 7, 2024 meeting that the SharePoint file they sent to the Clerk's Office, purported to be the complete working papers and supporting documentation, could not be viewed properly or printed legibly. The auditors also acknowledged the file did not contain the source files of the documents used in arriving at the findings. Hence, their original claim that they sent the complete working papers was false because the file was incomplete and the Clerk's Office still could not verify their work. The Clerk's Office submitted a FOIL request for these papers, and they were received in full on March 11, 2024.
- The auditors acknowledged they received mortgage tax policies and documents from the administrator that they later accused of theft in their August 2023 Analysis of the Clerk's Office, and who was released for work performance issues and finally arrested on March 15, 2024. However, the auditors continued to rely on that documentation in performing their testing, which was received from someone they publicly accused of wrongdoing. The reports provided by the former administrator were not the correct reports needed for an accurate analysis of mortgage tax distribution.
- The auditors acknowledged at the March 7, 2024 meeting that some of the reports they were provided by the former administrator did not reconcile. The auditors acknowledged that the inability of the reports to reconcile, on its own, did not indicate that any money was missing or was not properly distributed.
- Both sides agreed the March 7, 2024 meeting was beneficial. However, the auditors suggested that this review should have occurred at the Exit Conference on January 31, 2024. In response, the Clerk's Office noted that the auditors made it clear that the Audit was being released with or without an Exit Conference occurring (in an email dated January 24, 2024). The time constraints placed on the Clerk's Office made it impossible to perform an in-depth analysis prior to the Exit Conference and the forced release of the Audit by the Comptroller's Office.

**The Comptroller's Office Should Take Down The Mortgage Tax Audit  
Pursuant to The County Charter and GAGAS:**

Section 1802(2) of the Erie County Charter starts the following under the "Powers and duties" of the Comptroller:

Section 1802. Powers and duties. The Comptroller shall:

- 2. Maintain the official accounting records for all receipts and disbursements of the County, including liabilities, fund balances, encumbrances, expenditures, appropriations, revenues and estimated revenues and prescribe approved methods of accounting for County officers and administrative units in accordance with standards and policies prescribed by the New York State Comptroller and the governmental accounting standards board.*

The Comptroller's Office attests in the Mortgage Tax Audit, published online on February 5, 2024, that it was conducted in accordance with Generally Accepted Government Auditing Standards ("GAGAS"), which is established by the Governmental Accounting Standards Board referenced in the Erie County Charter.



Section 9.68 of GAGAS states the following:

**Requirement: Discovery of Insufficient Evidence after Report Release**

*9.68 If, after the report is issued, the auditors discover that they did not have sufficient, appropriate evidence to support the reported findings or conclusions, they should communicate in the same manner as that used to originally distribute the report to those charged with governance, the appropriate officials of the audited entity, the appropriate officials of the entities requiring or arranging for the audits, and other known users, so that they do not continue to rely on the findings or conclusions that were not supported. If the report was previously posted to the auditors' publicly accessible website, the auditors should remove the report and post a public notification that the report was removed. The auditors should then determine whether to perform the additional audit work necessary to either reissue the report, including any revised findings or conclusions, or repost the original report if the additional audit work does not result in a change in findings or conclusions.*

As noted above, at least seven (7) findings of the Mortgage Tax Audit are false and/or significantly inaccurate.

In addition, when factoring in other findings that are moot and/or directed at the Comptroller's Office, 17 of the 30 total findings in the Mortgage Tax Audit are inaccurate and/or irrelevant.

Notably, and as has been widely publicized, one of the Mortgage Tax Audit findings related to an intercepted check to SONYMA that was stolen through no fault of the Erie County Clerk's Office. The Erie County Clerk's Office requested that the finding related to the intercepted check not be published due to there being an ongoing investigation. The funds from the intercepted check were in fact recovered in full by law enforcement in early March 2024.

Based on the numerous errors and misleading findings in the Mortgage Tax Audit, and in accordance with Section 9.68 of GAGAS and the Erie County Charter, the Comptroller's Office should take down the Mortgage Tax Audit from its website and publish a notification that the Mortgage Tax Audit has been removed.

Very truly yours,



MICHAEL P. KEARNS  
Erie County Clerk

MPK/wal

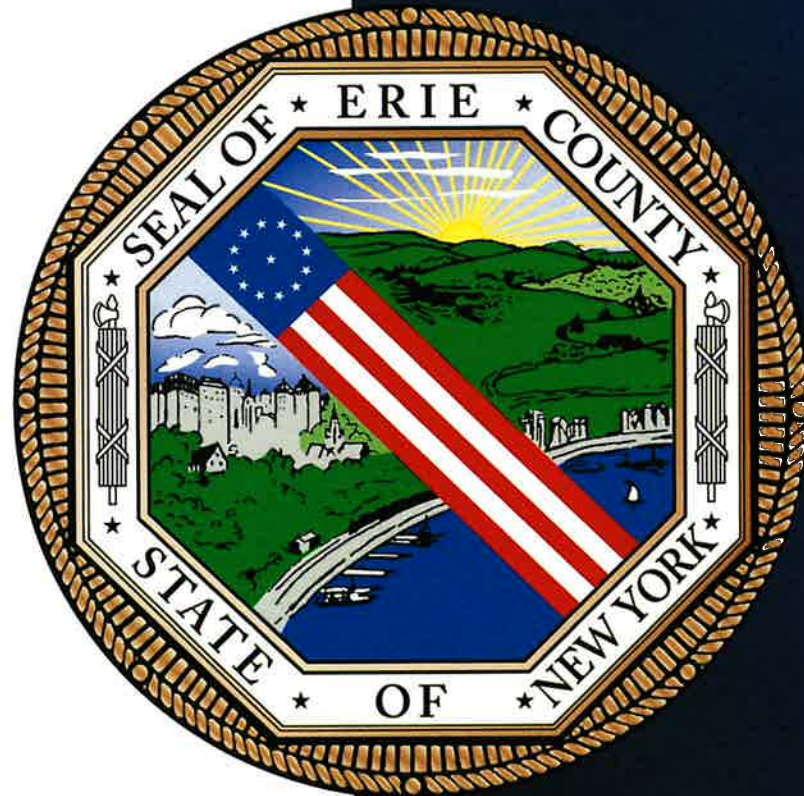
Encl.

Cc: Hon. Kevin R. Hardwick – Erie County Comptroller

# Exhibit A

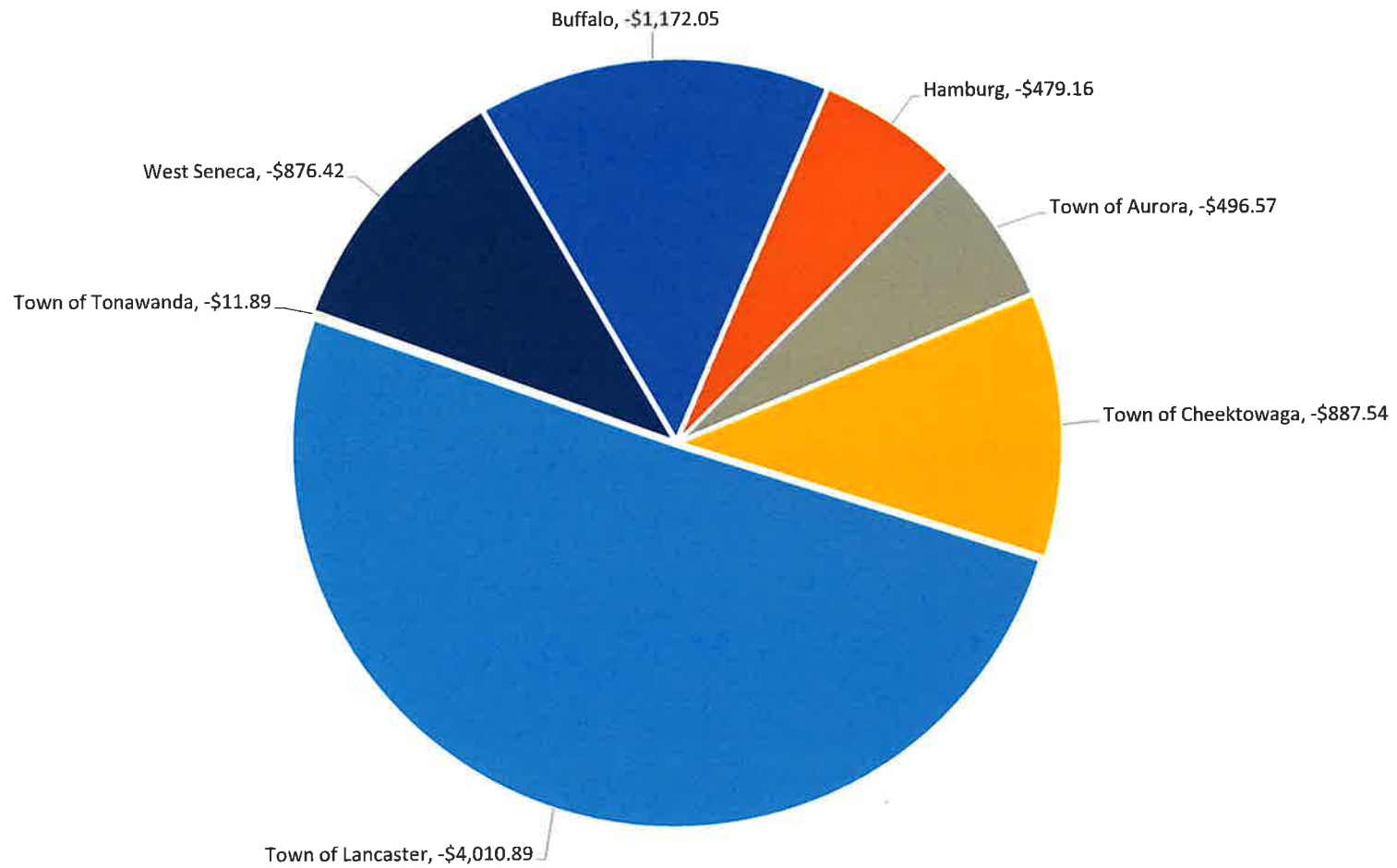
# SUPPLEMENTAL RESPONSE TO MORTGAGE TAX AUDIT

HON. MICHAEL P. KEARNS  
ERIE COUNTY CLERK'S OFFICE



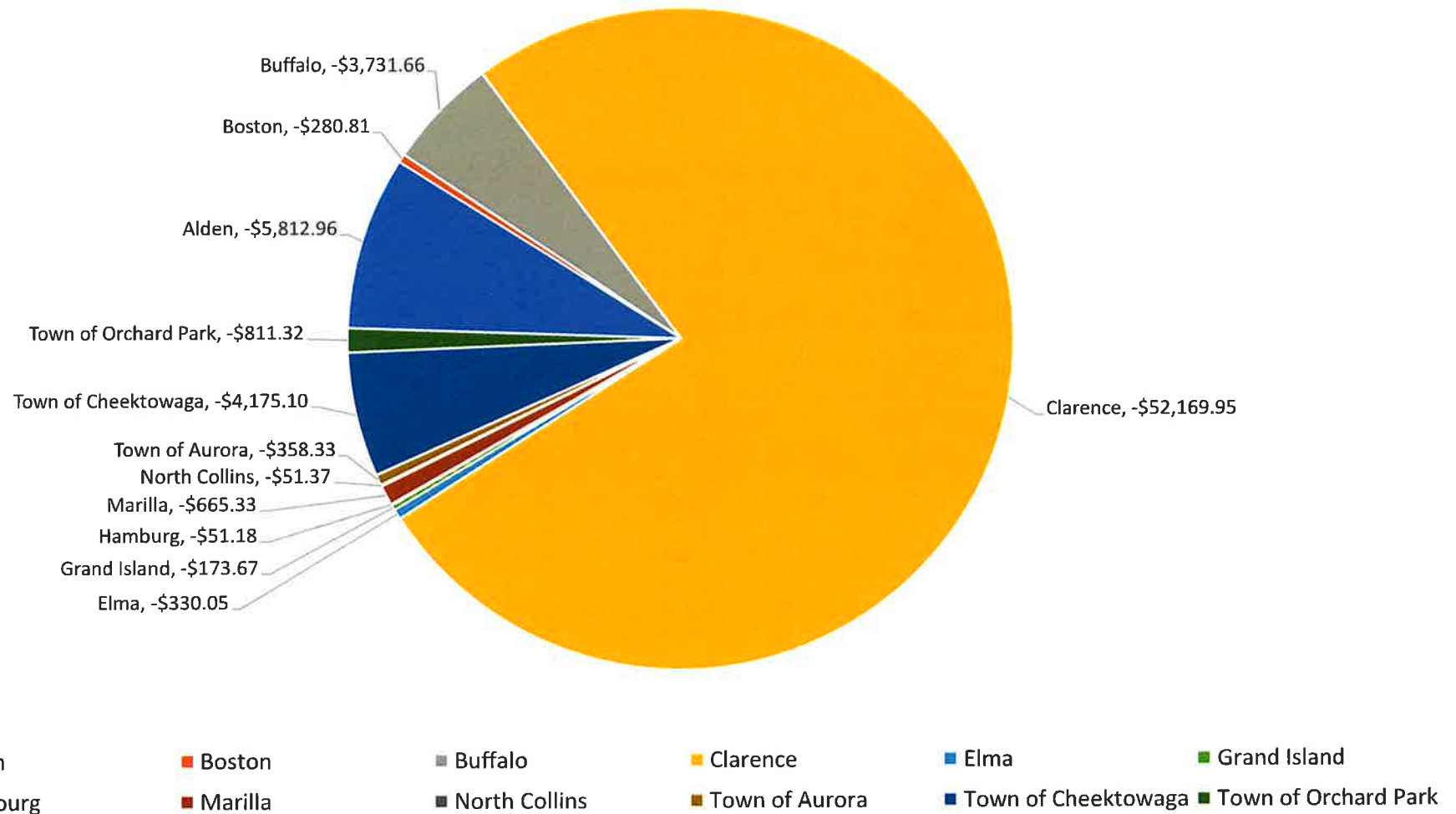
| Year  | 2024 YTD       | 2023            | 2022            | 2021            | 2020            |
|---|----------------|-----------------|-----------------|-----------------|-----------------|
| Mortgage Tax Collected                                  | \$6,430,065.29 | \$37,740,756.54 | \$54,178,041.32 | \$59,659,482.90 | \$47,302,807.75 |
| Mortgages Recorded                                      | 3,690          | 20,119          | 27,464          | 33,921          | 27,724          |
| Clerical/Technical Errors                               | 0              | 0               | 14              | 8               | 6               |
| Margin of Error   | 0.000%         | 0.000%          | 0.051%          | 0.024%          | 0.022%          |
| Undistributed Tax Dollars<br>(Tax Districts & Agencies) | \$0.00         | \$0.00          | \$36,701.41     | \$130,701.48    | \$13,515.46     |

## MONEY OWED TO TAX DISTRICTS 2020: \$7,934.52



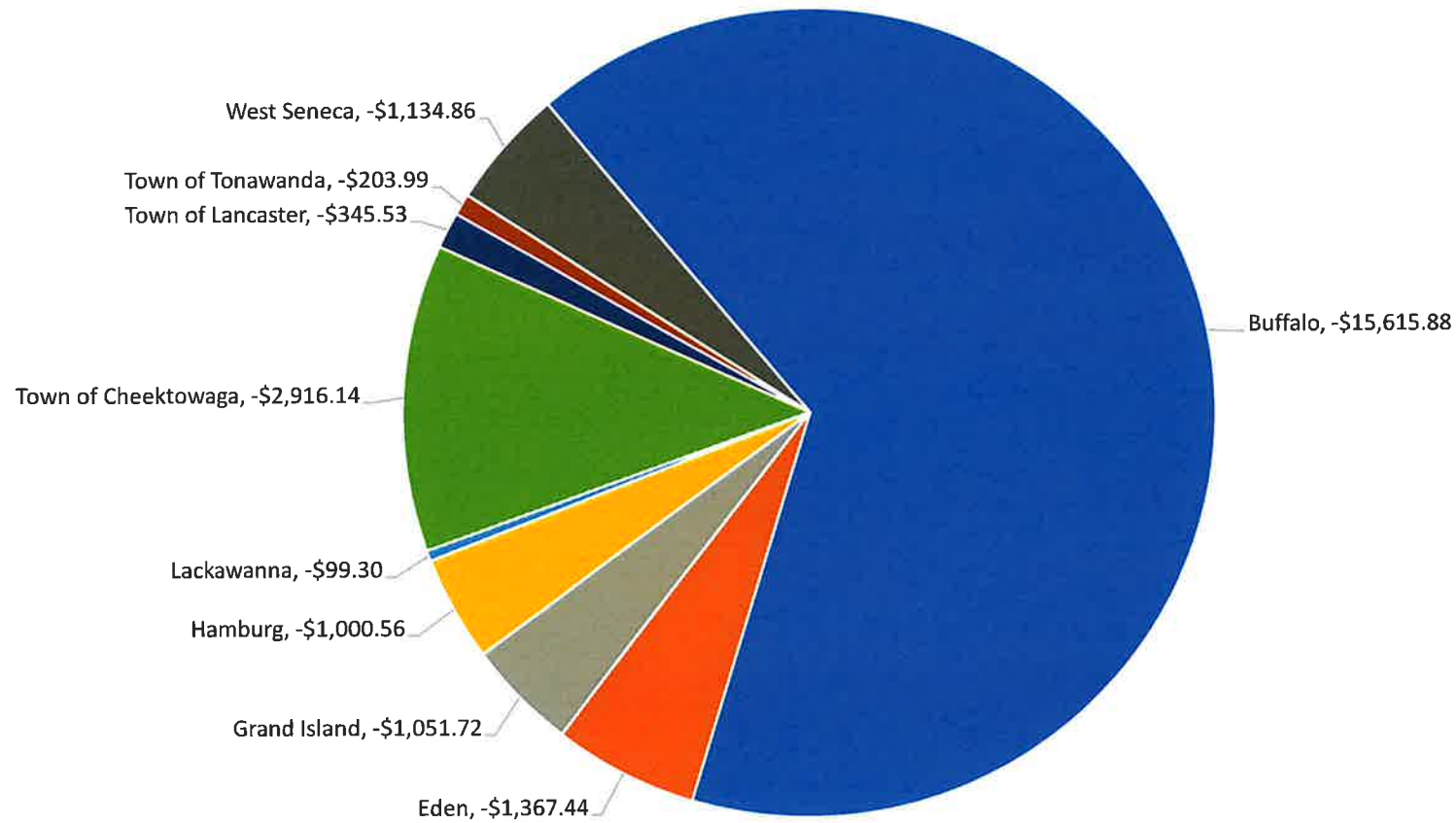
■ Buffalo ■ Hamburg ■ Town of Aurora ■ Town of Cheektowaga ■ Town of Lancaster ■ Town of Tonawanda ■ West Seneca

## MONEY OWED TO TAX DISTRICTS 2021: \$68,611.73





## MONEY OWED TO TAX DISTRICTS 2022: \$23,735.42

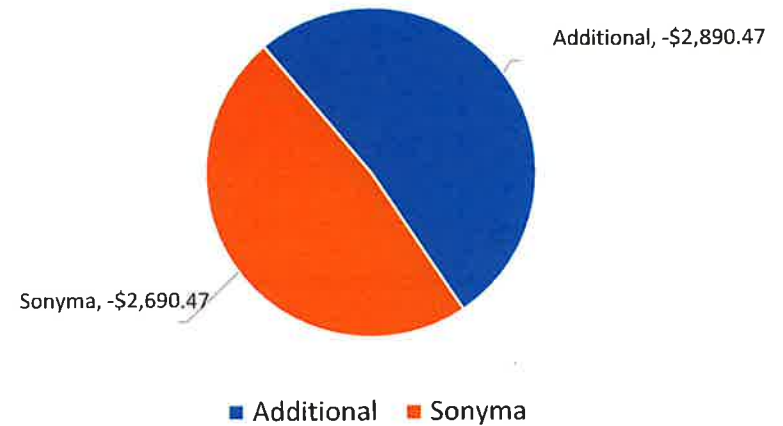


■ Buffalo ■ Eden ■ Grand Island ■ Hamburg ■ Lackawanna ■ Town of Cheektowaga ■ Town of Lancaster ■ Town of Tonawanda ■ West Seneca

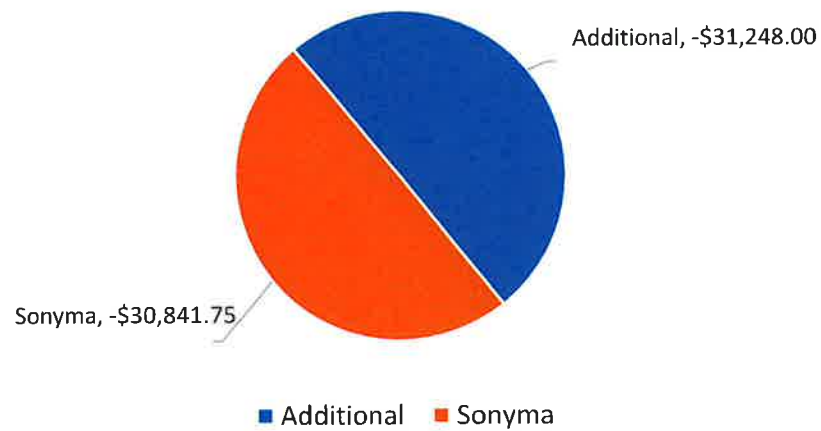
## OTHER AGENCY TOTALS

| Districts             | 2020               | 2021                | 2022                | Grand Total          |
|-----------------------|--------------------|---------------------|---------------------|----------------------|
| Additional (NFTA)     | -\$2,890.47        | -\$31,248.00        | -\$6,655.75         | (\$40,794.22)        |
| Sonyma                | -\$2,690.47        | -\$30,841.75        | -\$5,444.74         | (\$38,976.96)        |
| Special Assist (NFTA) | \$0.00             | \$0.00              | -\$865.50           | (\$865.50)           |
| <b>Grand Total</b>    | <b>-\$5,580.94</b> | <b>-\$62,089.75</b> | <b>-\$12,965.99</b> | <b>(\$80,636.68)</b> |

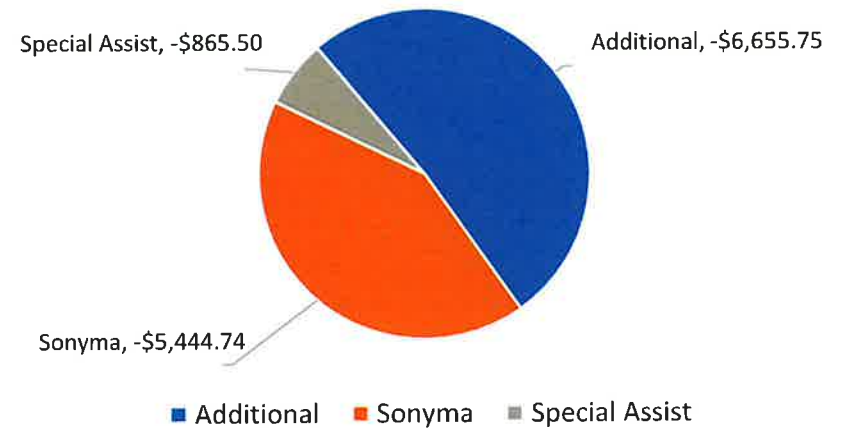
2020 Total \$5,580.94



2021 Total \$62,089.75



2022 Total \$12,965.99





# **Exhibit B**

**Exhibit "B": Mortgage Tax Distribution Shortage By District, 2020-2024**

| <b>Districts</b>     | <b>2020</b>       | <b>2021</b>        | <b>2022</b>        | <b>2023</b> | <b>2024</b> | <b>Grand Total</b>  |
|----------------------|-------------------|--------------------|--------------------|-------------|-------------|---------------------|
| Alden                | \$0               | \$5,812.96         | \$0                | \$0         | \$0         | <b>\$5,812.96</b>   |
| Boston               | \$0               | \$280.81           | \$0                | \$0         | \$0         | <b>\$280.81</b>     |
| Buffalo              | \$1,172.05        | \$3,731.66         | \$15,615.88        | \$0         | \$0         | <b>\$20,519.59</b>  |
| Clarence             | \$0               | \$52,169.95        | \$0                | \$0         | \$0         | <b>\$52,169.95</b>  |
| Eden                 | \$0               | \$0                | \$1,367.44         | \$0         | \$0         | <b>\$1,367.44</b>   |
| Elma                 | \$0               | \$330.05           | \$0                | \$0         | \$0         | <b>\$330.05</b>     |
| Grand Island         | \$0               | \$173.67           | \$1,051.72         | \$0         | \$0         | <b>\$1,051.72</b>   |
| Hamburg              | \$479.16          | \$51.18            | \$1,000.56         | \$0         | \$0         | <b>\$1,530.90</b>   |
| Lackawanna           | \$0               | \$0                | \$99.30            | \$0         | \$0         | <b>\$99.30</b>      |
| Marilla              | \$0               | \$665.33           | \$0                | \$0         | \$0         | <b>\$665.33</b>     |
| North Collins        | \$0               | \$51.37            | \$0                | \$0         | \$0         | <b>\$51.37</b>      |
| Town of Aurora       | \$496.57          | \$358.33           | \$0                | \$0         | \$0         | <b>\$854.90</b>     |
| Town of Cheektowaga  | \$887.54          | \$4,175.10         | \$2,916.14         | \$0         | \$0         | <b>\$7,978.78</b>   |
| Town of Lancaster    | \$4,010.89        | \$0                | \$345.53           | \$0         | \$0         | <b>\$4,356.42</b>   |
| Town of Orchard Park | \$0               | \$811.32           | \$0                | \$0         | \$0         | <b>\$811.32</b>     |
| Town of Tonawanda    | \$11.89           | \$0                | \$203.99           | \$0         | \$0         | <b>\$215.88</b>     |
| West Seneca          | \$876.42          | \$0                | \$1,134.86         | \$0         | \$0         | <b>\$2,011.28</b>   |
| <b>Grand Total</b>   | <b>\$7,934.52</b> | <b>\$68,611.73</b> | <b>\$23,735.42</b> | <b>\$0</b>  | <b>\$0</b>  | <b>\$100,281.67</b> |

# **Exhibit C**

### **Exhibit “C”: Enhancements to Clerk’s Office Policies and Workflow**

- A new Deputy County Clerk – Finance has been hired with a CPA and extensive experience in forensic accounting.
- Two new financial department employees have been hired to assist the Deputy County Clerk – Finance.
- The Deputy County Clerk – Finance is no longer the sole individual who prepares monthly payments and reports.
- At least two individuals in management must verify all payments that are sent out.
- Copies of all checks received by the Clerk’s Office are made by cashiers and included in the daily deposit reporting.
- Fees collected for recording documents and other services offered by the Clerk’s Office have been verified with statutory authority, including the New York Civil Practice Law and Rules (“CPLR”) and assembled in the Clerk’s Office Schedule of Fees.
- Refunds for Court filings have been streamlined and given increased oversight with the use of the Converge software system.
- Escrow agreements are in the process of being dismantled in favor of a cart-based online image-purchasing system.
- Updated written procedures for financial duties and payment distribution.
- Regarding issuance of payments, the Clerk’s Office now:
  - views images of all checks paid out of Clerk’s Office bank accounts;
  - requires “return receipts” on large checks sent through the mail when possible;
  - requests the ability to perform wire transfers in lieu of sending paper checks; and
  - reviews images of all cashed checks in the online bank statements.
- Regarding mortgage tax accounting, the Clerk’s Office has now:
  - Added nightly automation to prevent possible mortgage recording errors;
  - Improved procedure to track apportionments made to other counties;
  - Updated the Basic Tax Summary-C report to alert managers of possible recording errors;
  - Updated Release Report to display additional information so all tax apportionments can be more easily identified;
  - Made procedural changes to the apportionment hold & release processes that include multiple reports and multiple levels of oversight;
  - Additional training provided to administration, finance department, and clerical staff for better understanding of the mortgage tax process and
  - Created scripts to audit Taxes Collected vs. Taxes Apportioned to identify any variances.

Finally, with the conclusion of the second audit, the Clerk’s Office will be issuing a Request for Proposals (“RFP”) for new recordkeeping software.

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SUBJECT

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|            |             |   |
|------------|-------------|---|
| COMM. 7E-7 | COMPTROLLER | Apportionment & Distribution of 4.75% Sales<br>& Compensating Use Tax for Dec. 2023, Jan.,<br>and Feb. 2024 |
|------------|-------------|---|

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|              |             |
|--------------|-------------|
| 24COMM. 7E-7 | Attachments |
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EC LEG MAR 28 '24 PM 10:31

ERIE COUNTY COMPTROLLER  
KEVIN R. HARDWICK

March 28, 2024

Erie County Legislature  
92 Franklin St.  
Buffalo, NY 14202

Dear Honorable Legislature:

The enclosed report details the apportionment and distribution of net collections from the local four and three quarter percent (4.75%) Sales and Compensating Use Tax (Sales Tax) for Erie County for the months of December 2023, January, and February 2024 as received from the State of New York by the Buffalo Fiscal Stability Authority (BFSA) and from the State by the Erie County Fiscal Stability Authority.

Total tax received and available for distribution:

|                                 | <u>ALLOCATION</u>       | <u>REVENUE</u>          |
|---------------------------------|-------------------------|-------------------------|
| Total Tax Received              |                         | \$264,977,199.36        |
| Less BFSA Intercept for Buffalo |                         | -48,303,606.49          |
| County of Erie                  | \$144,206,871.82        |                         |
| School Districts                | 33,380,941.30           |                         |
| Cities                          | 2,266,909.67            |                         |
| Cities, Towns & Villages        | 36,818,790.08           |                         |
| Net                             | <u>\$216,673,512.87</u> | <u>\$216,673,512.87</u> |

In addition to sales tax collected by New York State for January 2024 and prior months, this distribution contains the Electronic Funds Transfer (EFT) for the first 22 days of February 2024.

Very truly yours,

Kevin R. Hardwick  
Erie County Comptroller

KRH/sd  
Enc.

## CASH BASIS

| 1st Quarter<br>Sales Tax 2024      |                                | January-March           | January-March Advanced<br>by NYS to Buffalo | January-March           |
|------------------------------------|--------------------------------|-------------------------|---|-------------------------|
| Sales Tax Received - EFT           |                                | 120,537,542.92          | 21,973,210.57                               | 98,564,332.35           |
| Sales Tax Received - Non EFT       |                                | 53,189,843.44           | 9,696,162.72                                | 43,493,680.72           |
| Sales Tax Received - Non EFT       |                                | 91,249,733.00           | 16,634,233.20                               | 74,615,499.80           |
| Total Sales Tax Received for Month |                                | <u>\$264,977,119.36</u> | <u>\$48,303,606.49</u>                      | <u>\$216,673,512.87</u> |
| Allocations                        |                                |                         |   |                         |
| County of Erie .25% Assessment     |                                | 13,945,182.71           |   | 13,945,182.71           |
| County of Erie .5% Assessment      |                                | 27,890,365.41           |   | 27,890,365.41           |
| County of Erie 1% Assessment       |                                | 55,785,385.53           |   | 55,785,385.53           |
| County of Erie                     | 0.353055                       | 46,585,938.17           |   | 46,585,938.17           |
| School Districts                   | 0.290000                       | 48,533,293.86           | 15,152,352.56                               | 33,380,941.30           |
| Cities                             | 0.100087                       | 20,255,165.32           | 17,988,255.65                               | 2,266,909.67            |
| Cities, Towns & Villages           | 0.256858                       | 51,981,788.90           | 15,162,998.28                               | 36,818,790.62           |
| Total Allocations                  |                                | <u>\$264,977,119.90</u> | <u>\$48,303,606.49</u>                      | <u>\$216,673,513.41</u> |
| County Distribution - 2024         |                                |                         |   |                         |
| County of Erie .25% Assessment     |                                | 13,945,182.71           |   | 13,945,182.71           |
| County of Erie .5% Assessment      |                                | 27,890,365.41           |   | 27,890,365.41           |
| County of Erie 1% Assessment       |                                | 55,785,385.53           |   | 55,785,385.53           |
| County of Erie                     |                                | 46,585,938.17           |   | 46,585,938.17           |
| Total County                       |                                | <u>\$144,206,871.82</u> |   | <u>\$144,206,871.82</u> |
| School Distribution - 2024         |                                |                         |   |                         |
| 34,622.98                          | City of Buffalo Public Schools | 15,152,352.56           | 15,152,352.56                               | 0.00                    |
| 2,211.29                           | City of Lackawanna S.D.        | 967,745.87              |   | 967,745.87              |
| 1,570.51                           | City of Tonawanda School       | 687,315.80              |   | 687,315.80              |
| 877.45                             | Akron Central School Dist.     | 384,005.99              |   | 384,005.99              |
| 1,414.58                           | Alden Central School Dist.     | 619,074.83              |   | 619,074.83              |
| 2,824.91                           | Amherst Central School Dist.   | 1,236,289.66            |   | 1,236,289.66            |
| 2,149.63                           | Cheektowaga Central S.D.       | 940,761.07              |   | 940,761.07              |
| 2,014.46                           | Cheektowaga-Maryvale U.F.S.D.  | 881,605.46              |   | 881,605.46              |
| 1,186.73                           | Cheektowaga-Sloan U.F.S.D.     | 519,358.86              |   | 519,358.86              |
| 4,039.54                           | Clarence Central School Dist.  | 1,767,858.63            |   | 1,767,858.63            |
| 1,298.39                           | Cleveland Hill U.F.S.D.        | 568,225.59              |   | 568,225.59              |
| 1,722.94                           | Depew U.F.S.D.                 | 754,025.05              |   | 754,025.05              |

|                          |  |                  |   |                 |
|--------------------------|--|------------------|---|-----------------|
| 1,570.19                 | East Aurora U.F.S.D.                   | 687,175.77       | 687,175.77                                  |                 |
| 1,220.04                 | Eden Central School Dist.              | 533,936.61       | 533,936.61                                  |                 |
| 4,345.17                 | Frontier Central School Dist.          | 1,901,614.13     | 1,901,614.13                                |                 |
| 636.91                   | Gowanda Central School Dist.           | 278,736.40       | 278,736.40                                  |                 |
| 2,732.87                 | Grand Island School Dist.              | 1,196,009.40     | 1,196,009.40                                |                 |
| 3,105.05                 | Hamburg Central School Dist.           | 1,358,889.73     | 1,358,889.73                                |                 |
| 638.73                   | Holland Central School Dist.           | 279,532.90       | 279,532.90                                  |                 |
| 2,064.80                 | Iroquois Central School Dist.          | 903,636.19       | 903,636.19                                  |                 |
| 6,451.89                 | Kenmore/Tonawanda U.F.S.D.             | 2,823,596.11     | 2,823,596.11                                |                 |
| 1,894.54                 | Evans-Brant Central School Dist.       | 829,123.84       | 829,123.84                                  |                 |
| 5,275.80                 | Lancaster Central School Dist.         | 2,308,893.74     | 2,308,893.74                                |                 |
| 583.48                   | North Collins Central S.D.             | 255,353.37       | 255,353.37                                  |                 |
| 4,553.20                 | Orchard Park Central S.D.              | 1,992,656.07     | 1,992,656.07                                |                 |
| 1,480.27                 | Springville-Griffith Institution       | 647,823.31       | 647,823.31                                  |                 |
| 3,213.88                 | Sweethome C.S.D. of Amherst/Ton.       | 1,406,517.95     | 1,406,517.95                                |                 |
| 5,719.39                 | West Seneca Central School Dist.       | 2,503,025.84     | 2,503,025.84                                |                 |
| 9,285.64                 | Williamsville Central School           | 4,063,754.52     | 4,063,754.52                                |                 |
| 192.85                   | Yorkshire-Pioneer Central              | 84,398.61        | 84,398.61                                   |                 |
| 110,898.11               | Total School                           | 48,533,293.86    | 15,152,352.56                               | 33,380,941.30   |
| City Distribution - 2024 |  | January-March    | January-March Advanced<br>by NYS to Buffalo | January-March   |
| 278,349                  | Buffalo (City)                         | \$ 17,988,255.65 | \$ 17,988,255.65                            | \$ -            |
|                          | Buffalo (City\Town\Village)            | \$ 15,162,998.28 | \$ 15,162,998.28                            | \$ -            |
|                          | Total Buffalo                          | 33,151,253.93    | 33,151,253.93                               | \$0.00          |
| 19,949                   | Lackawanna (City)                      | \$ 1,289,200.66  |   | \$ 1,289,200.66 |
|                          | Lackawanna (City\Town\Village)         | 1,086,717.25     |   | \$ 1,086,717.25 |
|                          | Total Lackawanna                       | 2,375,917.91     |   | 2,375,917.91    |
| 15,129                   | Tonawanda (City)                       | \$ 977,709.01    |   | \$ 977,709.01   |
|                          | Tonawanda (City\Town\Village)          | \$ 824,148.84    |   | \$ 824,148.84   |
|                          | Total Tonawanda                        | 1,801,857.85     |   | 1,801,857.85    |
|                          | Total City                             | 20,255,165.32    | 17,988,255.65                               | 2,266,909.67    |
|                          | Total City/Town/Village                | 17,073,864.37    | 15,162,998.28                               | 1,910,866.09    |
|                          | Total Distribution for Cities          | 37,329,029.69    | 33,151,253.93                               | 4,177,775.76    |
| Full Value               | Towns and Villages Distribution - 2024 | January-March    | January-March Advanced<br>by NYS to Buffalo | January-March   |



| Town of:       |               |                 |                 |
|----------------|---------------|-----------------|-----------------|
| 974,350,532    | Alden         | 331,764.67      | 331,764.67      |
| 17,366,151,847 | Amherst       | 7,437,514.65    | 7,437,514.65    |
| 2,382,199,729  | Aurora        | 668,053.34      | 668,053.34      |
| 983,211,244    | Boston        | 440,988.88      | 440,988.88      |
| 205,530,180    | Brant         | 83,059.70       | 83,059.70       |
| 7,824,337,011  | Cheektowaga   | 3,037,383.80    | 3,037,383.80    |
| 6,072,350,161  | Clarence      | 2,723,564.25    | 2,723,564.25    |
| 454,505,732    | Colden        | 203,854.41      | 203,854.41      |
| 377,787,100    | Collins       | 144,693.83      | 144,693.83      |
| 848,639,938    | Concord       | 233,307.15      | 233,307.15      |
| 850,084,395    | Eden          | 381,278.97      | 381,278.97      |
| 2,150,911,500  | Elma          | 964,724.62      | 964,724.62      |
| 1,545,992,684  | Evans         | 630,670.86      | 630,670.86      |
| 2,941,443,017  | Grand Island  | 1,319,292.99    | 1,319,292.99    |
| 7,061,283,253  | Hamburg       | 2,605,400.54    | 2,605,400.54    |
| 379,574,705    | Holland       | 170,246.45      | 170,246.45      |
| 5,487,234,279  | Lancaster     | 1,838,057.71    | 1,838,057.71    |
| 747,299,144    | Marilla       | 335,177.83      | 335,177.83      |
| 1,059,404,112  | Newstead      | 368,928.28      | 368,928.28      |
| 319,187,593    | North Collins | 111,339.14      | 111,339.14      |
| 4,869,411,953  | Orchard Park  | 1,988,303.67    | 1,988,303.67    |
| 327,613,710    | Sardinia      | 146,940.97      | 146,940.97      |
| 7,347,081,783  | Tonawanda     | 2,764,399.65    | 2,764,399.65    |
| 441,367,061    | Wales         | 197,961.48      | 197,961.48      |
| 4,812,361,473  | West Seneca   | 2,158,435.45    | 2,158,435.45    |
| 77,829,314,136 | Total Towns   | \$31,285,343.29 | \$31,285,343.29 |

| Allocation  | Village of:                 |            |            |
|-------------|-----------------------------|------------|------------|
| 0.240838599 | Alden                       | 105,250.02 | 105,250.02 |
| 0.04513183  | Williamsville (Amherst)     | 351,534.00 | 351,534.00 |
| 0.37475222  | East Aurora                 | 400,408.43 | 400,408.43 |
| 0.098981035 | Farnham                     | 9,124.48   | 9,124.48   |
| 0.106470231 | Depew (Cheektowaga)         | 373,642.75 | 373,642.75 |
| 0.027655593 | Sloan                       | 97,053.53  | 97,053.53  |
| 0.000365743 | Williamsville (Cheektowaga) | 1,283.52   | 1,283.52   |
| 0.146070293 | Gowanda                     | 24,750.84  | 24,750.84  |
| 0.387051819 | Springville                 | 147,323.96 | 147,323.96 |
| 0.09047527  | Angola                      | 62,736.19  | 62,736.19  |
| 0.029370757 | Blasdell                    | 93,020.69  | 93,020.69  |
| 0.147988823 | Hamburg                     | 468,698.29 | 468,698.29 |
| 0.096631396 | Depew (Lancaster)           | 237,822.31 | 237,822.31 |
| 0.156533333 | Lancaster                   | 385,248.68 | 385,248.68 |
| 0.223575061 | Akron                       | 106,234.56 | 106,234.56 |
| 0.222283938 | North Collins               | 31,822.54  | 31,822.54  |

| 0.089614405                    | Orchard Park | 195,719.98                     |   | 195,719.98                     |
|--------------------------------|--------------|--------------------------------|---|--------------------------------|
| 0.16110977                     | Kenmore      | 530,905.93                     |   | 530,905.93                     |
| Total Village                  |              | <u>\$3,622,580.70</u>          |   | <u>\$3,622,580.70</u>          |
| Grand Total Towns and Villages |              | <u><u>\$34,907,923.99</u></u>  |   | <u><u>\$34,907,923.99</u></u>  |
| Recapitulation                 |              | January-March                  | January-March Advanced<br>by NYS to Buffalo | January-March                  |
| County of Erie                 |              | \$144,206,871.82               |   | 144,206,871.82                 |
| School Districts               |              | 48,533,293.86                  | 15,152,352.56                               | 33,380,941.30                  |
| Cities                         |              | 20,255,165.32                  | 17,988,255.65                               | 2,266,909.67                   |
| Cities (Towns and Villages)    |              | 17,073,864.37                  | 15,162,998.28                               | 1,910,866.09                   |
| Towns                          |              | 31,285,343.29                  |   | 31,285,343.29                  |
| Villages                       |              | 3,622,580.70                   |   | 3,622,580.70                   |
| Total Sales Tax Distribution   |              | <u><u>\$264,977,119.36</u></u> | <u><u>\$48,303,606.49</u></u>               | <u><u>\$216,673,512.87</u></u> |

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



KEVIN R. HARDWICK  
Erie County Comptroller

**Erie County Legislature**  
**Meeting Date: 04/11/2024**

**SUBJECT**

COMM. 7E-8

DISTRICT ATTORNEY

Resignation Packet for DA Flynn

## Attachments

24COMM. 7E-8

**Callan, Kathleen A.**

---

**From:** Callan, Kathleen A.  
**Sent:** Wednesday, March 27, 2024 11:48 AM  
**To:** Owens, Olivia  
**Cc:** McCants-Baskin, April  
**Subject:** Resignation of DA Flynn 3/30/24 @ 11:59pm  
**Attachments:** Counsel Fine Confirmation Email.pdf; ECDA Designation Plan.pdf; DA John Flynn Resignation Letter & Delivery Confirmation.pdf

**Importance:** High

Clerk Owens,

Here are the relevant documents re: DA Flynn's resignation at 11:59pm Saturday, March 30<sup>th</sup>:

- Copy of resignation letter to Governor Hochul and two delivery confirmations (USPS and fedex)
- Copy of email from Liz Fine, Counsel to Governor – my email to her included "DA Flynn Resignation Letter & Delivery Confirmation" PDF attached here
- Copy of ECDA Designation (Succession) plan already on file with the Erie County Clerk's Office

I will clock this packet in later today.

KC

--  
**Kathleen A. Callan** | Chief of Administration  
 Erie County | District Attorney  
 25 Delaware Ave., 7th Floor | Buffalo, NY 14202  
 P:+1(716)858-2461 | F:+1(716)858-2520  
[Kathleen.Callan@erie.gov](mailto:Kathleen.Callan@erie.gov) | <http://www.erie.gov>

This email and any documents or files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. The information contained in this email and any documents or files transmitted with it is information protected by the attorney-client and/or attorney work product privilege. It is intended only for the use of the individual(s) named above and the privileges are not waived by virtue of this having been sent by electronic transmission. If the individual receiving this email or any other reader of this email is not the named recipient or the employee or agent responsible for the delivery of this message to the named recipient, any use, dissemination, distribution, forwarding or copying of any part of the message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by return email and delete it from your computer. Unauthorized use of this material is strictly prohibited and may be unlawful.



## OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

JOHN J. FLYNN  
DISTRICT ATTORNEY

MICHAEL J. KEANE  
FIRST DEPUTY DISTRICT ATTORNEY

March 25, 2024

Governor Kathy Hochul  
ATTN: Correspondence  
New York State Capitol Building  
Executive Chamber  
Albany, New York 12224

Dear Governor Hochul:

I hereby resign the office of Erie County District Attorney effective 11:59pm March 30, 2024.

Very truly yours,

JOHN J. FLYNN  
DISTRICT ATTORNEY

JJF/sc

cc: Michael P. Kearns, Erie County Clerk  
Clerk, Erie County Legislature



March 26, 2024

Dear Customer,

The following is the proof-of-delivery for tracking number: 814973371878

## Delivery Information:

Status: Delivered  
Signed for by: H.FELT  
Service type: FedEx First Overnight  
Special Handling: Deliver Weekday  
Delivered To: Mailroom  
Delivery Location: ALBANY, NY.  
Delivery date: Mar 26, 2024 10:39

## Shipping Information:

Tracking number: 814973371878  
Ship Date: Mar 25, 2024  
Weight: 0.5 LB/0.23 KG  
Recipient: ALBANY, NY, US  
Shipper: BUFFALO, NY, US

MUR 1



FedEx Tracking Number 8149 7337 1878

Form ID No. 0215

## From Please print and press hard.

Date 3/25/2024 Sender's FedEx Account Number  
Sender's Name DA JOHN J. FLYNN Phone (716) 858-2540  
Company ERIE CNTY DIST ATTORNEY'S OFC  
Address 25 DELAWARE AVE  
City BUFFALO State NY ZIP 14202-3926

## Your Internal Billing Reference

First 24 characters will appear on invoice.

OPTIONAL

To Recipient's Name GOVERNOR KATHY HOCHUL Phone ( )  
Company ATTN: CORRESPONDENCE  
Address NEW YORK STATE CAPITOL BLDG  
We cannot deliver to P.O. boxes or P.O. ZIP codes.  
Address EXECUTIVE CHAMBER  
Use this line for the HOLD location address or for continuation of your shipping address.  
City ALBANY State NY ZIP 12224

Hold Weekday  
FedEx location address  
REQUIRED. NOT available for  
FedEx First Overnight.Hold Saturday  
FedEx location address  
REQUIRED. Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations.

## 4 Express Package Service \*To most locations.

Packages up to 150 lbs.  
For packages over 150 lbs., use the  
FedEx Express Freight US Airbill.

Next Business Day  
☒ FedEx First Overnight  
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.  
☐ FedEx Priority Overnight  
Next business morning.\* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.  
☐ FedEx Standard Overnight  
Next business afternoon.\* Saturday Delivery NOT available.

2nd Business Day  
☐ FedEx 2Day A.M.  
Second business morning.\* Saturday Delivery NOT available.  
☐ FedEx 2Day  
Second business afternoon.\* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.  
☐ FedEx Express Saver  
Third business day.\* Saturday Delivery NOT available.

## 5 Packaging \*Declared value limit \$500.

☒ FedEx Envelope\* ☐ FedEx Pak\* ☐ FedEx Box ☐ FedEx Tube ☐ Other

## 6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

☐ Saturday Delivery  
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☐ No Signature Required  
Package may be left without obtaining a signature for delivery.

☒ Direct Signature  
Someone at recipient's address may sign for delivery.

☐ Indirect Signature  
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?  
One box must be checked.  
☒ No ☐ Yes As per attached Shipper's Declaration. ☐ Yes Shipper's Declaration not required.

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

☐ Dry Ice  
Dry Ice, 5 UN 1845 x kg  
☐ Cargo Aircraft Only

## 7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.  
☒ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check  
FedEx Acct. No. Credit Card No. Exp. Date

Total Packages 1 Total Weight 1.802 lbs. Total Declared Value\$ 0.00

\*Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this bill you agree to the service conditions on the back of this airbill and in the current FedEx Service Guide that limit our liability.

COMM. 7E-8

Page 3 of 7

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ALERT: SEVERE WEATHER AND EMERGENCY EVENTS ACROSS THE U.S. MAY DELAY FINAL D...

# USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

## EI955026364US

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)**Scheduled Delivery by****TUESDAY****26** March 2024 ⓘ by **6:00pm** ⓘ

Your item has been delivered and is available at a PO Box at 11:20 am on March 26, 2024 in ALBANY, NY 12224.

**Get More Out of USPS Tracking:****USPS Tracking Plus®****Delivered****Delivered, PO Box**

ALBANY, NY 12224

March 26, 2024, 11:20 am

**Out for Delivery**

ALBANY, NY 12224

March 26, 2024, 10:05 am

**Arrived at Post Office**

ALBANY, NY 12288

March 26, 2024, 9:54 am

**Arrived at USPS Regional Destination Facility**

ALBANY NY DISTRIBUTION CENTER

Feedback

March 26, 2024, 8:19 am

**USPS in possession of item**

BUFFALO, NY 14226

March 25, 2024, 2:09 pm

**Hide Tracking History**What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)**Text & Email Updates****Proof of Delivery**

To request a Proof of Delivery email with full details including a delivery address, **sign in to your USPS.com® account.** ➤

For a Proof of Delivery email without a delivery address, provide your name and email address below.

\*Indicates a required field

\*First Name

First

M.I.

\*Last Name

Last

\*Email Proof of Delivery to up to three addresses

email123@mail.com

**Add Another Email** +**Request Email**



## Callan, Kathleen A.

---

**From:** Elizabeth Fine <elizabeth.fine@exec.ny.gov>  
**Sent:** Wednesday, March 27, 2024 7:11 AM  
**To:** Callan, Kathleen A.  
**Cc:** Flynn, John J.; Keane, Michael J.  
**Subject:** Re: Erie DA John Flynn resignation delivery

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

Thank you.

Elizabeth Fine

Counsel to the Governor

Office of Governor Kathy Hochul

State Capitol, Rm 210, Albany NY 12224

Office: 518-474-8343 | [Elizabeth.Fine@exec.ny.gov](mailto:Elizabeth.Fine@exec.ny.gov)

[www.governor.ny.gov](http://www.governor.ny.gov)

On Tue, Mar 26, 2024 at 4:39 PM Callan, Kathleen A. <KathleenCallan@erie.gov> wrote:

Ms. Fine,

This email is regarding the resignation of Erie County District Attorney John Flynn effective this Saturday, March 30, 2024 at 11:59pm. We sent two letters – one by USPS and the other by fedex - both have been delivered to your office (also attached with confirmations).

I will inform the Erie County Clerk and the Clerk of the Erie County Legislature that Governor Hochul has been notified.

KC



FILED

JAN 03 2024

ERIE COUNTY  
CLERK'S OFFICE

## OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

JOHN J. FLYNN  
DISTRICT ATTORNEY

MICHAEL J. KEANE  
FIRST DEPUTY DISTRICT ATTORNEY

### DESIGNATION

In accordance with County Law Section 702, I, JOHN J. FLYNN, District Attorney of Erie County, State of New York, hereby direct that in the event of my absence or disability, the following person shall exercise the powers and duties of District Attorney:

MICHAEL J. KEANE  
FIRST DEPUTY DISTRICT ATTORNEY

Further, in accordance with County Law Section 702, I, JOHN J. FLYNN, District Attorney of Erie County, State of New York, hereby direct that in the event of both my absence or disability and the absence or disability of the FIRST DEPUTY DISTRICT ATTORNEY MICHAEL J. KEANE, the following person shall exercise the powers and duties of the office of District Attorney:

MARA L. McCABE  
DEPUTY DISTRICT ATTORNEY-TRAINING

Further, in accordance with County Law Section 702, I, JOHN J. FLYNN, District Attorney of Erie County, State of New York, hereby direct that in the event of my absence or disability, the absence or disability of the FIRST DEPUTY DISTRICT ATTORNEY MICHAEL J. KEANE, and the absence or disability of the DEPUTY DISTRICT ATTORNEY-TRAINING MARA L. McCABE, the following person shall exercise the powers and duties of the office of District Attorney:

JOHN P. FEROLETO  
DEPUTY DISTRICT ATTORNEY-PROSECUTION

Further, in accordance with County Law Section 702, I, JOHN J. FLYNN, District Attorney of Erie County, State of New York, hereby direct that in the event of my absence or disability, the absence or disability of the FIRST DEPUTY DISTRICT ATTORNEY MICHAEL J. KEANE, the absence or disability of the DEPUTY DISTRICT ATTORNEY-TRAINING MARA L. McCABE, and the absence or disability of the DEPUTY DISTRICT ATTORNEY-PROSECUTION JOHN P. FEROLETO, the following person shall exercise the powers and duties of the office of District Attorney:

LAUREN NASH  
DEPUTY DISTRICT ATTORNEY-EXECUTIVE ASSISTANT

JOHN J. FLYNN

DATED: January 2, 2024

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

---

COMM. 7E-9                      DISTRICT ATTORNEY                      Notification of Change in DA Office

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24COMM. 7E-9

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Attachments



EC LEG APR 2 '24 AM 10:46

## OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

**MICHAEL J. KEANE**  
ACTING DISTRICT ATTORNEY

April 1, 2024

To Whom it May Concern:

Please be advised that Michael J. Keane is the Acting Erie County District Attorney. Going forward, please make sure any decisions, orders or any other correspondence reflect this change.

As always, thank you for your courtesies in this matter.

Very truly yours,

A handwritten signature in black ink that reads "Michael J. Keane". The signature is written in a cursive, flowing style.

MICHAEL J. KEANE  
ACTING DISTRICT ATTORNEY

MJK/sc

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

---

COMM. 7E-10                      CLERK                      Mortgage Tax Expense 2024

---

24COMM. 7E-10                      Attachments

---

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

**A Resolution Submitted by the Erie County Clerk  
Re: Mortgage Tax Expense 2024**

WHEREAS, under Section 262 of the New York State Tax Law, County Clerks are entitled to recover expenses associated with the administration and collection of the Mortgage Tax; and

WHEREAS the Erie County Clerk's Office has provided sufficient documentation of the following expenses related to the collection of mortgage tax:

|                                    |                |
|------------------------------------|----------------|
| Salaries and Fringe Benefits:      | \$1,722,803.00 |
| Computer, Data Processing Expense: | \$174,876.00   |
| TOTAL:                             | \$1,897,679.00 |

WHEREAS, the New York State Tax Commission requires certification from the local legislature that such expense is reasonable.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby certify that the expense incurred in the collection of the State Mortgage Tax as per Section 262 of the New York State Tax Law equals \$1,897,679.00, as submitted by the Erie County Clerk; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Erie County Attorney; the Director of the Division of Budget and Management; the Erie County Comptroller; and the Erie County Clerk.

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-11

SHERIFF & COUNTY  
EXECUTIVE

Transfer of Funds for Jail-Related Purchases

Attachments

24COMM. 7E-11

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 26th, 2024

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

**RE: Transfer of Funds for Jail-Related Purchases**

Honorable Members:

Attached, please find a proposed joint resolution requesting authorization to transfer funds from the Jail Telephone Revenue account for the purposes of making purchases necessary for American Correctional Association Accreditation.

Should your Honorable Body require further information, representatives of the Sheriff's Office will be available to answer questions.

Very truly yours,

A handwritten signature in blue ink that reads "John C. Garcia".

John C. Garcia  
Sheriff of Erie County

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

Mark Poloncarz, Esq.  
Erie County Executive

Attachments



## MEMORANDUM

To: Honorable Members of the Erie County Legislature  
From: Erie County Sheriff's Office and County Executive  
Re: Transfer of Funds for Jail-Related Purchases  
Date: March 26th, 2024

### Summary of Recommended Action

This proposed resolution requests authorization to transfer \$68,945 in Jail Telephone Revenue funds for the purpose of providing sufficient funding for purchases necessary to achieve accreditation from the American Correctional Association. Items needed include, but are not limited to, cabinets, thermometers, keys, key rings and shelving.

### Fiscal Implications of Proposal

Sufficient funds are available in the Jail Telephone Revenue account.

### Reasons for Recommendation

The Erie County Sheriff's Office is pursuing accreditation from the American Correctional Association (ACA). It is necessary to make several purchases in order to adhere to ACA requirements.

### Consequences of Negative Action

The Erie County Sheriff's Office will be unable to receive ACA accreditation.

### Steps Following Approval of Measure

Certified copies shall be forwarded 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 for implementation.

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

**RE:   Transfer of Funds for Jail-Related Purchases**

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 is pursuing accreditation from the American Correctional Association, and

WHEREAS, the Erie County Holding Center and Erie County Correctional Facility would be the fourth and fifth jails in New York State to receive American Correctional Association accreditation, and

WHEREAS, according to the American Correctional Association website, their standards "represent fundamental correctional practices that ensure staff and (incarcerated individual) safety and security; enhance staff morale; improve record maintenance and data management capabilities; assist in protecting the agency against litigation; and improve the function of the facility or agency at all levels," and

WHEREAS, the Erie County Sheriff's Office will need to make several purchases, including but not limited to cabinets, thermometers, keys, key rings and shelving to adhere to American Correctional Association standards,

WHEREAS, Account 415622 – Jail Telephone Revenue has a balance of \$857,318 as of March 26th, 2024

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office, County Executive and Division of Budget and Management to transfer \$68,945 from the Jail Telephone Revenue account in Fund 110, Fund Center 116 as follows:

| <u>ACCOUNT</u> | <u>REVENUE</u>         | <u>CHANGE</u> |
|----------------|------------------------|---------------|
| 415622         | Jail Telephone Revenue | (\$68,945)    |
|                | TOTAL                  | (\$68,945)    |

| <u>ACCOUNT</u> | <u>APPROPRIATION</u>      | <u>CHANGE</u> |
|----------------|---------------------------|---------------|
| 505000         | Office Supplies           | \$704         |
| 505200         | Clothing Supplies         | \$7,096       |
| 505400         | Food and Kitchen Supplies | \$3,442       |
| 506200         | Maintenance and Repairs   | \$1,318       |
| 530000         | Other Expenses            | \$13,480      |
| 561410         | Lab and Tech              | \$42,905      |
|                | TOTAL                     | \$68,945      |

and be it further

RESOLVED, that authorization is hereby given to the Erie County Purchasing Department to create the necessary documents to effectuate the purchasing process, and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution and return any unused funding to the Jail Telephone Revenue Account, and be it further

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-12

COUNTY EXECUTIVE

Department of Personnel - Administration of  
the HELP Program

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Attachments

24COMM. 7E-12

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

APR 10 2024 10:55

April 5, 2024

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

**RE: Department of Personnel - Administration of the HELP Program**

Dear Honorable Members:

Enclosed, please find a memorandum and proposed resolution from the Department of Personnel requesting authorization that, as part of Erie County's participation in the New York State Hiring for Emergency Limited Placement (HELP) Program, temporarily create non-competitive class jobs that mirror vacant, encumbered, competitive class positions. The resolution also prohibits Departments participating in the HELP Program from back-filling vacant, encumbered, competitive class positions with new employees.

Should your Honorable Body require further information, I encourage you to contact Brian Bray, Commissioner of the Department of Personnel. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz". The signature is stylized with a large, looped "M" and "P".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/bb  
Enclosure

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Personnel Program  
**Re:** Department of Personnel - Administration of the HELP Program  
**Date:** April 5, 2024

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### **SUMMARY**

The resolution requests the temporary creation of jobs in the non-competitive class that mirror vacant, encumbered, competitive class positions. The resolution also prohibits Departments from back-filling the vacant, encumbered, competitive class positions with new employees.

### **FISCAL IMPLICATIONS**

The resolution is budget neutral. Many new positions are being created to allow for this movement of employees to non-competitive class positions while there is a temporary encumbrance on the competitive class position. We are required to “fully-fund” all created positions within the budget in order to ensure its balance, however the existing competitive class positions that mirror these new positions are required to remain vacant and as a result would have no net new cost to the County, achieved as vacancy savings. To achieve budget neutrality and not negatively impact departments while still creating these positions, in consultation with the Division of Budget and Management, a negative appropriation will be made in each department’s personnel services budget in Account #504995 – HELP Personnel Reserve equal to the increased salary and benefits costs associated with each “mirror” position that will remain vacant. In the same way that a “turnover” account appreciates anticipated vacancy savings, this account will allow these new positions to remain budget neutral as is intended. For the Department of Social Services and Division of Youth Services, these positions will be created retroactively to 1/27/24, which is the date at which these individual positions were qualified for the HELP program to allow for the probationary period. For Senior Services, positions will be created retroactively to 4/1/24 to align with grant periods.

|                 |             |   |        |      |    |      |                   |              |               | 1/27/24 Start PP4 (92.3%) |
|-----------------|-------------|---|--------|------|----|------|-------------------|--------------|---------------|---------------------------|
|                 |             |   |        |      |    |      |                   |              |               | Pro-                      |
| Dept            | Cost Center | Title   | Status | Unit | JG | Step | Annualized Salary | Rated Salary | #             | Total                     |
| Social Services | 12080       | Caseworker (HELP)                               | FT     | CSEA | 9  | 1    | \$ 56,871         | \$52,492     | 37            | \$ 1,942,202              |
| Social Services | 12080       | Caseworker Spanish Speaking (HELP)              | FT     | CSEA | 9  | 1    | \$ 56,871         | \$52,492     | 1             | \$ 52,492                 |
| Social Services | 12040       | Child Support Investigator (HELP)               | FT     | CSEA | 7  | 1    | \$ 50,446         | \$46,562     | 2             | \$ 93,123                 |
| Social Services | 12070       | Social Welfare Examiner (HELP)                  | FT     | CSEA | 6  | 1    | \$ 47,595         | \$43,930     | 46            | \$ 2,020,789              |
| Social Services | 12050       | Social Welfare Examiner Spanish Speaking (HELP) | FT     | CSEA | 6  | 1    | \$ 47,595         | \$43,930     | 4             | \$ 175,721                |
| <b>Totals</b>   |             |   |        |      |    |      |                   |              | <b>90</b>     | <b>\$ 4,284,326</b>       |
|                 |             |   |        |      |    |      |                   |              | <b>Fringe</b> | <b>\$ 2,142,163</b>       |

HELP -Reserve \$(6,426,489)  
Net Cost \$ -

| 1/27/24 Start PP4 (92.3%) |             |  |        |        |    |      |                   |                  |               |                   |
|---------------------------|-------------|--|--------|--------|----|------|-------------------|------------------|---------------|-------------------|
| Div                       | Cost Center | Title                                    | Status | Unit   | JG | Step | Annualized Salary | Pro-Rated Salary | #             | Total             |
| Youth Services            | 1252030     | Juvenile Justice Counselor (HELP)        | FT     | CSEA   | 10 | 1    | \$ 60,403         | \$55,752         | 3             | \$ 167,256        |
| Youth Services            | 1252020     | Detention Home Intake Worker (HELP)      | FT     | CSEA   | 9  | 1    | \$ 56,871         | \$52,492         | 1             | \$ 52,492         |
| Youth Services            | 1252040     | Youth Detention Worker (HELP)            | FT     | AFSCME | 7  | 1    | \$ 46,365         | \$42,795         | 9             | \$ 385,154        |
| Youth Services            | 1252070     | Detention Facility Security Guard (HELP) | FT     | AFSCME | 5  | 1    | \$ 40,579         | \$37,454         | 1             | \$ 37,454         |
| <b>Totals</b>             |             |  |        |        |    |      |                   |                  | <b>14</b>     | <b>\$ 642,356</b> |
|                           |             |  |        |        |    |      |                   |                  | Fringe        | \$ 321,178        |
|                           |             |  |        |        |    |      |                   |                  | HELP -Reserve | \$(963,534)       |
|                           |             |  |        |        |    |      |                   |                  | Net Cost      | \$ -              |

| 4/1/24 Start PP8.5 (75%) |                                |                          |        |      |    |      |                   |                  |               |                   |
|--------------------------|--------------------------------|--------------------------|--------|------|----|------|-------------------|------------------|---------------|-------------------|
| Dept                     | General Fund Cost Center/Grant | Title                    | Status | Unit | JG | Step | Annualized Salary | Pro-Rated Salary | #             | Total             |
| Senior Services          | 1632070                        | Case Manager – SS (HELP) | FT     | CSEA | 7  | 2    | \$ 51,935         | \$40,125         | 1             | \$ 40,125         |
| Senior Services          | 1632070                        | Case Manager – SS (HELP) | FT     | CSEA | 7  | 5    | \$ 59,564         | \$44,787         | 1             | \$ 44,787         |
| Senior Services          | 163ADCSI2425                   | Case Manager – SS (HELP) | FT     | CSEA | 7  | 5    | \$ 59,564         | \$44,787         | 1             | \$ 44,787         |
| Senior Services          | 163NYCONNECTS2425              | Case Manager – SS (HELP) | FT     | CSEA | 7  | D    | \$ 64,536         | \$48,402         | 1             | \$ 48,402         |
| Senior Services          | 163NYCONNECTS2425              | Case Manager – SS (HELP) | FT     | CSEA | 7  | 5    | \$ 59,564         | \$44,787         | 1             | \$ 44,787         |
| Senior Services          | 163UNMETNEED2425               | Case Manager – SS (HELP) | FT     | CSEA | 7  | E    | \$ 65,732         | \$49,299         | 1             | \$ 49,299         |
| <b>Totals</b>            |                                |                          |        |      |    |      |                   |                  | <b>6</b>      | <b>\$ 271,839</b> |
|                          |                                |                          |        |      |    |      |                   |                  | Fringe        | \$ 135,920        |
|                          |                                |                          |        |      |    |      |                   |                  | HELP -Reserve | \$(407,759)       |
|                          |                                |                          |        |      |    |      |                   |                  | Net Cost      | \$ -              |

## **REASONS FOR RECOMMENDATION**

Erie County is participating in the New York State Hiring for Emergency Limited Placement (HELP) Program, as described later in this memo. In order to fully enjoy the benefits of the program without taking away the civil service rights of some current employees, we are requesting the Legislature authorize the creation of non-competitive class positions that mirror vacant, encumbered competitive class positions.

## **BACKGROUND INFORMATION**

Erie County is participating in the HELP Program, a strategic initiative designed to expedite the hiring of diverse, qualified candidates into permanent positions without the traditional civil service examination requirements. The HELP Program specifically targets direct care, health, and safety titles that are crucial for the well-being and safety of the public. Traditionally, these positions necessitated that job candidates undergo and succeed in competitive examinations to qualify for employment. However, under the HELP Program, this requirement is temporarily lifted, allowing for non-competitive appointments. Candidates must still meet the minimum qualifications for the positions they apply for, ensuring that the standards for these critical positions are maintained.

At the program's conclusion, employees who were hired under the HELP Program will transition into the competitive class without the need for further examination, securing their positions on a permanent basis. This approach not only addresses immediate staffing needs but also provides a pathway for employees to continue their careers within the civil service system, ensuring stability and continuity in critical public services.

Built into the Civil Service system is the imperative to promote from within. Upon promotion, employees are required to serve a probationary period in the promotional job title. If a probationary employee in a promotional position fails to successfully complete their probation, civil service rules provide them with the right to return to their previous position. However, if Erie County were to delete the competitive class position to which the employee encumbers to add a non-competitive position, they would not have a position to return to if they failed probation in the promotional title.

## **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve this resolution will not allow County Departments to take full advantage of the HELP program. This will prolong staffing shortages, and not allow Departments to fill the positions that the Legislature authorized them to fill.

## **STEPS FOLLOWING APPROVAL**

The Division of Budget and Management and the Department of Personnel will work jointly to create the non-competitive positions in the Departments of Social Services and Senior Services and Division of Youth Services.



## A RESOLUTION SUBMITTED BY THE PERSONNEL DEPARTMENT

RE: Department of Personnel – Administration of the HELP Program

WHEREAS, in response to significant challenges in filling many regularly competitive class positions throughout local governments, the New York State Department of Civil Service created the Hiring Emergency Limited Placement Program (HELP Program); and

WHEREAS, the HELP Program is temporary and designed to alleviate such critical staffing needs for local governments in direct care and health and safety positions through the creation and filling of identical positions on a non-competitive classification basis; and

WHEREAS, the Erie County Departments of Personnel, Social Services, and Senior Services have identified several health and safety positions that would result in the basic health, safety, and daily needs of residents unmet; and

WHEREAS, New York State Civil Service requires the civil service jurisdiction to meet three criteria before allowing job titles to be allowed into the Program:

- Criteria 1: The job title must be critical, direct care, health, or safety. Employees in these titles provide services or care directly to clients, consumers, patients, or the public.
- Criteria 2: A severe shortage of candidates exists, evidenced by an inability to attract sufficient qualified candidates to fill vacancies despite extensive and exhaustive recruitment efforts.
- Criteria 3: Titles are filled via open-competitive examination only. Titles that can be filled via promotion examination cannot participate in this Program.

and

WHEREAS, the Erie County Personnel Commissioner, as the Personnel Officer for the civil service jurisdiction of Erie County, has successfully held the required public hearing, submitted and received approval from the New York State Civil Service Commission for several identified titles to be created and filled under the purview of the guidelines and requirements, as set forth by the New York State HELP Program; and

WHEREAS, the requirements of the service of the County of Erie within the jurisdiction of the Commissioner of Personnel of the County of Erie, have necessitated the following additions, including: Juvenile Justice Counselors (HELP); Caseworkers (HELP); Caseworkers-Spanish Speaking (HELP); Caseworkers-Arabic Speaking (HELP); Caseworkers-Bengali Speaking (HELP); Child Support Investigators (HELP); Child Support Investigators-Spanish Speaking (HELP); Youth Detention Workers (HELP); Detention Home Intake Workers (HELP); Caseworkers-Karen Speaking (HELP); Social Welfare Examiners (HELP); Social Welfare Examiners-Spanish Speaking (HELP); Social Welfare Examiners-Arabic Speaking (HELP); Social Welfare Examiners-Somali Speaking (HELP); Detention Security Facility Guards (HELP); Case Managers - Senior Services (HELP) to the list of non-competitive class positions, appearing in the Appendices to the Rules for the Classified Service of the County of Erie; and

WHEREAS, the above noted positions were approved for participation in the HELP program granted for Erie County on January 27, 2024; and

WHEREAS, several current existing positions in the related competitive class titles are encumbered by permanent competitive class employees; and

WHEREAS, the Erie County Personnel Department cannot reclassify encumbered competitive class positions into the non-competitive class because the employee encumbering the position, frequently serving as a provisional employee or in a mandatory probationary term in a promotional position, has the right to return to that position under civil service law; and

WHEREAS, to fully execute the filling of these necessary positions within the non-competitive classification, without affecting or altering the existing civil service rights of current permanent competitive class individuals serving Erie County's constituents in other capacities, it is thereby necessary to create additional positions specifically designated under the HELP Program; and

WHEREAS, it is understood that these approved, designated, and allocated positions may only exist under the time limitations specified by the New York State Help Program for one year from the date of approval or the cessation of the Program by the New York State Civil Service Municipal Services Division.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following ninety (90) full-time positions, in the non-competitive class, be created within the Department of Social Services' 2024 General Fund Budget as part of the New York State Help Program, retroactive to January 27, 2024:

| <b>Department</b> | <b>Title</b>                                    | <b>Status</b> | <b>Unit</b> | <b>JG</b> | <b>#</b> | <b>B100</b> |
|-------------------|---|---------------|-------------|-----------|----------|-------------|
| Social Services   | Caseworker (HELP)                               | FT            | CSEA        | 9         | 37       | 14168       |
| Social Services   | Caseworker Spanish Speaking (HELP)              | FT            | CSEA        | 9         | 1        | 14170       |
| Social Services   | Child Support Investigator (HELP)               | FT            | CSEA        | 7         | 2        | 14169       |
| Social Services   | Social Welfare Examiner (HELP)                  | FT            | CSEA        | 6         | 46       | 14182       |
| Social Services   | Social Welfare Examiner Spanish Speaking (HELP) | FT            | CSEA        | 6         | 4        | 14183       |

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Social Services' 2024 General Fund Budget (Fund 110, Funds Center 120) to account for the newly created HELP program positions in a budget neutral way as follows:

Department of Social Services  
2024 General Fund Budget  
Fund 110, Funds Center 120

| <b>APPROPRIATION</b> |                          | <b>CHANGE</b>        |
|----------------------|--------------------------|----------------------|
| 500000               | Full Time Salaries       | \$ 4,284,326         |
| 502000               | Fringe Benefits          | \$ 2,142,163         |
| 504995               | HELP - Personnel Reserve | <u>(\$6,426,489)</u> |
| Net                  |                          | <u>\$ 0</u>          |

and be it further

RESOLVED, that authorization is hereby given for the following fourteen (14) full-time positions, in the non-competitive class, be created within the Division of Youth Services' 2024 General Fund Budget as part of the New York State Help Program, retroactive to January 27, 2024:

| <b>Division</b> | <b>Title</b>                             | <b>Status</b> | <b>Unit</b> | <b>JG</b> | <b>#</b> | <b>B100</b> |
|-----------------|--|---------------|-------------|-----------|----------|-------------|
| Youth Services  | Juvenile Justice Counselor (HELP)        | FT            | CSEA        | 10        | 3        | 14193       |
| Youth Services  | Detention Home Intake Worker (HELP)      | FT            | CSEA        | 9         | 1        | 14138       |
| Youth Services  | Youth Detention Worker (HELP)            | FT            | AFSCME      | 7         | 9        | 14132       |
| Youth Services  | Detention Facility Security Guard (HELP) | FT            | AFSCME      | 5         | 1        | 14139       |

and be it further

RESOLVED, that authorization is hereby given to amend the Division of Youth Services' 2024 General Fund Budget (Fund 110, Funds Center 12520) to account for the newly created HELP program positions in a budget neutral way as follows:

Division of Youth Services  
2024 General Fund Budget  
Fund 110, Funds Center 12520

| <b>APPROPRIATION</b> |                          | <b>CHANGE</b>      |
|----------------------|--------------------------|--------------------|
| 500000               | Full Time Salaries       | \$642,356          |
| 502000               | Fringe Benefits          | \$321,178          |
| 504995               | HELP - Personnel Reserve | <u>(\$963,534)</u> |
| Net                  |                          | <u>\$ 0</u>        |

and be it further

RESOLVED, that authorization is hereby given for the following two (2) full-time positions, in the non-competitive class, be created within the Department of Senior Services' 2024 General Fund Budget as part of the New York State Help Program, retroactive to April 1, 2024:

| <b>Department</b> | <b>Title</b>             | <b>Status</b> | <b>Unit</b> | <b>JG</b> | <b>#</b> | <b>B100 #</b> |
|-------------------|--------------------------|---------------|-------------|-----------|----------|---------------|
| Senior Services   | Case Manager – SS (HELP) | FT            | CSEA        | 7         | 1        | 14130         |

|                 |                          |    |      |   |   |       |
|-----------------|--------------------------|----|------|---|---|-------|
| Senior Services | Case Manager – SS (HELP) | FT | CSEA | 7 | 1 | 14130 |
|-----------------|--------------------------|----|------|---|---|-------|

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Senior Services' 2024 General Fund Budget (Fund 110, Funds Center 163) to account for the newly created HELP program positions in a budget neutral way as follows:

Department of Senior Services  
2024 General Fund Budget  
Fund 110, Funds Center 163

| <b>APPROPRIATION</b>            | <b>CHANGE</b>      |
|---------------------------------|--------------------|
| 500000 Full Time Salaries       | \$ 84,912          |
| 502000 Fringe Benefits          | \$ 42,456          |
| 504995 HELP - Personnel Reserve | <u>(\$127,368)</u> |
| Net                             | <u>\$ 0</u>        |

and be it further

RESOLVED, that authorization is hereby given for the following one (1) full-time positions, in the non-competitive class, be created within the Department of Senior Services' 2023-24 Alzheimer Disease Caregiver Support Initiative Grant as part of the New York State Help Program, retroactive to April 1, 2024:

| <b>Department</b> | <b>Title</b>             | <b>Status</b> | <b>Unit</b> | <b>JG</b> | <b>#</b> | <b>B100 #</b> |
|-------------------|--------------------------|---------------|-------------|-----------|----------|---------------|
| Senior Services   | Case Manager – SS (HELP) | FT            | CSEA        | 7         | 1        | 14130         |

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Senior Services' Alzheimer Disease Caregiver Support Initiative Grant Budgets (Fund 281, Funds Center 163) to account for the newly created HELP program positions in a budget neutral way as follows:

Department of Senior Services  
163ADCSI2324  
Fund 281, Funds Center 163  
7/1/2023-6/30/2024

| <b>APPROPRIATION</b>            | <b>CHANGE</b>     |
|---------------------------------|-------------------|
| 500000 Full Time Salaries       | \$14,777          |
| 502000 Fringe Benefits          | \$10,025          |
| 504995 HELP - Personnel Reserve | <u>(\$24,802)</u> |
| Net                             | <u>\$ 0</u>       |

Department of Senior Services  
163ADCSI2425  
Fund 281, Funds Center 163  
7/1/2024-6/30/2025

| APPROPRIATION |                          | CHANGE             |
|---------------|--------------------------|--------------------|
| 500000        | Full Time Salaries       | \$ 59,779          |
| 502000        | Fringe Benefits          | \$ 40,451          |
| 504995        | HELP - Personnel Reserve | <u>(\$100,230)</u> |
| Net           |                          | <u>\$ 0</u>        |

and be it further

RESOLVED, that authorization is hereby given for the following two (2) full-time positions, in the non-competitive class, be created within the Department of Senior Services' 2024-25 NY Connects Grant as part of the New York State Help Program, retroactive to April 1, 2024:

| Department      | Title                    | Status | Unit | JG | # | B100 # |
|-----------------|--------------------------|--------|------|----|---|--------|
| Senior Services | Case Manager – SS (HELP) | FT     | CSEA | 7  | 1 | 14130  |
| Senior Services | Case Manager – SS (HELP) | FT     | CSEA | 7  | 1 | 14130  |

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Senior Services' New York Connects Grant Budget (Fund 281, Funds Center 163) to account for the newly created HELP program positions in a budget neutral way as follows:

Department of Senior Services  
163NYCONNECTS2425  
Fund 281, Funds Center 163  
4/1/2024-3/31/2025

| APPROPRIATION |                          | CHANGE             |
|---------------|--------------------------|--------------------|
| 500000        | Full Time Salaries       | \$ 124,315         |
| 502000        | Fringe Benefits          | \$ 69,519          |
| 504995        | HELP - Personnel Reserve | <u>(\$193,834)</u> |
| Net           |                          | <u>\$ 0</u>        |

and be it further

RESOLVED, that authorization is hereby given for the following one (1) full-time positions, in the non-competitive class, be created within the Department of Senior Services' 2024-25 Unmet Need Grant as part of the New York State Help Program, retroactive to April 1, 2024:

| Department      | Title                    | Status | Unit | JG | # | B100 # |
|-----------------|--------------------------|--------|------|----|---|--------|
| Senior Services | Case Manager – SS (HELP) | FT     | CSEA | 7  | 1 | 14130  |

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Senior Services' Unmet Need Grant Budget (Fund 281, Funds Center 163) to account for the newly created HELP program positions in a budget neutral way as follows:

Department of Senior Services  
163UNMETNEED2425  
Fund 281, Funds Center 163  
4/1/2024-3/31/2025

| APPROPRIATION                   | CHANGE             |
|---------------------------------|--------------------|
| 500000 Full Time Salaries       | \$ 65,732          |
| 502000 Fringe Benefits          | \$ 43,050          |
| 504995 HELP - Personnel Reserve | <u>(\$108,782)</u> |
| Net                             | <u>\$ 0</u>        |

and be it further

RESOLVED, that the Department of Social Services, Division of Youth Services, Department of Senior Services and any other department or division are prohibited from back-filling the vacant, encumbered, competitive class positions in the approved job titles with new employees while the HELP Program is active; and be it further

RESOLVED, that the Department of Personnel, in conjunction with the respective Department of Social Services, Division of Youth Services, Department of Senior Services and any other department or division, shall be responsible for ensuring the proper creation, administration, and filling of the positions listed above in accordance with the guidelines of the Help Program and the applicable laws, rules, regulations and policies governing the County of Erie, its appointing authorities and their employees; and be it further

RESOLVED, that authorization is hereby given to the Department of Personnel and Division of Budget and Management to temporarily create any additional non-competitive class positions in any current or additional title approved by Personnel and New York State as part of the HELP program; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to adjust any current or future departmental budget within accounts 500000, 502000 and 504995 as needed to effectuate the budget-neutral creation of non-competitive class positions approved within the HELP program; and be it further

RESOLVED, that all non-competitive class positions created as part of the HELP program are considered temporary and shall be deleted by the end of the fiscal year their use within the program has concluded; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive's Office, Comptroller's Office, Departments of Personnel, Department of Social Services, Division of Youth Services, Department of Senior Services and the Division of Budget and Management.

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-13

COUNTY EXECUTIVE

Department of Personnel - EC Department of  
Probation

Attachments

24COMM. 7E-13





2024 APR 5 10:55

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**Re: Personnel Adjustment – Erie County Department of Probation**

Dear Honorable Members:

Please find attached a resolution and an accompanying memorandum from the Erie County Department of Probation requesting authorization to appropriate available funds from the New York State Division of Criminal Justice Services Pretrial Services funding to add the position of Probation Assistant.

If your Honorable Body requires any further information, please contact Commissioner Richard Robillard at the Probation Department. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/bm  
Enclosure

cc: Richard Robillard, Commissioner Probation Department

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Probation Department  
**Re:** Personnel Adjustment – Erie County Department of Probation  
**Date:** April 5, 2024

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### **SUMMARY**

Legislative authorization is sought to transfer available NYS Pretrial funds from deferred revenue to the appropriate accounts to add an additional Probation Assistant (group 7).

### **FISCAL IMPLICATIONS**

None. The New York State Division of Criminal Justice Services (DCJS) awarded the Probation Department \$1,996,994 in October of 2022 and \$1,942,018 in January of 2024 for the purpose of reimbursing the county for costs associated with providing pretrial services.

**Position:** Probation Assistant CSEA job grade 7

**Annualized Salary** \$59,109

**Salary for Balance of Year** (anticipated 7/1/24 start date) \$30,009

**Funding Source** NYS DCJS

If Grant funded:

Grant Source: N/A

Grant Duration: N/A

Remaining Grant Funding: N/A

Alternative Source of Funding if  
Grant is not renewed: N/A

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

In 2020 New York State enacted Bail Reform legislation, that among other things, changed the nature of pretrial service delivery across the state. In Erie County, pretrial services are provided by the Probation Department. Since implementation, the number of defendants' court ordered to the pretrial Release Under Supervision (RUS) program has increased from 520 offenders in 2019 to 974 in 2023 or 87%.

Recognizing the impact of this, the NYS DCJS has awarded the county funds to offset the costs associated with the provision of certified pretrial services, including but not limited to screening, assessments, supervision, and reporting required under this new legislation. Unlike other awards, the entirety of the initial award was received in October 2022 with

the second award for a similar amount received in January 2024. Legislative authority is required to appropriate these funds.

Currently, Probation has identified a need that is essential to meet existing pretrial service requirements.

Duties required of the position required by Law or Contract: NYS DCJS award

Position classification: Probation Assistant CSEA job group 7 step 5

### **CONSEQUENCES OF NEGATIVE ACTION**

The Probation Department will be hampered in the performance of its duties. The Pretrial Release Under Supervision cases have steadily increased since 2020. The total number of individuals released pretrial to the program's supervision, are estimated at 1,300 cases for 2024. This upward trend is expected to continue. Currently there are six Probation Officers who supervise individuals released to the pretrial program. The addition of a Probation Assistant will enable more manageable workloads.

### **STEPS FOLLOWING APPROVAL**

The Erie County Probation Department will work with the Division of Budget and Management, and the Department of Personnel to implement this request.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PROBATION

Re: Personnel Adjustment – Erie County Department of Probation

WHEREAS, the Erie County Probation Department provides pretrial Release Under Supervision services for the courts as an alternative to incarceration; and

WHEREAS, Bail Reform legislation enacted by New York State in 2020 has continued to significantly increase the caseloads of the Probation Officers providing pretrial Release Under Supervision services; and

WHEREAS, authorization is requested to add a Probation Assistant position within the Erie County Probation Department to the pretrial services staff to address the increase in caseloads and the resulting increase in workloads; and

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded the Erie County Probation Department funding to address expenses related to the provision of Pretrial Services; and

WHEREAS, the Erie County Probation Department proposes to use a portion of this funding to add a Probation Assistant position; and

WHEREAS, these appropriations will not result in an increase in County funding of the existing Probation Department's 2024 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one (1) full-time Probation Assistant, Job Group 7, CSEA (B100 #14195) effective July 1, 2024; and be it further

RESOLVED, that authorization is hereby given to the Department of Probation to accept additional NYS Pretrial Services Aid to fund the cost of the new position and to amend their 2024 General Fund Budget (Fund 110, Funds Center 12610) as follows:

Department of Probation  
2024 General Fund Budget  
Fund 110, Funds Center 12610

**REVENUES**

4090060 State Aid Pretrial Services  
TOTAL

**CHANGE**

\$45,014  
\$45,014

**APPROPRIATIONS**

500000 Full Time - Salaries  
502000 Fringe Benefits  
TOTAL

**CHANGE**

\$30,009  
\$15,005  
\$45,014

and be it further

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

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

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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|             |                  |  |
|-------------|------------------|--|
| COMM. 7E-14 | COUNTY EXECUTIVE | ECSD No. 3 - Engineering Term Contract Agreement |
|-------------|------------------|--|

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|               |             |
|---------------|-------------|
| 24COMM. 7E-14 | Attachments |
|---------------|-------------|

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG APR 5 '24 PM 10:55

April 5, 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  
DiDonato Engineering & Architectural Professionals  
Work Order: DA-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 blue ink, reading "Mark C. Poloncarz".

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  
DiDonato Engineering & Architectural Professionals  
Work Order: DA-2  
**Date:** April 5, 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 DiDonato Engineering & Architectural Professionals (DiDonato) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$56,800.05.

### **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 DA-2 to DiDonato to provide design development associated with site improvements at the former Blasdel Water Resource Recovery Facility (WRRF) site in ECSD No. 3.

### **BACKGROUND INFORMATION**

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with DiDonato 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 DA-2, DiDonato will provide various preliminary engineering related documents associated with site development at the former Blasdel Water Resource Recovery Facility (WRRF) in ECSD No. 3. This work order may be part of a phased approach for improvements at this location, if the project proceeds to the next stage.

### **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. DA-2**

**ENGINEER:**            **DiDonato Engineering & Architectural Professionals**

**CONTRACT DATE:**    **November 17, 2022**

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**1. Title of Proposal:**

Provide preliminary design documents associated with site development at the former Blasdel Water Resource Recovery Facility (WRRF) site in ECSD No. 3.

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

John DiDonato, P.E.  
DiDonato Engineering & Architectural Professionals  
689 Main Street  
Buffalo, NY 14203

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**3. Effective Dates of Proposal:**

March 21, 2024

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

The engineer will provide preliminary design documents associated with site development at the former Blasdel Water Resource Recovery Facility (WRRF) site in ECSD No. 3, as detailed in the attached scope, dated March 19, 2024.

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**5. Engineering Cost:** \$ 56,800.05

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**6. Source of Funds:** ECSD No. 3 Professional Services Account 516020

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**7. Project No:**            DA-2

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**8. Attachments:**        **DiDonato's** letter, dated 3/19/2024 (4 pages)

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**9. File:**                    0.3.2. DiDonato (23-25) Eng.

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DATE:            March 21, 2024

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

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

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

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-15

COUNTY EXECUTIVE

ECSD No. 3 - Engineering Term Contract  
Agreement

Attachments

24COMM. 7E-15



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG APR 5 '24 PM 10:55

April 5, 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-3**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the 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 blue ink, reading "Mark C. Poloncarz".

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-3  
**Date:** April 5, 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 \$70,392.00.

### **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-3 to provide State Environmental Quality Review (SEQR) documentation, environmental coordination services, and preliminary design plans related to a sanitary sewer project 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-3, EA will provide SEQR documentation, coordination with various regulators and other stakeholders, and preliminary design plans as it relates to the protection of the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteen Mile Creek in ECSD No. 3. This work order is part of a phased approach.

### **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-3**

**ENGINEER:** Erdman Anthony and Associates, Inc.

**CONTRACT DATE:** November 17, 2022

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**1. Title of Proposal:**

Provide SEQR, environmental coordination, and preliminary design related to the protection of an exposed Boston Valley Interceptor sanitary sewer crossing under Eighteen Mile 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 11, 2024

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

The engineer will provide a SEQR documentation, environmental coordination services, along with preliminary design plans to protect the exposed Boston Valley Interceptor sanitary sewer crossing under Eighteen Mile Creek in ECSD No. 3., as detailed in the attached scope, dated March 11, 2024.

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**5. Engineering Total Cost:**

\$70,392.00

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**6. Source of Funds:**

7. ECSD No. 3 Professional Services Account 516020

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**8. Project No:** EA-3

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**9. Attachments:** Scope proposal, dated 3/11/2024 (8 pages)

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

---

**DATE:** March 11, 2024

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

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

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

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-16

COUNTY EXECUTIVE

Community Forestry Partnership Project  
Authorization

Attachments

24COMM. 7E-16





# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Community Forestry Partnership Project Authorization**

Dear Honorable Members:

Enclosed please find a resolution from the Department of Environment and Planning (DEP) requesting authorization for the County Executive to execute a five-year contract to accept \$5,218,834 in United States Department of Agriculture grant funding for the Community Forestry Partnership Project, as well as establish budgets in the Department of Environment and Planning, the Department of Parks, Recreation, and Forestry (Parks), and the Sheriff's Office, amend a grant budget in Parks, fund six staff positions, and execute contracts with five grant subawardees.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nb  
Enclosure

cc: Daniel R. Castle, Commissioner  
Bonnie L. Lawrence, Deputy Commissioner  
Troy P. Schinzel, Commissioner  
Sheriff John C. Garcia

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Community Forestry Partnership Project Authorization  
**Date:** April 5, 2024

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### **SUMMARY**

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) to authorize the County Executive to execute a five-year contract to accept \$5,218,834 in United States Department of Agriculture (USDA) grant funding for the Community Forestry Partnership Project, as well as establish budgets in DEP, the Department of Parks, Recreation and Forestry (Parks), and the Sheriff's Office, fund six staff positions, amend a grant budget in Parks, and execute contracts with five grant sub-awardees.

The project is broken into several components:

- A county-wide Community Forest Management Plan will be completed with a consultant to define existing tree canopy cover, heat island areas, and community tree programs; examine County operations and recommend actions to improve tree canopy; coordinate with the project sub-awardees to engage the community on the development of the Plan; identify priority areas for tree programs; and provide recommendations for tree plantings, tree maintenance, shared service opportunities, and strategies regarding tree resilience.
- A new tree nursery on County land operated by Parks that will provide workforce development opportunities for incarcerated individuals from the Erie County Correctional Facility in a partnership with the Sheriff's Office and provide low- or no-cost trees to community forestry projects;
- Sub-awardee Buffalo Freedom Gardens, Inc. will create a Food Forest at JFK Recreation Center to teach residents how to grow and harvest fruits, nuts, and edible plants, provide fruit trees to residents in Buffalo and conduct additional community engagement activities;
- Sub-awardee Cornell Cooperative Extension of Erie County will conduct multifaceted education and workforce development activities including the creation of a certificate course at SUNY Erie Community College and community engagement activities throughout the County with a focus on disadvantaged communities regarding the Community Forest Management Plan;
- Sub-awardee Monarch of Infinite Possibilities, LLC will conduct community engagement activities with churches on the East Side of Buffalo;
- Sub-awardee Town of Tonawanda will expand an existing tree nursery, develop a comprehensive maintenance program for street trees and park trees, and conduct community engagement activities within the Town;

- Sub-awardee BRRAlliance, Inc., also known as the Black Rock Riverside Alliance, will create two fruit orchards, create a community arboretum along two bike paths in the City of Buffalo, and conduct community engagement activities.

The projects will focus on bringing the benefits of trees and tree canopy to federally designated disadvantaged communities, with the exception of the Community Forest Management Plan, which will be county-wide with a focus on disadvantaged communities.

The County staff funded by the new grant budget consist of:  
eed

- 1) Correction Officer (JG-11, B100 #14128), fully funded, a new position in the Sheriff's Office;
- 2) Parks Maintenance Worker II (JG-5, B100 #14154), partially funded, a new position in Parks;
- 3) Parks Maintenance Worker I (JG-3, B100 #14155), partially funded, a new position in Parks;
- 4) Junior Environmental Compliance Specialist (JG-7, B100 #14172), partially funded, a transfer of an existing position in DEP;
- 5) Principal Environmental Compliance Specialist (JG-14, B100 #14171), partially funded, which is a new position that replaces an existing JG-12 position in DEP.

The balance of funding for the partially funded positions will be from existing budgets.

In addition to the positions funded by the new grant budget, an existing Senior Environmental Compliance Specialist in Parks will be partially funded by amending an existing Parks grant budget (164BUFRIVERRAP2324).

## **FISCAL IMPLICATIONS**

The requested staff positions and program expenses will be funded by the USDA grant or by existing budgets. Therefore, there will be no fiscal impact on the County. Details for each position are described in Table 1.

**Table 1: Staff Position Details**

| Item  | Correction Officer    | Parks Maintenance Worker 1 | Parks Maintenance Worker 2 | Junior Environmental Compliance Specialist | Principal Environmental Compliance Specialist |
|---|-----------------------|----------------------------|----------------------------|--|---|
| Department  | Sheriff               | Parks                      | Parks                      | DEP  | DEP   |
| Job Grade   | JG-11                 | JG-3                       | JG-5                       | JG-7                                       | JG-14   |
| B-100#  | 14128                 | 14155                      | 14154                      | 14172                                      | 14171   |
| Annualized salary                                   | \$89,690              | \$39,557                   | \$42,742                   | \$52,357                                   | \$108,717                                     |
| Salary for balance of year                          | \$67,268              | \$29,668                   | \$32,057                   | \$39,268                                   | \$81,538                                      |
| Partially or fully funded project                   | Fully                 | Partially                  | Partially                  | Partially                                  | Partially                                     |
| Grant source  | 162CTCEPP2430         |                            |                            |  |   |
| Grant duration                                      | 4/1/2024 to 3/31/2029 |                            |                            |  |   |
| Remaining grant funding                             | \$5,218,834           |                            |                            |  |   |
| Alternate source of funding if grant is not renewed | Non-renewable grant   |                            |                            |  |   |
| New position or transfer of existing position       | New                   | New                        | New                        | Transfer                                   | New   |

## **REASONS FOR RECOMMENDATION**

The project addresses several key priorities from the Erie County Community Climate Action Plan (CCAP) and will increase climate resiliency and protect vulnerable residents in disadvantaged communities while mitigating climate pollution. The resulting community trees and tree canopy will mitigate extreme heat, improve air quality, absorb stormwater runoff, increase property values, and provide additional health, social, and environmental benefits. Finally, the project will support workforce development, including for incarcerated individuals.

## **BACKGROUND INFORMATION**

Community trees are trees in neighborhoods, business districts and recreation areas. Community trees provide many benefits including removing carbon from the atmosphere and improving air quality, providing shade, and protecting vulnerable residents from extreme heat, absorbing stormwater, and increasing property values.

Lack of greenspace and trees in disadvantaged communities is a well-known and long-standing problem in Erie County and is partly a byproduct of redlining and disinvestment in low-income communities and communities of color. In 2022, Erie County completed a Climate Vulnerability Assessment that identified extreme heat and flooding as key climate threats disproportionately affecting vulnerable populations in disadvantaged communities. It also described how these hazards are exacerbated by the lack of tree canopy, especially in urban areas subject to heat island effects. The Erie County Legislature recently adopted the CCAP, and several recommendations from this plan focused on the lack of trees in disadvantaged communities and the need for programs that provide the benefits of trees.

In the spring of 2023, the USDA Forest Service Community and Urban Forestry Program issued a grant solicitation for tree programs, with a focus on disadvantaged communities. DEP convened a proposal team that included five community partner organizations who were already stakeholder participants helping to develop the CCAP. The resulting grant application was submitted to USDA, and Erie County was one of a small number of communities to receive a full award. This proposed project will be led by DEP in partnership with Parks and the Sheriff's Office and the five sub-awardees.

### **CONSEQUENCES OF NEGATIVE ACTION**

Erie County would forfeit the USDA grant funding and the community would not receive the benefits of the tree project.

### **STEPS FOLLOWING APPROVAL**

A contract with the USDA will be executed, budgets and five positions will be created in DEP, Parks, and the Sheriff's Office, an existing grants budget will be amended in Parks, and subaward agreements will be executed with the five sub-awardees.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Community Forestry Partnership Project Authorization

WHEREAS, trees in neighborhoods, business districts, and recreational areas provide numerous benefits, including reducing climate pollution, improving air quality, providing shade and mitigating heat island impacts, absorbing stormwater, increasing property values, and providing other social, health, and environmental benefits; and

WHEREAS, in 2022, Erie County completed a Climate Vulnerability Assessment that identified extreme heat and flooding as climate threats disproportionately impacting disadvantaged communities; and

WHEREAS, earlier this year the Erie County Legislature adopted the Erie County Community Climate Action Plan that recommends prioritizing community forestry programs to increase tree canopy and the benefits of trees in disadvantaged communities in January 2024 (COMM 2E-19); and

WHEREAS, Erie County has been awarded a \$5,218,834 grant from the United States Department of Agriculture (USDA) to

- i. develop a county-wide Community Forest Management Plan;
- ii. develop a tree nursery led by the Department of Parks, Recreation and Forestry (Parks) in partnership with the Sheriff's Office on County property, providing workforce development opportunity to incarcerated individuals at the Erie County Correctional Facility as well as free and low-cost trees to municipalities and community organizations;
- iii. develop several nurseries, orchards, and tree planting projects in disadvantaged communities; and
- iv. conduct community outreach, education, and workforce development activities including certificate courses at SUNY Erie Community College; and

WHEREAS, the USDA award specifies five sub-awardees who are necessary to perform the project tasks: Buffalo Freedom Gardens, Inc., Cornell Cooperative Extension of Erie County, Monarch of Infinite Possibilities, LLC, the Town of Tonawanda, and the BRRAlliance, Inc. (also known as the Black Rock Riverside Alliance); and

WHEREAS, the project will partially or fully fund the following positions in a new grant budget, with the balance of funding from other existing budgets:

- i. Correction Officer (JG-11), a new position in the Sheriff's Office;
- ii. Parks Maintenance Worker II (JG-5), a new position in Parks;
- iii. Parks Maintenance Worker I (JG-3), a new position in Parks;
- iv. Junior Environmental Compliance Specialist (JG-7), a transfer of an existing position in DEP;

- v. Principal Environmental Compliance Specialist (JG-14), which replaces an existing grant-funded JG-12 position in DEP; and

WHEREAS, to support the project, it is necessary to amend an existing grant budget (164BUFRIVERRAP2224, Funds Center 16400, Fund 281) to provide additional funding for an existing position in Parks; and

WHEREAS, to proceed with the project it is necessary to execute a contract with the USDA, adopt new grant budgets for the project within DEP, Parks and the Sheriff's Office, create four positions within the new grant budgets, transfer one position to the new DEP grant budget, and amend an existing grant budget in Parks.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to execute the necessary agreement to accept a grant of \$5,218,834 from the USDA for the "Community Forestry Partnership Project" and be made available as a multi-year grant to the Department of Environment and Planning in Fund 281, Funds Center 1620020 as follows:

Department of Environment and Planning  
Community Forestry Partnership Project  
162CTCEPP2430  
April 1, 2024 through March 31, 2029

| <u>ACCOUNT</u> | <u>REVENUES</u>            | <u>BUDGET</u> |
|----------------|----------------------------|---------------|
| 414000         | Federal Aid Revenues       | \$5,218,834   |
| 479000         | County Share Contributions | <u>XXXX</u>   |
|                | TOTAL                      | <u>\$</u>     |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u>              | <u>BUDGET</u>  |
|----------------|------------------------------------|----------------|
| 500000         | Full Time Salaries                 | \$ 376,417     |
| 502000         | Fringe Benefits                    | 188,209        |
| 510000         | Local Mileage Reimbursement        | XX             |
| 510100         | Out of Area Travel                 | 7,078          |
| 510200         | Training and Education             | 6,000          |
|                | Professional Service Contracts and |                |
| 516020         | Fees                               | 2,907,716      |
| 561410         | Lab & Technical Equipment          | 23,000         |
| 561420         | Office Eqmt, Furniture & Fixtures  | 20,000         |
| 916400         | ID Parks                           | 954,345        |
| 911500         | ID Sheriff                         | <u>779,069</u> |
|                | TOTAL                              | <u>\$</u>      |

and be it further;

RESOLVED, that authorization is hereby given to create two new positions in the Department of Environment and Planning 162CTCEPP2430 grant:

Principal Environmental Compliance Specialist (JG-14)  
B-100 # 14171, Budgeted Annual Salary: \$108,717

Junior Environmental Compliance Specialist (JG-7)  
B-100 #14172, Budgeted Annual Salary: \$52,357

and be it further

RESOLVED, that authorization is hereby given to create two positions and modify the 2024 budget in the Department of Parks, Recreation, and Forestry, Fund Center 16410 fund 281 for the duration of the grant commitment:

Parks Maintenance Worker I (JG-3)  
B-100 # 14155 Budgeted Annual Salary: \$39,557

Parks Maintenance Worker II (JG-5)  
B-100 # 14154 Budgeted Annual Salary: \$42,742

Department of Parks, Recreation, and Forestry  
Fund 281, Funds Center 16410

APPROPRIATIONS

| <u>Account</u>       | <u>Description</u>                     | <u>Amount</u> |
|----------------------|--|---------------|
| 500000               | Full Time Salaries                     | \$350,000     |
| 502000               | Fringe Benefits                        | \$175,000     |
| 505800               | Medical & Health Supplies              | \$2,770       |
| 506200               | Maintenance & Repair                   | \$54,200      |
| 505400               | Food & Water Supplies                  | \$4,500       |
| 516020               | Professional Services Contracts & Fees | \$25,000      |
| 545000               | Rental Charges                         | \$20,000      |
| 916400               | ID Parks                               | \$(631,845)   |
| TOTAL APPROPRIATIONS |  | \$0           |

and be it further



RESOLVED, authorization is hereby given to modify the existing grant budget 164BUFRIVERRAP2324 in Parks Funds Center 16400, Fund 281 as follows:

Department of Parks, Recreation and Forestry  
164BUFRIVERRAP2324

APPROPRIATIONS

| <u>Account</u>       | <u>Description</u> | <u>Amount</u> |
|----------------------|--------------------|---------------|
| 500000               | Full Time Salaries | \$215,000     |
| 502000               | Fringe Benefits    | \$107,500     |
| 916400               | ID Parks           | \$(322,500)   |
| TOTAL APPROPRIATIONS |                    | \$0           |

and be it further

RESOLVED, that authorization is hereby given to create one position, reimbursed via ID billing, and modify the Division of Jail Management's 2024 budget as follows:

Corrections Officer (JG-11)  
B-100 # 14128 Budgeted Annual Salary: \$89,690

Erie County Sheriff Division of Jail Management  
Fund 110, Funds Center 11610

APPROPRIATIONS

| <u>Account</u>       | <u>Description</u> | <u>Amount</u> |
|----------------------|--------------------|---------------|
| 500000               | Full Time Salaries | \$519,379     |
| 502000               | Fringe Benefits    | \$259,690     |
| 911500               | ID Sheriff         | \$(779,069)   |
| TOTAL APPROPRIATIONS |                    | \$0           |

and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with the following grant sub-awardees specified by USDA:

- i. Buffalo Freedom Gardens, Inc. in an amount not to exceed \$422,984;
- ii. Cornell Cooperative Extension of Erie County in an amount not to exceed \$1,005,252;
- iii. Monarch of Infinite Possibilities, LLC in an amount not to exceed \$250,000;
- iv. Town of Tonawanda in an amount not to exceed \$151,784; and
- v. BRRAlliance, Inc. in an amount not to exceed \$621,775;

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to implement any budget adjustments as required to comply with the grantor funding requirements provided there are no changes to authorized personnel levels or county share amounts; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive, the Division of Budget and Management, the Department of Law, the Office of the Comptroller, the Office of the Sheriff, the Department of Environment and Planning, and the Department of Parks, Recreation, and Forestry.

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-17

COUNTY EXECUTIVE

Authorization to Amend Contract for GIS  
Support and Technical Services

Attachments

24COMM. 7E-17



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

2024 APR 5 12:40:55

April 5, 2024

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

**Re: Authorization to Amend Contract for GIS Support and Technical Services**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute an Amendment to the professional services consultant Term Agreement with Bergmann Associates (AKA Colliers Engineering and Design) for the addition of second year of a two-year term agreement and related costs thereof.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP: kc  
Enclosure

cc: William Geary Jr., Commissioner Public Works

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Authorization to Amend Contract for GIS Support and Technical Services  
**Date:** April 5, 2024

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### **SUMMARY**

This resolution is requesting authorization for the County Executive and the Department of Public Works, Division of Highways to execute an Amendment to the current consultant contract with Bergmann Associates (Colliers Engineering and Design), COMM. 16E-2, (2022) for the second year of a two-year Term Agreement for GIS support services, and related costs thereof.

### **FISCAL IMPLICATIONS**

The funding required for Year 2 of this Term Agreement Amendment is estimated at \$100,000. This amount is available from Fund 420, Funds Center 123, SAP Project B.22050 "2022 Capital Overlay".

### **REASONS FOR RECOMMENDATION**

These funds are to be used for continued assistance from GIS specialists in updating GIS applications, mapping services and hardware. These updates are required in part due to the highway safety items work system. This project is currently underway and will provide more efficiency when responding to necessary work, managing staff, and responding to the public with consistent and accurate data. The Department has purchased the work order system that requires additional data implementation, as well as user and administrator training before deployment.

### **BACKGROUND INFORMATION**

The service upgrades and work order system are a continuation of the Department of Public Works GIS Implementation project and will provide the department with a more efficient asset management system and the ability to manage an aging infrastructure and respond to deficiencies with electronic processes. These upgrades will also aid in the communications of conditions during storm events, and daily maintenance activities. This project is currently underway and has an expected deployment date of December 2024.

### **CONSEQUENCES OF NEGATIVE ACTION**

This action is required to update existing GIS service and ensure the completion of the work order implementation project. Negative action would halt consultant services and prevent the Division of Highways from using the purchased work order system (Open Gov /Cartograph) to its fullest extent and improving efficiencies of the department.

### **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive and the Department of Public Works, Division of Highways will execute Amendment to the current contract with Bergmann Associates (Colliers Engineering and Design) for Year Two GIS Services.

### **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 3/7/24

Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.22050

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

RE: Authorization to Amend Contract for GIS Support and Technical Services

WHEREAS, the Department of Public Works (DPW), Division of Highways (Division), maintains a Geographic Information System (GIS) for asset management; and

WHEREAS, the Division, has a two-year term agreement for GIS support services with Bergmann and Associates (AKA Colliers Engineering & Design) approved in Comm 16E-2 (2022); and

WHEREAS, the Department desires to fund the second year of the contract for support GIS services and further implementation of the highway safety items work order system an amendment to the contract is being requested in the sum of \$100,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a contract amendment with Bergmann and Associates (AKA Colliers Engineering & Design) in an amount not to exceed \$100,000 to provide GIS support services in accordance with their two-year term agreement; and be it further

RESOLVED, that sufficient funding for this contract amendment is available in Fund 420, Fund Center 123, Capital Project B.22050 Capital Overlay; and be it further.

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive'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  | Bergmann Associates (AKA Colliers Engineering & Design)                            |
| 2. AMOUNT OF CONTRACT | \$100,000  |
| 3. PROJECT NUMBER     | B.22050  |
| 4. PROJECT TITLE      | 2024 GIS Support Services Contract Year 2  |
| 5. DEPARTMENT CONTACT | Funding questions: William Geary at x7555<br>Letter pickup: Christy Weber at x8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |                    |
|------------------------------------|--------------------|
| 6. AVAILABILITY OF FUNDS           | \$2,062,909.26     |
| 7. PERFORMED BY                    | <i>[Signature]</i> |
| Date Sent to Comptroller's Office: | March 7, 2024      |

[55 compt\_10]



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SUBJECT

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COMM. 7E-18

COUNTY EXECUTIVE

Public Works - Authorization to Contract for  
the Provision of Equipment Rental Services

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Attachments

24COMM. 7E-18

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

2024 APR 5 '24 10:55

April 5, 2024

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

**RE: Public Works – Authorization to Contract for the Provision of Equipment Rental Services**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Public Works, requesting authorization for the County Executive or Deputy County Executive to execute an agreement with Admar Supply Company, Inc. for equipment rental 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 blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jp  
Enclosure

cc: William 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:** Public Works – Authorization to Contract for the Provision of Equipment  
Rental Services  
**Date:** April 5, 2024

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### **SUMMARY**

The Erie County Department of Public Works-Division of Highways sought proposals from qualified organizations for Rental Equipment to meet the equipment needs of the Highways Maintenance Districts and Admar Supply Company, Inc. was chosen through the RFP selection process.

### **FISCAL IMPLICATIONS**

Throughout the term of the agreement, Erie County will rent loaders with loader buckets and other equipment for the Highway Districts to perform necessary work to maintain and improve roadways.

There are costs for the rental, as well as the rental/training of additional specialized equipment, throughout the various seasons or for unique emergency situations, along with the purchase of any necessary specialized equipment/accessories for utilized equipment.

Authorization is requested for the transfer of any funds over \$10,000 from various accounts within DPW, Division of Highways Budget, Fund 210, Funds Center 1231010 to Account 545000 – Rental Charges, as needed, to cover the rental/training charges each year throughout the two-year agreement with the option of an additional two years of engagement.

### **REASONS FOR RECOMMENDATION**

To date the Department has benefitted from the ability to rent various pieces of equipment including but not limited to front loaders, motor graders and paving equipment to complete necessary projects and support operations in the Highways Maintenance Districts. Access to rental equipment as a resource during winter operations and during construction season has provided the department with reliable, up to date equipment to handle different types of projects and by doing so reduces our dependency on outside contractors, which will lead to reduced spending while allowing us to effectively manage cash flow.

### **BACKGROUND INFORMATION**

DPW would like to continue to be proactive when it comes to construction operations, snow removal and the cleanup needed during any other type of situation that may occur. To do so, more equipment is necessary. The purchase of equipment is very costly, and the equipment can become outdated very quickly. Major repairs are often expensive and leave the County without necessary equipment while repairs are being done.

DPW researched ways to cut costs while still being able to have the most up to date equipment available for use throughout the County and piloted a Rental Program that was approved by your body. We would like to have a rental program continue which is why we solicited responses through our RFP process.

### **CONSEQUENCES OF NEGATIVE ACTION**

There will be delays in adequately handling snowfall and challenges in performing construction activities as well as higher costs for the purchase and repair of equipment.

### **STEPS FOLLOWING APPROVAL**

A contract will be executed, and rented equipment will be acquired and delivered when needed.

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

RE: Contract for the Provision of Equipment Rental Services

WHEREAS, the Erie County Department of Public Works (DPW), Division of Highways wishes to further its practice of renting various pieces of equipment, to provide the County with specialized equipment and training, as needed, for winter/seasonal work and other unique emergency situations; and

WHEREAS, an RFP was prepared to select the best vendor to contract with to continue with the rental option; and

WHEREAS, Admar Supply Company, Inc., was the chosen respondent after review of their submittal; and

WHEREAS, Legislative approval is needed for the County Executive to enter into a two-year agreement with Admar Supply Company, Inc., with the option of an additional two years of renewals; and

WHEREAS, there is the option of adding additional types of equipment, as needed at any time, which would add additional rental/training charges for the specialized equipment, with the possibility of the need to purchase specialized accessories for the equipment throughout the various seasons or for unique emergency situations throughout the year; and

WHEREAS, renting gives the advantage of using the latest reliable technology and equipment while eliminating service costs, minimizing downtime, through this agreement with Admar Supply Company, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a two-year agreement with the option for two one-year renewals with Admar Supply Company, Inc, as needed, to provide the County with specialized equipment for winter/seasonal work and other unique emergency situations; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to transfer funding greater than \$20,000 as needed within the Department of Public Works, Division of Highways 2024 Adopted Budget (Fund 210, Funds Center 123) Account #505600 – Auto, Truck, & Heavy Equipment Supplies and Account 545000 – Rental Charges to cover unanticipated rental needs associated with this contract; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Division of Highways, and one copy each to the County Executive's Office, Comptroller's Office, Department of Law, and the Division of Budget and Management.



ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - HIGHWAYS  
RFP # 2024-RP-RENT EQUIP  
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

| Proposer        | EVALUATION CRITERIA               |                                   |   |                                   |   |                                   |                                   |                                   |                                   |                                   | Weighted<br>Average<br>Qualifications<br>Score<br>(1 - 10) | Qualifications<br>Ranking |                                |  |       |
|-----------------|-----------------------------------|-----------------------------------|---|-----------------------------------|---|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--|---------------------------|--------------------------------|--|-------|
|                 | Understanding of Work to be Done  |                                   | Inventory and Equipment<br>Availability |                                   | Firm<br>Experience with Similar<br>Projects |                                   | Cost Submission                   |                                   | Organizations and Scheduling      |                                   |  |                           | Percentage of<br>Participation |  | M/WBE |
|                 | Weight = 15%                      | Weight = 25%                      | Weight = 15%                            | Weight = 20%                      | Weight = 20%                                | Weight = 20%                      | Weight = 3%                       | Weight = 3%                       | Weight = 3%                       | Weight = 3%                       |  |                           |                                |  |       |
|                 | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10)       | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10)           | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10) | Committee Member Raw Score (1-10)                          | Avg Score                 |                                |  |       |
| McKenzie Bros.  | 10                                | 10                                | 10                                      | 9                                 | 10  | 10                                | 10                                | 10                                | 10                                | 10                                | 10   | 10                        | 1                              |  |       |
| Greer and Smith | 8                                 | 9                                 | 8                                       | 8                                 | 6   | 10                                | 8                                 | 7.67                              | 8                                 | 10                                | 9  | 7                         | 4                              |  |       |
| McKenzie Bros.  | 8                                 | 10                                | 8                                       | 8                                 | 7   | 10                                | 8                                 | 8.33                              | 8                                 | 10                                | 9  | 8                         | 5                              |  |       |
| McKenzie Bros.  | 9                                 | 8                                 | 8                                       | 7                                 | 6   | 10                                | 8                                 | 9.00                              | 8                                 | 10                                | 9  | 9                         | 6                              |  |       |
| Greer and Smith | 9                                 | 10                                | 8                                       | 8                                 | 5   | 9                                 | 11                                | 9.11                              | 9                                 | 10                                | 9  | 10                        | 7                              |  |       |
| McKenzie Bros.  | 8                                 | 9                                 | 8                                       | 8                                 | 8   | 10                                | 8                                 | 9.00                              | 10                                | 10                                | 9  | 10                        | 8                              |  |       |

It is my opinion in recommending the Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Any charts and other materials related to this matter are available for review at the Department of Public Works after public consultation hours.

Walter Greer Jr., Commissioner  
Erie County Department of Public Works

Lisa Chenevix  
Deputy County Executive

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

|             |                  |  |
|-------------|------------------|--|
| COMM. 7E-19 | COUNTY EXECUTIVE | 2023-2024 On-Call/Emergency Bridge &<br>Culvert Engineering Services Amendment |
|-------------|------------------|--|

Attachments

24COMM. 7E-19





# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

2024-04-05 10:55

April 5, 2024

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

**RE: 2023-2024 On-Call/Emergency Bridge and Culvert Engineering Services  
Amendment Various Locations, Erie County**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to amend a contract with CHA Consultants, Inc. for Erie County Bridge and Culvert On-Call and Emergency Engineering Services.

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 blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jtd  
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:** 2023-2024 On-Call/Emergency Bridge and Culvert Engineering Services  
Amendment Various Locations, Erie County  
**Date:** April 5, 2024

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### **SUMMARY**

This resolution requests authorization for the County Executive to amend a contract with CHA Consultants, Inc. for On-call/Emergency Bridge and Culvert Design Engineering Services. The original contract was authorized by your Honorable Body in COMM 12E-8 (2023) on June 22, 2023, and included funding for the first year of the two-year contract. This amendment adds additional funding to the original contract for the second year of the contract. This contract addresses emergency conditions, conditions received from the New York State Department of Transportation (NYSDOT) or county inspections, district maintenance reports, or citizen reports on bridges and culverts throughout Erie County, as well as the design services for Locally Administered Federal Aid Maintenance Projects.

### **FISCAL IMPLICATIONS**

CHA Consultants, Inc.'s contract will be increased in the amount of \$375,000. Funds are available in the following Projects in Fund 420, Funds Center 123:

|   |                  |
|---|------------------|
| B.21158 – 2021 Federal Aid Bridge Preservation Design | \$175,000        |
| B.22056 – 2022 Federal Aid Bridge Preservation Design | \$100,000        |
| B.22058 – 2022 As Directed/Emergency Design           | \$100,000        |
| <b>TOTAL PROJECT</b>                                  | <b>\$375,000</b> |

### **REASONS FOR RECOMMENDATION**

Erie County receives notices of NYSDOT bridge inspection and county large culvert inspection reports, as well as notifications from maintenance districts or citizens, of various bridge and culvert conditions which may limit or restrict public access. DPW-Division of Highways is required to provide immediate response to sufficiently address bridge conditions, culverts or provide recommendations for rectifying the conditions.

The County also has multiple bridge maintenance projects which are eligible for Federal Aid for construction, but not for the design phase. These projects, included in the original RFQ/P, require the County to fund Design at 100% before any Federal or State Agreements can be authorized for the Construction phase of the projects.

### **BACKGROUND INFORMATION**

The County has 297 bridges averaging approximately 50 years in age and 482 small bridges, in addition to an un-enumerated inventory of maintenance culverts. Age, natural elements, and use have precipitated the deterioration of many County bridges and culverts thereby accounting for the numerous conditions affecting long-term preservation.

The County has 5 upcoming approved Federal Aid Maintenance Projects on the State Transportation Improvement Program (TIP). These projects will need to be designed before they can be let for construction, therefore additional design funding is needed for these projects.

CHA has provided design services on multiple bridges which have been flagged by NYSDOT or other inspections. They are also currently working on the design for the Emery Road Culvert, which if not repaired could result in damage to the roadway. Additional design funding is needed to ensure as-needed engineering services can be continued without interruption.

### **CONSEQUENCES OF NEGATIVE ACTION**

If conditions are not responded to in a reasonable time frame, access by the traveling public on the County bridges will be limited through load postings or closures based upon the severity of the condition. Negative action will suspend long term preservation measures and the loss of future federal aid monies for preservation of the County's bridges.

### **STEPS FOLLOWING APPROVAL**

The County Executive will amend the contract to CHA Consultants, Inc. for the 2023-2024 On Call/Emergency Services contract to increase the funding by \$375,000.

## **COMPTROLLER'S OFFICE REVIEW**

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

Timothy C. Callan - 3/27/24  
Timothy C. Callan  
~~Director of Accounting Services~~ *Deputy Comptroller*  
Comptroller's Office

File Copy  
B.21158  
B.22056  
B.22058

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: 2023-2024 On-Call/Emergency Bridge and Culvert Engineering Services Amendment  
Various Locations, Erie County

WHEREAS, the Legislature of Erie County authorized the 2023-2024 On Call/Emergency Bridge and Culvert Engineering Services Contract with CHA Consultants in COMM 12E-8 (2023) on June 22, 2023; and

WHEREAS this contract provides emergency bridge/culvert design, technical/engineering services, construction management and inspection, and Federal Aid Bridge Maintenance design services; and

WHEREAS, there are several approved Federal Aid Bridge Maintenance projects on the Transportation Improvement Plan (TIP), which do not include federal funding for design but need to be designed in advance of their required lettings within the next 2 years; and

WHEREAS, COMM 12E-8 (2023) included funding for only the first year of the contract, and the contract is entering the second year;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an amendment to the 2023-2024 On Call/Emergency Engineering Services with CHA Consultants, Inc. for the second year of the contract in an amount not to exceed \$375,000; and be it further

RESOLVED, that sufficient funding exists within the Department of Public Works Highways Division's Capital Budget (Fund 420, Funds Center 123) as follows:

|   |                  |
|---|------------------|
| B.21158 – 2021 Federal Aid Bridge Preservation Design | \$175,000        |
| B.22056 – 2022 Federal Aid Bridge Preservation Design | \$100,000        |
| <u>B.22058 – 2022 As Directed/Emergency Design</u>    | <u>\$100,000</u> |
| TOTAL Project Cost                                    | \$375,000        |

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Comptroller's Office and the 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  | <u>CHA Consultants, Inc.</u>   |
| 2. AMOUNT OF CONTRACT | <u>\$375,000</u>   |
|                       | B.21158 - \$175,000<br>B.22056 - \$100,000<br>B.22058 - \$100,000            |
| 3. PROJECT NUMBER     | <u></u>  |
| 4. PROJECT TITLE      | <u>2023-2024 On-Call/Emergency Bridge &amp; Culvert Engineering Services</u> |
|                       | Funding questions: William E. Geary, Jr. at 8301                             |
| 5. DEPARTMENT CONTACT | <u>Letter pickup: Christy Weber at 8301</u>                                  |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |                       |
|------------------------------------|-----------------------|
| 6. AVAILABILITY OF FUNDS           | <u>\$ 475,000.00</u>  |
| 7. PERFORMED BY                    | <u><i>ldugher</i></u> |
| Date Sent to Comptroller's Office: | <u>March 26, 2024</u> |

[55 compt\_10]

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-20

COUNTY EXECUTIVE

Bridge NY Project Agreement with NYSDOT  
- Mill Road Bridge Replacement Project

Attachments

24COMM. 7E-20



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Bridge NY Project Agreement with NYSDOT and Contract for Engineering Design Services PIN 5764.90 – Mill Road Bridge Replacement Project – West Seneca, NY**

Dear Honorable Members:

We are forwarding, for your approval, a proposed resolution authorizing the County of Erie to participate in the Bridge NY program. The County Executive to enter into an Agreement with the New York State Department of Transportation to pay the Federal and non-Federal share of the cost of design phases I-VI and right of way incidentals for the subject project.

In addition, the Department of Public Works requests permission to award a contract for this project to CHA Consulting, Inc. selected via request for proposals.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:dms/dab



## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Bridge NY Project Agreement with NYSDOT and Contract for Engineering Design Services PIN 5764.90- Mill Road Bridge Replacement Project - West Seneca, Erie County  
**Date:** April 5, 2024

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### **SUMMARY**

The County of Erie received an award for the subject bridge replacement project as a part of the Bridge NY Program. Adoption of this resolution authorizes the County Executive to enter into an Agreement with the New York State Dept. of Transportation (NYSDOT) for the Design Phases I through VI and right of way incidentals for this Project. The Department of Public Works also requests approval for the County Executive to execute a design engineering agreement with CHA Consulting Inc., the engineering firm that was selected via request for proposal following the Locally Administered Federal Project guidelines.

### **FISCAL IMPLICATIONS**

The state local agreement for the Engineering and Right-of-Way Incidentals provides for the Project with a 95% Federal share and a 5% local share, Erie County funds. The funding for this Project is as follows:

| Project Number | Federal Share | County Share | WBS Element |
|----------------|---------------|--------------|-------------|
| PIN 5764.90    | \$365,750     | \$19,250     | B.23008     |

The contract awarded to the consulting engineer will not exceed the funding provided by the agreement with NYSDOT.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Public Works wants to initiate the design phase of this Bridge NY Project by entering into the Agreement for Design Phases I - VI and right of way incidentals with the New York State Department of Transportation. In addition, the Department requests the award of contract to the selected engineering consultant thus beginning design of the Project promptly and adhering to the time restrictions of the Bridge NY program. These Projects benefit from Federal Aid reimbursement through the Bridge NY program at a rate of 95 percent.

### **BACKGROUND INFORMATION**

The Project was approved by the New York State Department of Transportation in their current Capital Program to be funded with Federal Aid funds. There is a time restriction on the award of these federal monies in which Erie County must complete these designs within 24 months of award hence the desire to immediately award design contracts to engineering firms.

### **CONSEQUENCES OF NEGATIVE ACTION**

If these Agreements are not approved, the bridges will continue to deteriorate and pose problems for the traveling public. Failure to execute these Agreements will jeopardize receipt of the Project awards and possibly the loss of eligibility for future Bridge NY Program participation.

### **STEPS FOLLOWING APPROVAL**

County Executive will execute the agreement with NYSDOT. The contract with the selected engineering firm will also be executed. The funding for the first 100% instance of this contract will be allocated by the Budget Department.

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

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

Handwritten signature of Timothy C. Callan and the date 3/27/24.

Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.23008 - Fed Aid Bridge Preservation - Design

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Bridge NY Project Agreement with NYSDOT and Contract for Engineering Design Services PIN 5764.90 - Mill Road Bridge Replacement Project - West Seneca, Erie County

WHEREAS, the County of Erie was awarded PIN 5764.90 – Mill Rd. over Cazenovia Creek, BIN 2260400, Bridge Replacement Project in the Town of West Seneca (“Project”) through the Bridge NY Program; and

WHEREAS, the subject Project is eligible for funding under Title 23, U.S. Code, as amended, 23CFR as amended PUB.L. 117-58 also known as the “Bipartisan Infrastructure Law” (BIL); and

WHEREAS, an agreement needs to be executed by the County of Erie with New York Dept. of Transportation for the subject Project to enable the disbursement of the funding from Bridge NY; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to 100% of the costs of the Project for Design Engineering (Scoping & Design Phase I-VI) and Right of Way Incidentals phases for the Project; and

WHEREAS, in advancing the project, the Department of Public Works desires to award a design contract to CHA Consulting, Inc., the engineering consultant selected for the project through the Federal Aid request for proposal process; and

WHEREAS, the funding for the Project is available in BA 123, Fund 420, SAP project B.23008, Federal Aid Bridge Preservation - Design, including Project revenue in the amount of \$365,570.00 in a Federal Aid reimbursable share and \$19,250 in a local share, totaling \$385,000 for the project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into and execute the state and local agreement for project PIN 5764.90 Mill Road over Cazenovia Creek Bridge Replacement, awarded to the County of Erie through the Bridge NY Program, with the New York State Department of Transportation; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the design engineering (Design I-VI) and right-of-way incidentals, phases of the project; and be it further

RESOLVED, that authorization is hereby given to modify Capital Project B.23008, Federal Aid Bridge Preservation - Design, in Fund 420, Funds Center 123 with the anticipated revenue in the Project Agreement as follows:

Project B.23008  
Federal Aid Bridge Preservation - Design  
Fund 420, Funds Center 123

| <b>REVENUES</b>                | <b>BUDGET</b>      | <b>CHANGE</b>    | <b>REVISED<br/>BUDGET</b> |
|--------------------------------|--------------------|------------------|---------------------------|
| 414000 Federal Aid             | \$1,339,025        | \$365,750        | \$1,704,775               |
| 475000 General Obligation Bond | <u>\$ 500,000</u>  | <u>\$ 0</u>      | <u>\$ 500,000</u>         |
|                                | <u>\$1,839,025</u> | <u>\$365,750</u> | <u>\$2,204,775</u>        |
| <b>APPROPRIATIONS</b>          |                    |                  |                           |
| Capital Project Expense        | <u>\$1,839,025</u> | <u>\$365,750</u> | <u>\$2,204,775</u>        |
| <b>TOTAL</b>                   | <u>\$1,839,025</u> | <u>\$365,750</u> | <u>\$2,204,775</u>        |

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with CHA Consulting, Inc., the engineering firm selected by the Federal Aid RFP process for the Project, in an amount not to exceed \$385,000; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to make any necessary budgetary adjustments to Capital Project B.23008 for any and all increases or reductions in Federal and/or State revenue that are made available; 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 costs of the projects, 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 Aid and/or State 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 identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County of Erie hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months in accordance with the Agreement; and be it further

RESOLVED, that the County of Erie hereby agrees that to be responsible for all costs of the Projects, including costs which exceed the amount of the reimbursement available from the Bridge NY funding awarded to the County; and be it further

RESOLVED, that the County of Erie will be responsible for all maintenance of the projects; 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 three (3) 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 one (1) copy each to the County Executive's Office, the Comptroller's Office and the 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>CHA Consulting Inc.                          |
| 2. AMOUNT OF CONTRACT | \$385,000 – CHA Consulting, Inc.  |
| 3. PROJECT NUMBER     | B.23008   |
| 4. PROJECT TITLE      | 2023 Fed Aid Bridge Preservation - Design<br>PIN 5764.90 Mill Rd Bridge                     |
| 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           | \$ 1,839,025.00   |
| 7. PERFORMED BY                    |  |
| Date Sent to Comptroller's Office: | March 26, 2024  |

[55 compt\_10]

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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|             |                  |   |
|-------------|------------------|---|
| COMM. 7E-21 | COUNTY EXECUTIVE | Contracts for Construction & Construction<br>Inspection Services - Towns of Hamburg, and<br>Orchard Park and City of Lackawanna |
|-------------|------------------|---|

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|               |             |
|---------------|-------------|
| 24COMM. 7E-21 | Attachments |
|---------------|-------------|

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Rehabilitation of Abbott Road (CR 4) from Milestrip Road (NYS 179) to Fisher Road (TH) and Willett Road (CR 187) from the Smokes Creek Bridge to Abbott Road (CR 4) Contracts for Construction and Construction Inspection Services Town of Hamburg, Town of Orchard Park, and City of Lackawanna CAP-004.187-22**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute a construction contract with D&H Excavating, Inc. and a construction inspection and administration contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for the Abbott Road, and Willett Road rehabilitation 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 blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz  
Erie County Executive

MCP  
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 Milestrip Road (NYS 179) to Fisher Road (TH) and Willett Road (CR 187) from the Smokes Creek Bridge to Abbott Road (CR 4) Contracts for Construction and Construction Inspection Services Town of Hamburg, Town of Orchard Park, and City of Lackawanna CAP-004.187-22  
**Date:** April 5, 2024

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### **SUMMARY**

The Department of Public Works, via Comm. 2E-16 (2023) on February 2, 2023, received authorization for participation in the subject project. The department is seeking authorization to execute a construction contract with D&H Excavating, Inc. in the amount not to exceed \$7,527,770, a construction inspection services contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. in the amount of \$391,344, and establish a project contingency of \$350,000 for a total project cost not to exceed \$8,269,114.

### **FISCAL IMPLICATIONS**

The total cost for the Construction and Construction Inspection phases and project contingency for this project are currently estimated at \$8,269,114.28. Funding for this project is available in Fund 420, Fund Center 123, in the following Capital Projects:

|              |  |                |
|--------------|--|----------------|
| B.16013.5    | 2016 Road Const. Abbott & Willet Cons. | \$ 12,519.17   |
| B.20009.1.2  | 2020 Turn Back of Roads                | \$ 723,000.00  |
| B.23004      | 2023 Abbott & Willett                  | \$3,162,500.00 |
| B.22050.1.11 | 2024 Abbott & Willet Const.            | \$ 654,945.26  |
| B.22050.2.10 | 2024 Abbott & Willet Const.            | \$ 546,124.85  |
| B.23050.2.5  | 2024 Abbott & Willet Const.            | \$3,170,025.00 |
|              |  | \$8,269,114.28 |

### **REASONS FOR RECOMMENDATION**

Award to D&H Excavating, Inc., the lowest responsible bidder allows a timely start to construction and project completion within the 2024 construction season. CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C., was selected for Project Construction Administration and Inspection services because of their expertise and experience, with the project, being the design engineer for the project.

### **BACKGROUND INFORMATION**

The existing Abbott Road pavement section from Milestrip Road to Fisher Road and Willett Road from the Smokes Creek Bridge to Abbott Road is in fair to poor condition, with the pavement and closed drainage system showing signs of distress. The Abbott Road pavement surface will be heavily impacted by waterline installation in 2022-2023. The project objectives are to rehabilitate the pavement and stormwater drainage in the area. The Project was initiated in 2022 to proactively address road conditions.

## **CONSEQUENCES OF NEGATIVE ACTION**


If the proposed resolution is not approved, this negative action would halt construction and result in continued deterioration of the road surface, decreased rideability, increased maintenance responsibilities, and cost.

## **STEPS FOLLOWING APPROVAL**

Upon the Erie County Legislature's approval, the County Executive will execute Agreements with D&H Excavating, Inc., and CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C., for a successful and timely implementation of this project.

## **COMPTROLLER'S OFFICE REVIEW**

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

 3/27/24  
Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

B.16013.5 - Abbott & Willet Cons.  
B.20009.1.2 - 2020 Turn Back of Roads  
B.23004 - 2023 Abbott & Willett  
B.22050.1.11 - 2024 Abbott & Willet Const.  
B.22050.2.10 - 2024 Abbott & Willet Const.  
B.23050.2.5 - 2024 Abbott & Willet Const.

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

RE: Rehabilitation of Abbott Road (CR 4) from Milestrip Road (NYS 179) to Fisher Road (TH) and Willett Road (CR 187) from the Smokes Creek Bridge to Abbott Road (CR 4) Contracts for Construction and Construction Inspection Services Town of Hamburg, Town of Orchard Park, and City of Lackawanna CAP-004.187-22

WHEREAS, it is desired to rehabilitate Abbott Road (CR 4) from Milestrip Road (NYS 179) to Fisher Road (TH) and Willett Road (CR 187) from the Smokes Creek Bridge to Abbott Road (CR 4) including a mill and overlay of the pavement and rehabilitation of the drainage; and

WHEREAS, the Legislature previously approved participation in the Project via Comm. 2E-16 (2023) on February 2, 2023; and

WHEREAS, the Department of Public Works wishes to award the construction contract to the lowest responsible bidder, D&H Excavating, Inc., in the amount not to exceed \$7,527,770, enter into a construction administration and inspections services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for \$391,344 and establish a project contingency of \$350,000 with the project total not to exceed \$8,269,114; and

WHEREAS, the estimated total cost of the Project is \$8,269,114, and is available in Fund 420, Funds Center 123, Capital Projects B.16013 – 2016 Road Construction. B.20009 - 2020 Turn Back of Roads, B.23004 - 2023 Abbott & Willett, B.22050 - 2022 Capital Overlay, B.23050 – 2023 Capital Overlay; and

WHEREAS, the Department wishes to implement the project in a timely manner for construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to award and execute a construction contract between the County of Erie and D&H Excavating, Inc., for construction services in the amount not to exceed \$7,527,770; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to award and execute an agreement between the County of Erie and CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for construction administration and inspection services in the amount of \$391,344; and be it further

RESOLVED, that authorization is hereby given for a project contingency to be established in the amount of \$350,000 with a total project cost not to exceed \$8,269,114; and be it further

RESOLVED, that funding for this Project is hereby appropriated and made available for the project from Fund 420, Fund Center 123, as follows:

|                     |   |                       |
|---------------------|---|-----------------------|
| B.16013.5           | 2016 Road Construction, Abbott & Willet Cons.           | \$ 12,519.17          |
| B.20009.1.2         | 2020 Turn Back of Roads                                 | \$ 723,000.00         |
| B.23004             | 2023 Abbott & Willett                                   | \$3,162,500.00        |
| B.22050.1.11        | 2022 Capital Overlay/Abbott & Willet                    | \$ 654,945.26         |
| B.22050.2.10        | 2022 Capital Overlay/ Abbott & Willet                   | \$ 546,124.85         |
| <u>B.23050.2.5</u>  | <u>2023 Capital Overlay/ Abbott &amp; Willet Const.</u> | <u>\$3,170,025.00</u> |
| Total Not to Exceed |   | \$8,269,114.28        |

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute any necessary change orders, amendments and agreements; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copy 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 the 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

D&H Excavating, Inc.  
CPL Architects, Engineers, Landscape Architect and  
Surveyor, D.P.C.

2. AMOUNT OF CONTRACT

\$7,527,770.00 D&H Excavating, Inc.  
\$ 391,344.00 CPL Architects, Engineers, Landscape  
Architect and Surveyor, D.P.C.  
\$ 350,000.28 Contingency  
\$8,269,114.28 Total (construction phase)

3. PROJECT NUMBER

B.16013.5 - \$ 12,519.17  
B.20009 - \$ 723,000.00  
B.23004 - \$3,162,500.00  
B.22050.1.11 - \$ 654,945.26  
B.22050.2.10 - \$ 546,124.85  
B.23050.2.5 - \$3,170,025.00

4. PROJECT TITLE

Rehabilitation of Abbott Road (CR 4) from Milestrip  
Road (NYS 179) to Fisher Road (TH) and Willett  
Road (CR 187) from the Smokes Creek Bridge to  
Abbott Road (CR 4)

5. DEPARTMENT CONTACT

Funding questions: William Geary at 7555  
Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

\$ 10,187,297.68

7. PERFORMED BY

[Signature]

Date Sent to Comptroller's Office:

March 26, 2024

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-22

COUNTY EXECUTIVE

Department of Social Services Lease Extension  
- AppleTree Business Park

Attachments

24COMM. 7E-22





2024 APR 5 10:55

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Department of Social Services Lease Extension – AppleTree Business Park**

Dear Honorable Members:

The Department of Social Services is requesting authorization to enter into a 5-year lease extension at AppleTree Business Park with AppleTree Realty Holdings, LLC for the purpose of housing Social Services programs at that site.

Funds for this lease were anticipated and are included in the 2024 Adopted Budget; therefore, there is no 2024 fiscal impact. This resolution requests waiver of section 26.08 of the County Code requirement for a Request for Proposals as the cost of moving is prohibitive due to the extensive cabling and systems installations in place at the current location.

If your Honorable Body requires any further information, please contact Commissioner Marie Cannon at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mmk  
Enclosure

cc: Commissioner of Social Services Marie Cannon

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Social Services  
**Re:** Lease Extension – AppleTree Business Park  
**Date:** April 5, 2024

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### **SUMMARY**

The Department of Social Services is requesting authorization to enter into a 5-year lease extension at the AppleTree Business Park with AppleTree Realty Holdings, LLC for the purpose of housing Social Services programs at that site. This resolution waives section 26.08 of the County Code requirement for a Request for Proposals.

### **FISCAL IMPLICATIONS**

Funds for this lease extension were anticipated and are included in the 2024 Adopted Budget; therefore, there is no 2024 fiscal impact. The Lease extension for the 5-year period April 1, 2024-March 31, 2029 is for space totaling 78,229 square feet at an annual base rental amount of approximately \$25.96 per square foot for an annual base rental amount of \$2,030,511.92 for Year 6, approximately \$26.73 per square foot for an annual base rent of \$2,091,427.28 for Year 7, approximately \$27.54 per square foot for an annual base rental amount of \$2,154,170.10 for Year 8, approximately \$28.36 per square foot for an annual base rental amount of \$2,218,792.20 for Year 9, and approximately \$29.21 per square foot for an annual base rental amount of \$2,285,359.06 for Year 10.

### **REASONS FOR RECOMMENDATION**

The cost of moving is prohibitive due to the extensive cabling and systems installations in place at the current location.

### **CONSEQUENCES OF NEGATIVE ACTION**

Rental payments would be delayed.

### **STEPS FOLLOWING APPROVAL**

A lease extension will be executed.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF SOCIAL SERVICES

RE: Lease Extension – AppleTree Business Park

WHEREAS, the Erie County Department of Social Services is requesting authorization to extend a lease at AppleTree Business Park with AppleTree Realty Holdings for the purpose of housing Social Services programs at this site; and

WHEREAS, the 5-year lease extension for the period April 1, 2024 - March 31, 2029 is for space totaling 78,229 square feet at an annual base rental amount of approximately \$25.96 per square foot for an annual base rental amount of \$2,030,511.92 for Year 6, approximately \$26.73 per square foot for an annual base rent of \$2,091,427.28 for Year 7, approximately \$27.54 per square foot for an annual base rental amount of \$2,154,170.10 for Year 8, approximately \$28.36 per square foot for an annual base rental amount of \$2,218,792.20 for Year 9, and approximately \$29.21 per square foot for an annual base rental amount of \$2,285,359.06 for Year 10; and

WHEREAS, the current lease period ends on March 31, 2024, and this lease is needed to maintain Department of Social Services administered programs at this location; and

WHEREAS, the Department of Social Services has leased space at AppleTree Business Park since 2018, and the facility currently houses its Family Wellness Division; and

WHEREAS, the County included funds for the 2024-25 lease year (year 6) in the 2024 Adopted Budget; therefore, there will be no fiscal impact to the County in 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive and the Department of Social Services to enter into a 5-year lease extension at AppleTree Business Park with AppleTree Realty Holdings, LLC, under the terms herein presented for the purpose of housing Social Services programs at this site, waiving Erie County Code Section 26.08 as impractical; and be it further

RESOLVED, that sufficient funding exists within the Department of Social Service's 2024 Adopted Budget (Fund 110, Funds Center 120) to cover the year 6 (2024-25) base rental amount of \$2,030,511.92 with rent costs of 2,091,427.28 for Year 7 (2025-26); \$2,154,170.10 for Year 8 (2026-27); 2,218,792.20 for Year 9 (2027-28) and \$2,285,359.06 for Year 10 (2028-29) covered as part of subsequent budgets; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to implement any budget adjustments as required to comply with the funding requirements provided there are no changes to county share amounts; 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 will be forwarded to the County Executive's Office, Comptroller's Office, Department of Law, Department of Social Services, and Division of Budget and Management.

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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|             |                  |   |
|-------------|------------------|---|
| COMM. 7E-23 | COUNTY EXECUTIVE | Acceptance of Baseball Game Ticket Donation<br>by Buffalo Bisons for Foster Care Awareness<br>Month |
|-------------|------------------|---|

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|  |             |
|--|-------------|
|  | Attachments |
|--|-------------|

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24COMM. 7E-23

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CC LEG APR 5 '24 10:54

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Acceptance of Baseball Game Ticket Donation by Buffalo Bisons for Foster Care Awareness Month**

Dear Honorable Members:

This resolution seeks to accept a block of baseball game tickets donated by the Buffalo Bisons to the Department of Social Services. These tickets are being donated to Foster Care Families in honor of Foster Care Awareness month which is in the month of May.

Should your Honorable Body require further information, please contact Commissioner Marie Cannon at the Department of Social Services. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mmk  
Enclosure

cc: Marie Cannon, Commissioner of Social Services

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Social Services  
**Re:** Acceptance of Baseball Game Ticket Donation by Buffalo Bisons for Foster Care Awareness Month  
**Date:** April 5, 2024

---

### **SUMMARY**

This proposed resolution authorizes the Department of Social Services to accept a block of tickets for a Buffalo Bisons baseball game being held in May of 2024 which will be distributed to Foster Care families of the Family Wellness division of the Department of Social Services.

### **FISCAL IMPLICATIONS**

There is no fiscal impact to the 2024 Adopted Budget based on this resolution.

### **REASONS FOR RECOMMENDATION**

The Buffalo Bisons would like to donate a block of tickets to a baseball game in May 2024 to be distributed to Foster Care families of the Department of Social Services.

### **BACKGROUND INFORMATION**

Beginning in 1988, the U.S. government has issued annual proclamations in recognition of National Foster Care Month, celebrated in May, to show appreciation and gratitude to foster parents across the nation. Foster care intends to provide a safe environment for children and youth who temporarily cannot live with their families.

### **CONSEQUENCES OF NEGATIVE ACTION**

Foster Care families of the Erie County Department of Social Services may not have the opportunity to attend a Buffalo Bisons baseball game.

### **STEPS FOLLOWING APPROVAL**

The Buffalo Bisons will donate a block of tickets for a baseball game in May 2024 that will be distributed to Foster Care families in honor of Foster Care Appreciation Month.

A RESOLUTION SUBMITTED BY:  
SOCIAL SERVICES

RE: Acceptance of Baseball Game Ticket Donation by Buffalo Bisons for Foster Care Awareness Month

WHEREAS, The Buffalo Bisons wish to donate a block of tickets to a baseball game valued at approximately \$800 (80 tickets at \$10 each) in recognition of Foster Care Awareness Month, which is held in May; and

WHEREAS, the donated tickets will be distributed to Foster Care families of the Department of Social Services in the Family Wellness division; and

WHEREAS, providing these baseball tickets fits the vision of the Department of Social Services to create a community where children, adults, and families are healthy, safe and enjoy a quality of life; and

WHEREAS, pursuant to County Law, all donations must be approved and accepted by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept a block of baseball game tickets valued at approximately \$800 (80 tickets at \$10 each) donated by the Buffalo Bisons; and be it further

RESOLVED, that authorization is hereby given for the County Executive, Deputy County Executive and/or Commissioner of Social Services to distribute these tickets to families currently involved with Foster Care programs provided directly or indirectly by the Department of Social Services in honor of Foster Care Awareness Month in May 2024; and be it further

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



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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|             |                  |   |
|-------------|------------------|---|
| COMM. 7E-24 | COUNTY EXECUTIVE | Authorization to Accept FY23 State<br>Interoperable Communications Grant Program<br>Funds |
|-------------|------------------|---|

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|  |             |
|--|-------------|
|  | Attachments |
|--|-------------|

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24COMM. 7E-24

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EC LEG APR 5 '24 10:54

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**Re: Authorization to Accept FY23 State Interoperable Communications  
Grant (SICG) Program 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 \$1,187,283 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 blue ink, reading "Mark C. Poloncarz", with a long horizontal flourish 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 State Interoperable Communications Grant (SICG) Program  
**Date:** April 5, 2024

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### **SUMMARY**

Legislative authorization is requested to accept \$1,187,283 in funding from the NYS Department of Homeland Security and Emergency Services, for the Fiscal Year 2023 State Interoperable Communications Grant Program (January 1, 2023 – December 31, 2025). This funding will be used to advance interoperable and emergency communications through equipment purchases and associated work to interface with existing networks, improving overall system redundancy, reducing single points of failure during catastrophic events.

### **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 \$1,187,283 of NYS Department of Homeland Security and Emergency Services funds. These are to be utilized for eligible communications equipment, installation, and maintenance 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 develop, enhance, strengthen, and advance interoperable and emergency communications.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Homeland Security and Emergency Services would be unable to supplement the increasing cost of interfacing with existing and updated networks, as well as updating critical equipment such as communication towers and high priority public safety channels, some of which is no longer supported by the manufacturer.

### **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 State Interoperable Communications Grant (SICG) Program

WHEREAS, the Erie County Department of Homeland Security and Emergency Services has been awarded \$1,187,283 in 100% state aid funding to advance interoperable and emergency communications through the NYS Department of Homeland Security and Emergency Services in the FY23 State Interoperable Communications Grant Program; 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 hereby authorizes the County Executive or Deputy County Executive to accept \$1,187,283 from the NYS Department of Homeland Security and Emergency Services and be made available as a multi-year grant within the Department of Homeland Security and Emergency Services in Fund 281, Funds Center 1670030 as follows:

DEPARTMENT OF HOMELAND SECURITY AND  
EMERGENCY SERVICES  
FY 2023 STATE INTEROPERABLE COMMUNICATIONS GRANT (SICG)  
(HS167SICG2325)  
1/1/2023-12/31/2025

| <u>ACCOUNT</u> | <u>REVENUES</u>    | <u>BUDGET</u>      |
|----------------|--------------------|--------------------|
| 409000         | State Aid Revenues | <u>\$1,187,283</u> |
|                | TOTAL              | <u>\$1,187,283</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>BUDGET</u>      |
|----------------|-----------------------|--------------------|
| 516030         | Maintenance Contracts | \$ 310,000         |
| 561410         | Lab & Tech Equipment  | <u>\$ 877,283</u>  |
|                | TOTAL                 | <u>\$1,187,283</u> |

and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage communications for public safety during emergency events; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or 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 extensions that may be permitted by the grantor; 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 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: 04/11/2024

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SUBJECT

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|             |                  |   |
|-------------|------------------|---|
| COMM. 7E-25 | COUNTY EXECUTIVE | Authorization to Enter into Contract with The<br>Research Foundation for SUNY on Behalf of<br>the University at Buffalo |
|-------------|------------------|---|

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|  |             |
|--|-------------|
|  | Attachments |
|--|-------------|

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24COMM. 7E-25

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SC LEG APR 5 '24 AM 10:54

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**RE: Authorization to Enter into Contract with The Research Foundation for  
SUNY on behalf of the University at Buffalo**

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Homeland Security & Emergency Services requesting authorization to contract with the Research Foundation for SUNY on behalf of the University at Buffalo to perform a needs assessment of violent extremism preparedness for behavioral health professionals and develop a training to fill gaps.

Should your Honorable Body require further information, please contact Daniel Neaverth Jr. at the Department of Homeland Security & Emergency Services. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq. Erie  
County Executive

MCP/crn  
Enclosure

cc: Daniel Neaverth

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Homeland Security & Emergency Services  
**Re:** Authorization to Enter into Contract with The Research Foundation for SUNY on behalf of the University at Buffalo  
**Date:** April 5, 2024

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### **SUMMARY**

This proposed resolution authorizes the Department of Homeland Security and Emergency Services to enter into contract with The Research Foundation for SUNY on behalf of the University at Buffalo for needs assessment and training development.

### **FISCAL IMPLICATIONS**

No additional County Funds are required as existing appropriations are available in HS167DTPG2224 Domestic Terrorism Prevention Grant, Fund 281, Funds Center 16700, G/L 516020 – Professional Services, Contracts and Fees.

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

Recent Homeland Security assessments suggest that domestic violent extremism threats are on the rise and present one of the great risks to the health and well-being of people living in Erie County. This threat was made real by the racially-motivated Tops shooting on May 14, 2022. Unfortunately, Homeland Security assessments suggest that these threats are increasing rather than decreasing. An imperative component of both prevention and response efforts must involve behavioral health professionals (BHPs), such as social workers, mental health counselors, and psychologists. However, little evidence suggests that these professionals have received basic training on how to recognize or respond to risks of violent extremism among the populations they serve. Thus, the goal of this project is to conduct a needs assessment to determine the current level of violent extremism knowledge and preparedness among Erie County BHPs with the goal of preparing future trainings to fill the knowledge gap.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without Legislative approval, the needs will not be assessed nor the training provided, the knowledge gap will not be addressed.

### **STEPS FOLLOWING APPROVAL**

The Department of Homeland Security and Emergency Services will establish a contract with The Research Foundation for SUNY on behalf of the University at Buffalo, to support the consulting provided in 2024.



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

RE: Authorization to Enter into Contract with The Research Foundation for SUNY on behalf of the University at Buffalo

WHEREAS, the Erie County Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for needs assessment and training development regarding terrorism in Erie County; and

WHEREAS, General Municipal Law § 99-r authorizes the County to enter direct negotiations with any unit of SUNY to contract for technology services, equipment, or any other services of government that the SUNY unit is authorized to provide; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive and/or Deputy County Executive to enter into contract with the Research Foundation to execute the project; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to enter into contract with The Research Foundation for SUNY on behalf of the University at Buffalo in an amount not to exceed \$54,413 to conduct needs assessment and training development; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exists within the Department of Homeland Security and Emergency Services Domestic Terrorism Prevention (HS167DTPG2224) Grant, Fund 281, Funds Center 16700, Account 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.

Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-26

COUNTY EXECUTIVE

Acceptance of CDC Public Health  
Infrastructure Grant

Attachments

24COMM. 7E-26



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG APP 5'24 2:10:54

April 5, 2024

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

**RE: Acceptance of CDC Public Health Infrastructure Grant**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to accept a \$1,519,458 grant from the Center for Disease Control through New York State Department of Health to strengthen public health infrastructure and have restricted funds ready to use for future public health emergencies.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah  
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Acceptance of CDC Public Health Infrastructure Grant  
**Date:** April 5, 2024

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### **SUMMARY**

ECDOH is seeking authorization to accept a \$1,519,458 grant from the Center for Disease Control through New York State's Department of Health. The purpose of these funds is to strengthen the public health workforce by adding necessary positions, retaining current employees, provide necessary equipment to employees, enhance workspaces, and prepare for future public health emergencies. ECDOH is seeking the creation of three positions, two upgrades for current employees, equipment for the department, and repairs to facilities. By accepting these funds, Erie County would be eligible for additional funds of up to \$5,000,000 for future public health emergencies.

### **FISCAL IMPLICATIONS**

Positive. The funding covers all the costs of the positions and upgrades for four years, equipment for the department, and repairs for Health facilities. Equipment includes new computers for the Jesse Nash Health Clinic and Youth Detention, refrigerated trailer for the Medical's Examiner's Office, PCR testing equipment for the Public Health Lab, office furniture for Environmental Health, and XRF lead detectors. These new positions and upgraded positions will be paid through Department of Health, Fund 281, 127SPHI2227 grant, up to 11/30/2027. Should this grant not be renewed there is no currently identified alternate source funding. The new positions are:

| Title                 | Status | Unit   | JG | Step | # | Annualized Salary | Pro-Rated Salary | Pro-Rated Fringe | Total     |
|-----------------------|--------|--------|----|------|---|-------------------|------------------|------------------|-----------|
| Chief Account Clerk   | FT     | CSEA   | 7  | 0    | 1 | \$ 47,942         | \$31,162         | \$15,581         | \$ 46,743 |
| Delivery Service      |        |        |    |      |   |                   |                  |                  |           |
| Chauffer              | PT     | AFSCME | 4  | 0    | 1 | \$ 17,798         | \$11,569         | \$ 5,784         | \$ 17,353 |
| Environmental Chemist | FT     | CSEA   | 11 | 0    | 1 | \$ 62,419         | \$40,572         | \$20,286         | \$ 60,859 |
| Total                 |        |        |    |      |   |                   | \$83,303         | \$41,652         | \$124,955 |

The upgrade is:

| Division | Title      | Status | Unit | JG | Step | # | Annualized Upgrade Increase | Pro-Rated Salary Increase | Pro-Rated Fringe Increase | Total   |
|----------|------------|--------|------|----|------|---|-----------------------------|---------------------------|---------------------------|---------|
|          | Quality    |        |      | 12 |      |   |                             |                           |                           |         |
| Medical  | Assurance  |        |      | to |      |   |                             |                           |                           |         |
| Examiner | Specialist | FT     | CSEA | 13 | E    | 1 | \$ 8,167                    | \$ 5,309                  | \$ 2,654                  | \$7,963 |

## **REASONS FOR RECOMMENDATION**

Per the CDC, “Funding from this grant will help ensure that every U.S. community has the people, services, and systems needed to promote and protect health” and the grant “provides maximum flexibility so recipients can address their most pressing needs.” ECDOH reviewed its operations with its division directors and realized some of areas that services can be maintained or even approved with no additional cost to Erie County.

For the positions: the Environmental Chemist position will handle environmental toxicology samples; the Accountant position will assist Health accounting in managing grant funds and medical billing; the Junior Administrative Assistant position will be tasked with administrative tasks related to EMS, ambulance service, and ambulance academy. The Quality Assurance Specialist – ME position will oversee and conduct all quality assurance measures within the Medical Examiner’s Office/Forensic Toxicology Laboratory. The Delivery Chauffeur position will assist Environmental Health, Public Health Lab, and Medical Examiner’s Office, all located on the ECMC campus, and the County Health Clinic with the delivery of lab samples, mail, interoffice correspondence, and other tasks as need to assist in their operations.

Services and items also being covered by the grant include: equipment for ECDOH employees, XRF lead detectors, enhancements to work spaces, a PCR testing equipment and refrigerated trailer.

Acceptance of this grant keeps Erie County eligible for up to \$5,000,000 to be used in a future public health emergency as determined by the CDC.

## **BACKGROUND INFORMATION**

Duties required of the position required by Law or Contract:  
Required by grant and NYS Public Health laws.

Position Classification:  
Chief Account Clerk (JG 97)  
Delivery Service Chauffeur (PT) (JG 4)  
Environmental Chemist (JG 11)  
Quality Assurance Specialist (JG 13)

## **CONSEQUENCES OF NEGATIVE ACTION**

In the event of another public health emergency, Erie County will not be able to use the provided \$5,000,000 in restricted funding, will have to find another funding source (possibly county share) for equipment and repairs to facilities, will unable to retain current and future employees, and unable to maintain current level of services.

## **STEPS FOLLOWING APPROVAL**

ECDOH will work with Purchasing, Personnel and Budget and Management to execute all parts of the resolution.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HEALTH**

RE: Acceptance of CDC Public Health Infrastructure Grant

WHEREAS, the Center for Disease Control has awarded Erie County Department of Health \$1,519,458 to be prepared for future public health emergencies and strengthen its public health infrastructure; and

WHEREAS, the CDC states the purpose of this is grant to local health departments is to protect people from preventable illness, death, and health threats by making sure food and water is safe, tracking diseases, stopping outbreaks, providing child and maternal healthcare, and monitoring data; and

WHEREAS, by accepting these funds, Erie County would also be eligible for up to \$5,000,000 for future public health emergencies as determined by the CDC; and

WHEREAS, ECDOH has reviewed department operations with its division directors to find areas that services could be improved or strengthened with the funding awarded to meet that mission; and

WHEREAS, ECDOH identified four positions to strengthen its workforce, identified items to help with safe housing, prepare for future emergencies, and assist emergency medical services; and

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 Centers for Disease Control and New York State Department of Health to accept \$1,519,458 in funding to be made available as a multi-year grant in Fund 281, Funds Center 12710 follows:

Department of Health  
CDC Public Health Infrastructure Grant  
127SPHI2227  
12/1/2022 – 11/30/2027

| <u>ACCOUNT</u> | <u>REVENUES</u>     | <u>BUDGET</u>      |
|----------------|---------------------|--------------------|
| 414000         | Federal Aid Revenue | <u>\$1,519,548</u> |
|                | TOTAL               | <u>\$1,519,548</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>BUDGET</u> |
|----------------|-----------------------|---------------|
| 500000         | Full Time - Salaries  | \$ 464,006    |
| 500020         | Part Time - Salaries  | 70,247        |

|        |  |                    |
|--------|--|--------------------|
| 502000 | Fringe Benefits                        | 267,126            |
| 516020 | Professional Services Contracts & Fees | 152,251            |
| 561410 | Lab & Technical Equipment              | 455,273            |
| 561420 | Office Equipment                       | 53,444             |
| 912740 | ID Medical Examiner Services           | <u>\$ 57,111</u>   |
|        | TOTAL                                  | <u>\$1,519,458</u> |

and be it further

RESOLVED, that authorization is hereby given to create following positions within the Department of Health - Health Division's CDC Public Health Infrastructure Grant (Fund 281, Funds Center 12710) 127SPHI2227 effective May 4, 2024:

| Title                          | Status | Unit   | JG | Positions | B100  |
|--------------------------------|--------|--------|----|-----------|-------|
| Chief Account Clerk            | FT     | CSEA   | 7  | 1         | 14202 |
| Delivery Service Chauffer (PT) | PT     | AFSCME | 4  | 1         | 14204 |
| Environmental Chemist          | FT     | CSEA   | 11 | 1         | 14201 |

and be it further

RESOLVED, that authorization is hereby given to reallocate one (1) full-time Quality Assurance Specialist from Job Group 12 to Job Group 13 (B-100 #14209) within the Department of Health - Medical Examiner Division's 2024 Adopted Budget (Fund 110, Funds Center 12740) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to amend the Department of Health Medical Examiner Division's 2024 Adopted Budget (Fund 110, Funds Center 12740) as follows:

Department of Health  
Medical Examiner Division  
Fund 110, Funds Center 12740

| <u>ACCOUNT</u> | <u>APPROPRIATION</u>         | <u>CHANGE</u>    |
|----------------|------------------------------|------------------|
| 500000         | Full Time Salaries           | \$5,309          |
| 502000         | Fringe Benefits              | 2,654            |
| 912740         | ID Medical Examiner Services | <u>(\$7,963)</u> |
|                | TOTAL                        | <u>\$ 0</u>      |

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust grant appropriations and revenues in accordance with the final

grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive and 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 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 will be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Law, Department of Personnel, Department of Health, and Division of Budget and Management.



Erie County Legislature  
Meeting Date: 04/11/2024

SUBJECT

COMM. 7E-27

COUNTY EXECUTIVE

Acceptance of NYSDOH Rental Registry  
Grant

Attachments

24COMM. 7E-27



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

APR 5 2024 10:54

April 5, 2024

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

**RE: Acceptance of NYSDOH Rental Registry Grant**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to accept a \$1,922,200 grant a year for 5 years (\$9,611,000 total) from the New York State Department of Health to develop and implement New York State's new Rental Registry in Erie County.

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

Sincerely yours,

A handwritten signature in blue ink, reading "Mark Poloncarz", with a long, sweeping horizontal line 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:** Acceptance of NYSDOH Rental Registry Grant  
**Date:** April 5, 2024

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### **SUMMARY**

ECDOH is seeking authorization to accept \$1,922,200 a year for 5 years (\$9,611,000 total) to develop and implement a Rental Registry program for Erie County. The program, passed by New York State in its 2024 budget, was created to identify and remediate lead hazards in rental housing before children are harmed by lead poisoning. This is to be done by local health departments by requiring periodic inspections for lead hazards and provide effective enforcement mechanisms for compliance.

The rental registry would cover residential dwellings with two or more rental units built prior to 1980 in zip codes of concern. It is estimated that Erie County has about 45,000 rental units in these zip codes. The first year of funding is for program development and implementation including the hiring of staff, purchasing of equipment, lead safety certification training, and conducting outreach to landlords.

### **FISCAL IMPLICATIONS**

Positive. Funding is provided for 5 years to hire the necessary staff for development, implementation, and maintaining a Rental Registry as mandated by New York State. Positions to be created are as follows:

#### **Associate Public Health Sanitarian (JG 14, step F)**

|  |                     |
|--|---------------------|
| <b><u>Annualized Salary</u></b>          | \$115,704           |
| <b><u>Salary for Balance of Year</u></b> | \$71,736            |
| <b><u>Funding Source</u></b>             | <u>Grant Funded</u> |

#### **Supervising Public Health Sanitarian (JG 11, step D)**

|  |                     |
|--|---------------------|
| <b><u>Annualized Salary</u></b>          | \$85,873            |
| <b><u>Salary for Balance of Year</u></b> | \$53,241            |
| <b><u>Funding Source</u></b>             | <u>Grant Funded</u> |

#### **Senior Investigating Public Health Sanitarian (JG 10, step C) – two total**

|  |           |
|--|-----------|
| <b><u>Annualized Salary</u></b>          | \$168,406 |
| <b><u>Salary for Balance of Year</u></b> | \$104,411 |

**Funding Source****Grant Funded****Investigating Public Health Sanitarian (JG 08, step 4) – eight total****Annualized Salary** \$488,968**Salary for Balance of Year** \$303,160**Funding Source** **Grant Funded****Principal Clerk (JG 06, step D)****Annualized Salary** \$58,804**Salary for Balance of Year** \$36,458**Funding Source** **Grant Funded****Senior Clerk Typist (JG 04, step 5)****Annualized Salary** \$48,381**Salary for Balance of Year** \$29,996**Funding Source** **Grant Funded****REASONS FOR RECOMMENDATION**

Erie County has a high prevalence of children with elevated blood lead levels. In addition, Erie County has an extraordinary number of rental units constructed prior to 1980. Lead-based paint remains a primary source of lead poisoning in children under six years of age. The rental registry will allow for a proactive approach to increase the number of lead safe rental units and decrease the incidence of lead poisoning in children in our community.

For the positions: The Associate Public Health Sanitarian (PHS) will report directly to the director and manage the team that will perform these inspections; the Supervising PHSs will assist in managing the operations; the Senior Investigating PHSs will assist in operations and perform inspections; the Investigating PHSs will be performing the inspections; the Principal Clerk and Senior Clerk Typist will help with the administrative needs of the program including uploading information to NYS's registry.

Services and items also being covered by the grant include: equipment for ECDOH employees, supplies for community outreach and education, dust sampling for clearance of rental units, translation services and enforcement.

**BACKGROUND INFORMATION**

Duties required of the position required by Law or Contract:

Required by grant and NYS Public Health laws.

Position Classification:

Associate Public Health Sanitarian (JG 14)

Supervising Public Health Sanitarians (JG 11)

Senior Investigating Public Health Sanitarians (JG 10) – 2 total

Investigating Public Health Sanitarians (JG 8) – 8 total

Principal Clerk (JG 6)

Senior Clerk Typist (JG 4)

**CONSEQUENCES OF NEGATIVE ACTION**

Erie County will not be in compliance with New York State's new Rental Registry mandate, risk additional lead exposure of residents, and forfeit \$9,611,000 in funding to combat lead poisoning.

**STEPS FOLLOWING APPROVAL**

ECDOH will work with Purchasing, Personnel and Budget and Management to execute all parts of the resolution.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HEALTH

RE: Acceptance of NYSDOH Lead Rental Registry Grant

WHEREAS, in 2023, New York State passed the creation of a Lead Local Registry that would require proactive inspections of rental units built prior to 1980 in zip codes of concern; and

WHEREAS, the purpose of this mandate is to limit the exposure and poisoning of lead to renters in New York State by providing funding to local health departments to develop, implement, and maintain the registry; and

WHEREAS, Erie County has about 45,000 rental units that fall into the zip codes of concern; and

WHEREAS, New York State has awarded \$1,922,200 a year for 5 years (\$9,611,000 total) to develop, implement, and maintain the registry; and

WHEREAS, ECDOH's Environmental Health has identified fourteen positions, equipment, and supplies necessary to develop and implement this registry using these funds.

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 New York State Department of Health in order to accept \$1,922,200 in funding (a year for 5 years totaling \$9,611,000) into the Erie County Division of Public Health Lab and Environmental Health's 2024 Grant Budget (Fund 281, Funds Center 1273038) as the Lead Rental Registry Grant as follows:

Department of Health  
Public Health Lab and Environmental Health Division  
Lead Rental Registry Grant  
127LRR2425  
04/01/24 - 03/31/25

| <u>ACCOUNT</u> | <u>REVENUES</u>    | <u>BUDGET</u>      |
|----------------|--------------------|--------------------|
| 409000         | State Aid Revenues | <u>\$1,922,200</u> |
|                | TOTAL              | <u>\$1,922,200</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>BUDGET</u> |
|----------------|-----------------------|---------------|
| 500000         | Full Time Salaries    | \$ 966,136    |

|        |                           |                    |
|--------|---------------------------|--------------------|
| 501000 | Overtime                  | 48,341             |
| 502000 | Fringe Benefits           | 507,238            |
| 505000 | Office Supplies           | 5,000              |
| 505200 | Clothing Supplies         | 5,000              |
| 505400 | Food & Kitchen Supplies   | 3,000              |
| 505800 | Health & Medical Related  | 5,000              |
| 510000 | Local Mileage             | 15,000             |
| 510100 | Out of Area Travel        | 915                |
| 510200 | Training & Education      | 5,070              |
| 516020 | Pro Services Cnt & Fees   | 295,000            |
| 530000 | Other Expenses            | 15,000             |
| 561410 | Lab & Technical Equipment | 41,500             |
| 980000 | ID DISS Services          | <u>\$ 10,000</u>   |
|        | TOTAL                     | <u>\$1,922,200</u> |

and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Associate Public Health Sanitarian, Job Group 14, CSEA (B-100 #14205) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Supervising Public Health Sanitarian, Job Group 11, CSEA (B-100 #14173) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to create two (2) full-time Senior Investigating Public Health Sanitarian, Job Group 10, CSEA (B-100 #14174) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to create eight (8) full-time Investigating Public Health Sanitarian, Job Group 08, CSEA (B-100 #14175) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Principal Clerk, Job Group 06, CSEA (B-100 #14206) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Senior Clerk Typist, Job Group 04, CSEA (B-100 #14207) effective May 4, 2024; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to implement any budget adjustments as required to comply with the grantor funding requirements provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that 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.

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 will be forwarded to the Erie County Executive's Office, Department of Personnel, Department of Health, and Division of Budget and Management.



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-28                      COUNTY EXECUTIVE                      Acceptance of Leading in Lead Grant

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24COMM. 7E-28

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Attachments



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC-LEG-APR 5/24 4:10:54

April 5, 2024

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

**RE: Acceptance of Leading in Lead Grant**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to accept a \$4,162,750 grant from the New York State Office of Homes and Community Renewal with the Housing Trust Fund Corporation for the Leading in Lead Prevention Pilot Program that will remediate lead hazards in rental units in 14 zip codes of concern in Erie County.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah

cc: Dr. Gale Burstein, Commissioner of Health

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Acceptance of Leading in Lead Grant  
**Date:** April 5, 2024

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### **SUMMARY**

ECDOH has received a grant award in the amount of \$4,162,750 from the New York State Office of Homes and Community Renewal with the Housing Trust Fund Corporation for the Leading in Lead Prevention Pilot Program that will remediate lead hazards in rental units in 14 zip codes of concern in Erie County. ECDOH will partner with Belmont Housing Resources for WNY to conduct inspections, prepare rehabilitation plans, initiate rehabilitation with local and insured contractors, and conduct interim and final inspections. The grant allows for up to \$34,000 in rehabilitation costs per unit. This grant will compliment other services and programs currently used by ECDOH to help with lead hazards in housing such as the Healthy Homes funded by HUD.

The zip codes of concern are: 14201, 14204, 14206, 14207, 14208, 14210, 14211, 14212, 14213, 14214, 14215, 14216, 14220, and 14225.

### **FISCAL IMPLICATIONS**

None.

### **REASONS FOR RECOMMENDATION**

Erie County is above the NYS average for incidence rate for lead poisoning due to several factors such as having 8 of the highest zip codes of concerns for lead hazards, age of housing stock, deferred maintenance of units, and lack of resources for remediation of property owners and tenants. This program will address many of the factors mentioned.

ECDOH will work with Belmont Housing of WNY to execute this program and prioritize units occupied by children and/or pregnant people who have elevated blood lead levels or live in a unit where lead hazards have been detected, and units occupied by families at or below eighty percent of the area median income.

### **CONSEQUENCES OF NEGATIVE ACTION**

ECDOH will not be able to work with Belmont Housing of WNY to remediate lead hazards in zip codes of concern. Lead poisoning incidence rate will continue to be above the NYS average which could lead to preventable damage to children's brains and nervous system.

### **STEPS FOLLOWING APPROVAL**

The Erie County Department of Health will work with the County Attorney's Office and Division of Budget and Management to execute the resolution.

RESOLUTION SUBMITTED BY:  
HEALTH DEPARTMENT

RE: Acceptance of Leading in Lead Grant

WHEREAS, Erie County is home to eight of New York State's zip codes of concerns when it comes to lead hazards; and

WHEREAS, Erie County has a higher incidence rate of lead poisonings than the NYS average due to lead hazards, age of housing stock, deferred maintenance of units, and lack of resources for remediation of property owners and tenants; and

WHEREAS, lead poisonings are preventable if hazards are addressed; and

WHEREAS, New York State's Office of Homes and Community Renewal and the Housing Trust Fund Corporation acknowledge the lack of resources for tenants and property owners to address lead hazards and awarded \$4,162,750 for this effort; and

WHEREAS, ECDOH will work with Belmont Housing of WNY to conduct inspections, prepare rehabilitation plans, initiate rehabilitation with local and insured contractors, and conduct interim and final inspections of units in zip codes of concern; and

WHEREAS, units will be entitled for up to \$34,000 in rehabilitation to address lead hazards; and

WHEREAS, this grant in the amount of \$4,162,750 and requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to accept \$4,162,750 from the New York State Office of Homes and Community Renewal and be made available as a multi-year Leading in Lead Grant (Fund 281, Funds Center 12730) as follows:

Department of Health  
Leading in Lead  
127LILEAD2425  
4/1/2024 - 3/31/2026

| <u>ACCOUNT</u> | <u>REVENUES</u>    | <u>BUDGET</u>      |
|----------------|--------------------|--------------------|
| 409000         | State Aid Revenues | <u>\$4,162,750</u> |
|                | TOTAL              | <u>\$4,162,750</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u>              | <u>BUDGET</u>      |
|----------------|------------------------------------|--------------------|
| 505800         | Medical & Health Supplies          | \$ 5,000           |
| 516020         | Professional Svcs Contracts & Fees | 20,000             |
| 517257         | Belmont Housing Res WNY            | 4,125,750          |
| 530000         | Other Expenses                     | 10,000             |
| 980000         | ID DISS Services                   | <u>\$ 2,000</u>    |
|                | TOTAL                              | <u>\$4,162,750</u> |

and be it further

RESOLVED, that authorization is hereby given to enter into contract with Belmont Housing of WNY in an amount not to exceed \$4,125,750 to provide various lead inspection and remediation services in units in zip codes of concern as part of this grant program, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

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

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

RESOLVED, that 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 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: 04/11/2024

SUBJECT

COMM. 7E-29

COUNTY EXECUTIVE

Authorization to Contract with NextGen  
Healthcare

Attachments

24COMM. 7E-29



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

2024 APR 5 12:40:54

**RE: Authorization to contract with NextGen Healthcare**

Dear Honorable Members:

The Erie County Department of Health is seeking authorization to contract with NextGen Healthcare to update our electronic medical records system at the Jesse Nash Health Clinic located at 608 William Street.

Should your Honorable Body require further information, I encourage you to contact Gale Burstein, Commissioner of the Department of Health. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/jah  
Enclosure

cc: Gale R. Burstein, MD, Commissioner of Health



## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Authorization to contract with NextGen Healthcare  
**Date:** April 5, 2024

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### **SUMMARY**

ECDOH is seeking to contract with NextGen Healthcare for its necessary electronic medical records (EMR) system. The EMR system allows staff and providers to improve our ability to deliver, document, and access data that will improve the overall delivery of services to patients using clinic services. This contract with NextGen will significantly improve communication between providers regarding treatment, scheduling of tests, and ordering of medications. The NextGen system allows for follow-up where information is readily accessible to all clinical staff. This EMR system will also improve the registration process and alert our clerks to missing information that is vital to our data collection, fee schedules, and various demographics.

### **FISCAL IMPLICATIONS**

The proposal includes costs of \$136,111 per year plus \$20,864.95 for implementation. This proposal costs less than the current vendor at the clinic, who submitted a proposal for \$186,066.27 per year. Funds are available in the Health Division's 2024 Adopted Budget (Fund, 110, Funds Center 12710) Account 516020 - Professional Services Contracts & Fees.

### **REASONS FOR RECOMMENDATION**

We are seeking approval of this resolution so that we can provide our clinical staff and providers with a more comprehensive records system that will impact the quality of care provided to our patients. Reports along with data collection are an integral part of patient care and necessary for many NYS grants the clinic receives.

### **BACKGROUND INFORMATION**

NextGen is reputable and respected provider of innovative healthcare technology and data solutions. Their systems allow providers to deliver whole-person health and value-based care. Their highly integrated and interoperable solutions increase clinical quality and productivity and will help our clinic to deliver better healthcare outcomes. The system also helps to advance improved provider and patient communication and satisfaction through analytics, outreach, and interoperability.

### **CONSEQUENCES OF NEGATIVE ACTION**

The current system is out of date and does not provide the necessary data collection and analytics that are needed to provide quality healthcare for our patients. An upgraded EMR system is needed to meet the New York State Department of Health requirements for many of our grants for data collection and reporting, which the clinic struggles with on the current EMR system.

### **STEPS FOLLOWING APPROVAL**

ECDOH will work with the Division of Budget and Management and County Attorney's Office to execute all terms of the contract.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF HEALTH

RE: Authorization to contract with NextGen Healthcare

WHEREAS, ECDOH's Jesse Nash Health Clinic located at 608 William in Buffalo currently uses an outdated electronic medical records (EMR) system; and

WHEREAS, RFP #2023-059 was issued to seek proposals to update the EMR system at the clinic which received 10 responses; and

WHEREAS, based on rankings, scorings, and interviews, NextGen Healthcare was selected for its knowledge, capacity, reputation, and understanding of the needs of the clinic; and

WHEREAS, the clinic's updated system will help collect, maintain, and report out data for the clinic as necessary as required for many grants the current EMR system cannot do; and

WHEREAS, a new EMR system allows clinic staff to focus more on patient care and providing needed services to county residents.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with NextGen Healthcare for 3 years with 2 one-year extensions; and that it be further

RESOLVED, that sufficient funding exists for the first-year contract cost of \$136,111 plus \$20,864.95 for initial implementation within the Health Division's 2024 Adopted Budget (Fund 110, Funds Center 12700) Account 516202 – Professional Services, Contract & Fees; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, Department of Law, Department of Health and Division of Budget and Management.

**RFP #2023-037VF: For Cloud based electronic health records and practice management system at 608 William Street.**

| <b>Round 1 ranking</b> |                                |
|------------------------|--------------------------------|
| 1                      | Data Systems Integration Group |
| 1                      | Netsmart Technologies Inc      |
| 1                      | NextGen Healthcare             |
| 1                      | Patagonia Health Inc           |
| 1                      | Veradigm                       |
| 2                      | Aithent Inc                    |
| 3                      | Arivium Inc                    |
| 3                      | EHealthLine                    |
| 3                      | Syra Health                    |
| 4                      | Communication Square LLC       |

| <b>Round 2 scoring</b>         |               |
|--------------------------------|---------------|
|                                | Average score |
| NextGen Healthcare             | 3.583333      |
| Netsmart Technologies Inc      | 3.083333      |
| Veradigm                       | 2.916667      |
| Data Systems Integration Group | 2             |
| Patagonia Health Inc           | 2             |

| <b>Total score by reviewer</b> |            |            |            |         |
|--------------------------------|------------|------------|------------|---------|
| Company                        | Reviewer 1 | Reviewer 2 | Reviewer 3 | Average |
|                                | Max: 4     | Max: 4     | Max: 4     | Max: 4  |
| NextGen                        | 3          | 3.75       | 4          | 3.58    |

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7E-30

COUNTY EXECUTIVE

Acceptance of State Aid for Youth Team  
Sports Services

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24COMM. 7E-30

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Attachments



ES LGS APR 5 '24 PM 3:39

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 5, 2024

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

**Re: Acceptance of State Aid for Youth Team Sports Services**

Dear Honorable Members:

The Department of Social Services-Youth Bureau is seeking approval to accept funding and execute contracts with community providers in the amount of \$465,902. These funds will be used to provide Youth Team Sports Services to children and youth under the age of 18. The Youth Bureau distributed a request-for-proposal (RFP #2023-056VF) for this program and the Youth Board panel recommendations were used to determine contract award amounts.

Should your Honorable Body require further information, I encourage you to contact Commissioner Marie Cannon at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mmk

Enclosure

cc: Commissioner of Social Services Marie Cannon

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Social Services-Youth Bureau  
**Re:** Acceptance of State Aid for Youth Team Sports Services  
**Date:** April 5, 2024

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### **SUMMARY**

The Department of Social Services-Youth Bureau is seeking approval to accept funding and execute contracts with community providers in the amount of \$465,902 for Youth Team Sports Services.

### **FISCAL IMPLICATIONS**

The funding for this action is derived from 100% New York State Aid. No local share is required.

### **REASONS FOR RECOMMENDATION**

A new fund was created under the New York State Office of Children and Family Services (OCFS) in the state fiscal year 2023-2024 budget to provide awards to support youth team sports programs for underserved youth under age 18. The funding supports youth development through team sports programs. Youth Team Sports Services are grounded in the principles of positive youth development. It is intended to provide support to local team sports programs across New York state in communities where such programs may be scarce or under-resourced. The sole focus of this funding is on team sports.

### **CONSEQUENCES OF NEGATIVE ACTION**

These important services could not be provided.

### **STEPS FOLLOWING APPROVAL**

The 2024 adopted budget will be amended and contracts will be executed with community providers for Youth Sports Services.



Department of Social Services

**Recommendation for RFP 2023-056VF: Youth Team Sports**

**Date: February 12, 2024**

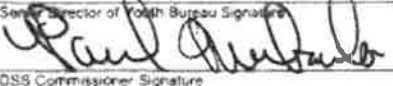


The review panel has completed its task of evaluating the proposals for the above-named RFP. The proposals were graded individually by each panel member as well by Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

| Agency Name   | Total Score | Ranking | Requested Amount | Amount Awarded |
|---|-------------|---------|------------------|----------------|
| 716 SQUASH  | 85.4        | 11      | \$ 40,000.00     | \$20,000.00    |
| BAKER HALL INC                                      | 95          | 5       | \$ 38,808.00     | \$29,106.00    |
| BOYS & GIRLS CLUB OF EAST AURORA                    | 77.2        | 14      | \$ 10,000.00     | \$2,567.00     |
| BOYS & GIRLS CLUBS OF BUFFALO, INC.                 | 96.2        | 3       | \$ 50,000.00     | \$37,500.00    |
| BOYS & GIRLS CLUBS OF THE NORTHTOWNS, INC.          | 77.6        | 13      | \$ 43,284.39     | \$11,111.00    |
| BOYS ON THE RIGHT TRACK                             | 78.6        | 12      | \$ 5,000.00      | \$1,284.00     |
| BRIDGES FROM BORDERS, INC                           | 89          | 9       | \$ 50,000.00     | \$25,000.00    |
| ERIE REGIONAL HOUSING DEVELOPMENT CORPORATION       | 92.6        | 7       | \$ 50,000.00     | \$37,500.00    |
| FULL CIRCLE FAMILY SERVICES                         | 100         | 1       | \$ 50,000.00     | \$37,515.00    |
| KAREN SOCIETY OF BUFFALO                            |             |         | \$ 50,000.00     | \$0.00         |
| LACKAWANNA YEMEN SOCCER CLUB                        | 75.6        | 16      | \$ 50,000.00     | \$12,835.00    |
| METRO COMMUNITY DEVELOPMENT CORPORATION             | 71.27       | 21      | \$ 50,000.00     | \$12,835.00    |
| PEOPLE UNITED FOR SUSTAINABLE HOUSING               | 76.6        | 15      | \$ 50,000.00     | \$12,835.00    |
| POLICE ATHLETIC LEAGUE OF BUFFALO, INC.             | 99.2        | 2       | \$ 50,000.00     | \$37,500.00    |
| RESOURCE COUNCIL OF WNY                             | 93          | 6       | \$ 50,000.00     | \$37,500.00    |
| SENECA-BABCOCK COMMUNITY ASSOCIATION, INC.          | 96.2        | 4       | \$ 50,000.00     | \$37,500.00    |
| SPRINGVILLE YOUTH INC.                              | 71.87       | 20      | \$ 47,950.00     | \$12,309.00    |
| THE CHAMPION PROJECT                                |             |         | \$ 23,300.00     | \$0.00         |
| THE SALVATION ARMY                                  | 87.8        | 10      | \$ 50,000.00     | \$25,000.00    |
| THE UNIT PROMISE                                    | 72.47       | 17      | \$ 50,000.00     | \$12,835.00    |
| TOTAL PACKAGE SPORTS, INC.                          |             |         | \$ 50,000.00     | \$0.00         |
| TOWN OF CHEEKTOWAGA YOUTH AND RECREATION DEPARTMENT |             |         | \$ 50,000.00     | \$0.00         |
| TRE & ASSOCIATES INC.                               | 91.3        | 8       | \$ 50,000.00     | \$37,500.00    |
| WAVE BUFFALO INC                                    | 72.4        | 18      | \$ 50,000.00     | \$12,835.00    |
| WNY COACHES CORNER                                  |             |         | \$ 50,000.00     | \$0.00         |
| WNYMBL  | 72.1        | 19      | \$ 50,000.00     | \$12,835.00    |



It is recommended that Youth Team Sports funding be distributed to providers as outlined above for Erie County in 2023-24. Supporting documentation is included in this packet.

The Department of Social Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

|  |                                 |                 |
|--|---------------------------------|-----------------|
| Senior Director of Youth Bureau Signature<br> | Printed Name<br>Paul Kubala     | Date<br>2-13-24 |
| DSS Commissioner Signature<br>                | Printed Name<br>Marie A. Cannon | Date<br>2/14/24 |
| Deputy County Executive Signature<br>         | Printed Name<br>Lisa Chimera    | Date<br>2/21/24 |

Once reviewed and approved, please return to Carrie Godfrey, Assistant Social Services Program Director at [Carrie.Godfrey@erie.gov](mailto:Carrie.Godfrey@erie.gov) for processing. Thank you.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF SOCIAL SERVICES

Re: Acceptance of State Aid for Youth Team Sports Services

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

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

WHEREAS, the Department of Social Services-Youth Bureau has been awarded funding in the amount of \$465,902; and

WHEREAS, the Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2023-056VF) 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 County Executive and Deputy County Executive to accept \$465,902 in State Aid to provide services in team sports to Erie County Youth and amend the Youth Bureau's 2024 General Fund Budget follows:

Department of Social Services-Youth Bureau  
Fund 110, Funds Center 12530

|                       |                             |                      |
|-----------------------|-----------------------------|----------------------|
| <b><u>ACCOUNT</u></b> | <b><u>REVENUE</u></b>       | <b><u>CHANGE</u></b> |
| 408056                | Youth Team Sports           | <u>\$465,902</u>     |
|                       | TOTAL                       | <u>\$465,902</u>     |
| <b><u>ACCOUNT</u></b> | <b><u>APPROPRIATION</u></b> | <b><u>CHANGE</u></b> |
| 517880                | Youth Team Sports           | <u>\$465,902</u>     |
|                       | TOTAL                       | <u>\$465,902</u>     |

and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to enter into contract with the community providers in the identified amounts (RFP 2023-056VF) totaling \$465,902 for the provision of Youth Sports Services; 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 authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

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

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SUBJECT

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|             |                  |  |
|-------------|------------------|--|
| COMM. 7E-31 | COUNTY EXECUTIVE | Authorization to Enter into Contracts with<br>Community Providers for After Hour<br>Detention Programs |
|-------------|------------------|--|

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|  |             |
|--|-------------|
|  | Attachments |
|--|-------------|

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24COMM. 7E-31

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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

EC LEG RFR 5'24 PM 3:39

April 5, 2024

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

**RE: Authorization to Enter into Contracts with Community Providers for After Hour  
Detention Programs**

Dear Honorable Members:

The Department of Social Services-Youth Bureau is seeking authorization to enter into contracts with Community Providers in the amount of \$64,500. These funds will be used to provide After Hours Youth Detention Programming at the Erie County Secure and Specialized Secure Detention Facility (ECSSD). The Youth Bureau distributed a request-for-proposal (RFP #2023-062VF) for this program and Youth Board panel recommendations were used to determine contract award amounts.

Should your Honorable Body require further information, I encourage you to contact Commissioner Marie Cannon at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mmk  
Enclosure

cc: Commissioner of Social Services Marie Cannon

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Social Services-Youth Bureau  
**Re:** Authorization to Enter into Contracts with Community Providers for After Hour Detention Programs  
**Date:** April 5, 2024

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### **SUMMARY**

The Department of Social Services-Youth Bureau is seeking authorization to enter into contracts with Community Providers to deliver After Hour Detention programs in the amount of \$64,500 at the Erie County Secure and Specialized Secure Detention Facility (ECSSSD).

### **FISCAL IMPLICATIONS**

The funding for this action is derived from New York State Aid and local share dollars that are included in the 2024 Adopted Budget.

### **REASONS FOR RECOMMENDATION**

The Youth Services division of the Department of Social Services seeks to provide resident youth at the ECSSSD the opportunity to benefit from programs that help develop skills in the area of civic responsibility, effective communication, problem solving, reconciliation, and leadership while being challenged to rewrite their stories. The department aims to provide quality youth development programming to detained youth in order to decrease negative behaviors and promote pro-social, positive decision making. These awards are designed to promote positive youth development and address long term juvenile delinquency prevention within Erie County to strengthen families and communities. As a trauma-informed organization, Erie County Department of Social Services incorporates the five principles of trauma informed care (collaboration, safety, trustworthiness, empowerment, and choice) throughout its services to promote resilience and healing.

### **CONSEQUENCES OF NEGATIVE ACTION**

These important services could not be provided.

### **STEPS FOLLOWING APPROVAL**

The 2024 adopted budget will be amended and contracts will be executed with community providers for After Hour Detention Programs.

**RESOLUTION SUBMITTED BY:  
DEPARTMENT OF SOCIAL SERVICES**

Re: Authorization to Enter into Contract with Community Providers for After Hour Detention Programs

WHEREAS, the Youth Services division of the Department of Social Services seeks to provide resident youth at the ECSSSD the opportunity to benefit from programs that help develop skills in the area of civic responsibility, effective communication, problem solving, reconciliation, and leadership; and

WHEREAS, these awards are designed to provide quality youth development programming; and

WHEREAS, the Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2023-062VF) to interested parties and the Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, the Department of Social Services – Youth Bureau wishes to contract with Community Providers in the amount of \$64,500 to provide these services; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$64,500 in State Aid for the provision of After Hour Detention Programs and amend the Division of Youth Services' 2024 General Fund Budget as follows:

Department of Social Services-Youth Detention  
Fund 110, Funds Center 12520

|                       |                              |                      |
|-----------------------|------------------------------|----------------------|
| <b><u>ACCOUNT</u></b> | <b><u>REVENUE</u></b>        | <b><u>CHANGE</u></b> |
| 407610                | State Aid – Secure Detention | <u>\$64,500</u>      |
|                       | TOTAL                        | <u>\$64,500</u>      |
| <b><u>ACCOUNT</u></b> | <b><u>APPROPRIATION</u></b>  | <b><u>CHANGE</u></b> |
| 516041                | Youth Facility Programming   | <u>\$64,500</u>      |
|                       | TOTAL                        | <u>\$64,500</u>      |

and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to enter into contract with the community providers in the identified amounts (RFP #2023-062VF) totaling \$64,500 for the provision of After Hour Detention Programs; 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 allocations; 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.





## Department of Social Services

### Recommendation for RFP 2023-062VF: After Hour Detention Programs


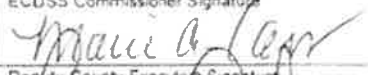
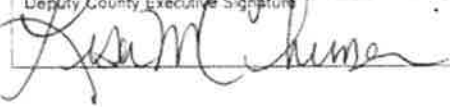
**Date: February 1, 2024**

The review panel has completed its task of evaluating the proposals for the above-named RFP. The proposals were graded individually by each panel member as well by Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

| Agency                                  | TOTAL SCORE | RANKING by Score | Current Funding Amount | Requested Amount | Recommended Award |
|---|-------------|------------------|------------------------|------------------|-------------------|
| NO WOUND UNTREATED INC                  | 94.67       | 3                | N/A                    | \$20,000.00      | \$20,000.00       |
| POLICE ATHLETIC LEAGUE OF BUFFALO, INC. | 95.00       | 2                | \$15,000.00            | \$15,000.00      | \$15,000.00       |
| TRE & ASSOCIATES INC.                   | 96.00       | 1                | \$20,000.00            | \$20,000.00      | \$20,000.00       |
| YOUNG AUDIENCES OF WESTERN NEW YORK     | 93.67       | 4                | \$9,500.00             | \$9,500.00       | \$9,500.00        |
| COMMUNITY SOLUTIONS FOUNDATION INC.     | INELIGIBLE  |                  | N/A                    | \$20,000.00      | \$0               |

It is recommended that After Hour Detention Services be funded as outlined above for Erie County in 2024. Supporting documentation is included in this packet.

The Department of Social Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

|   |                                 |                 |
|---|---------------------------------|-----------------|
| Deputy Commissioner - Youth Services Signature<br> | Printed Name<br>Kenneth Simmons | Date<br>2-22-24 |
| ECDSS Commissioner Signature<br>                   | Printed Name<br>Marie A. Cannon | Date<br>3/1/24  |
| Deputy County Executive Signature<br>              | Printed Name<br>Lisa Chimera    | Date<br>3/6/24  |

Once reviewed and approved, please return to Carrie Godfrey, Assistant Social Services Program Director at [Carrie.Godfrey@erie.gov](mailto:Carrie.Godfrey@erie.gov) or Rath 867 for processing. Thank you.

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SUBJECT

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|            |  |                            |
|------------|--|----------------------------|
| COMM. 7D-1 | DEPUTY<br>COMMISSIONER OF<br>ENVIRONMENT &<br>PLANNING | 2023 Climate Action Update |
|------------|--|----------------------------|

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|              |             |
|--------------|-------------|
| 24COMM. 7D-1 | Attachments |
|--------------|-------------|

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# MEMORANDUM

3/26/24 10:28

**COUNTY OF ERIE  
DEPARTMENT OF ENVIRONMENT AND PLANNING**

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TO: Honorable Erie County Legislature

FROM: Bonnie Lawrence, Deputy Commissioner

DATE: March 26, 2024

SUBJECT: 2023 Climate Action Update

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Attached please find the annual update for *Climate Action & Sustainability Plan - Internal Operations*.

Please let me know if you have any questions about the report.

Thank You,

A handwritten signature in black ink, appearing to be "BLR", with a long horizontal flourish extending to the right.

Bonnie Lawrence

RECEIVED BY THE ERIE COUNTY LEGISLATURE

BY \_\_\_\_\_

DATE \_\_\_\_\_

# Erie County Annual Climate Action Update - 2023

## Key Takeaways

Since last year's report, Erie County has made substantial progress implementing the initiatives outlined in the *Erie County Climate Action and Sustainability Plan for Internal Operations* (CASP), including the successful implementation of several large projects. This report gives an overview of the progress on these initiatives. The most recent greenhouse gas (GHG) inventory of Erie County's government operations, which captures 2022 emissions, shows a decrease of 34.2% compared to the 2005 baseline.

Much of 2023 was focused on completing the development of the County's equity-centered *Community Climate Action Plan* (CCAP) to expand on earlier community climate planning efforts. The actions outlined in the CCAP are directed at reducing climate pollution and protecting our residents and economy from the impacts of climate change. The CCAP was finalized and released at the end of 2023 and was adopted by the Erie County Legislature in January 2024. Already, the County is seeing the fruits of this effort, with the development of complex multi-partner grant applications and grant awards to implement CCAP actions.

## Background

The CASP was completed in 2019 and focuses on internal strategies to reduce GHG emissions. This plan was developed by the Erie County Green Team, a committee with representatives from all Erie County Departments serving under the County Executive, as well as representatives from the offices of other County elected officials. Since the release of the CASP, the Green Team has continued to meet quarterly, with its Transportation, Energy, and Waste Committees also meeting quarterly.

The CASP set aggressive internal operations greenhouse gas (GHG) emission reduction targets, including a 50% reduction from the baseline of 2005 by 2025, and an 80% reduction by 2040. The 2022 internal operations GHG inventory is included in this report.

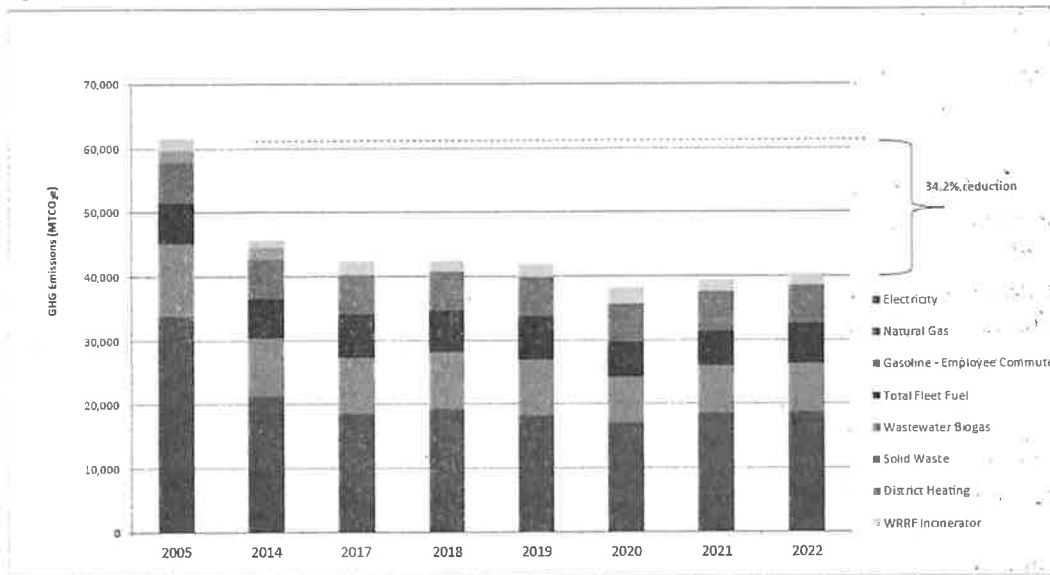
In 2018 the County also committed to procure all electricity for County operations from renewable sources by 2030. This has become more challenging because of statewide delays in the development of renewable energy, and electric transmission infrastructure bottleneck, which have slowed renewable energy development in Western New York. As of now, the cost to purchase NYS Renewable Energy Credits (REC) to achieve this goal would exceed \$800K per year, and those RECs would mostly be from projects outside of Western New York. Therefore, rather than purchasing RECs, the County is focusing on energy conservation and reducing climate pollution directly from its operations.

To better address community-wide climate action, in 2021 Erie County established the Community Climate Change Task Force (C3TF), a committee of its Environmental Management Council, as the official advisory board on the issue. The C3TF includes representatives from community-based organizations, not-for-profits, colleges, municipalities, business representatives, NFTA, National Grid, the Greater Buffalo Niagara Transportation Council, the Buffalo & Erie County Public Library, the Buffalo Museum of Science, and the WNY Youth Climate Council. Over several years the C3TF supported the development of the equity focused CCAP, which involved broad community involvement, 100 active volunteers, 10 topic-based workgroups, hundreds of community engagement activities, and extensive public input. This CCAP is broadly consistent with the New York State climate plan and goals. The resulting plan can be downloaded at [www.erie.gov/climateaction](http://www.erie.gov/climateaction).

## 2022 Greenhouse Gas Inventory for Internal Operations

The 2022 GHG inventory for the County's internal operations shows a 34.2% reduction in GHG emissions compared to the 2005 baseline (Figure 1). This year the inventory was updated to use US Environmental Protection Agency eGrid emission factors for electricity use for all inventory years, which is consistent with government operations inventory protocols, and is the method used by almost all local and county governments in New York State. The emissions reduction is a slight increase from the 2020 and 2021 inventories and reflects a higher level of onsite work and commuting emissions by Erie County staff as the COVID pandemic subsided. Since 2014 the County's largest emission reductions are from reduced emissions from employee commuting, elimination of a district heating system in 2016, reduced electricity use, and availability of greener electricity in upstate New York as coal power was replaced by natural gas generated electricity and renewable energy.

**Figure 1. Erie County Internal Operations GHG Emissions by Source**



The County has implemented many energy conservation, waste reduction, and renewable energy projects, which have resulted in GHG emission reductions. Those projects are described below and in the attached tables. It is important to note that key projects, including the Energy Performance Contract, were only partially implemented by the end of 2022. Thus, they are not fully captured by the 2022 GHG inventory.

The County set a goal of 50% greenhouse gas reduction by 2025. Additional building performance savings, including from the Energy Performance Contract and fleet savings from purchase of electric vehicles, will help move us toward that goal, but it will be challenging to achieve this near-term goal. Deeper reductions later this decade will be achieved as the state implements its Clean Energy Standard for renewable energy in the grid, and as electric vehicles become more available.

## **Progress on Initiatives**

Tables with updates on initiatives in the CASP are attached. Below are several significant projects and achievements that were accomplished over the past year.

**Energy Performance Contract** – The first phase of a large Energy Performance Contract was completed in 2022 and the second phase is being completed in the spring of 2024. These projects have involved more than 100 projects at 40 buildings, and have significantly improved energy efficiency, made the buildings healthier for staff and the public, and reduced climate pollution. Examples of projects include the installation of energy-efficient heating and cooling systems, high-tech digital controls for building equipment, and power-saving LED fixtures. The second phase of the project included retrofitting the 120,000 square foot Board of Elections building with air source heat pumps – the largest municipal heat pump project ever undertaken in upstate New York. The energy savings are projected to save the County over \$400,000 per year and GHG emissions from County buildings will be reduced by over 13%. Energy cost savings are guaranteed by the contractor.

**Electric Vehicles** - In 2023, Erie County purchased its first EV pickup truck – a Ford 150 Lightning which is being used by the Sheriff's Office for the composting program. This is the County's 9<sup>th</sup> EV vehicle. In 2024 the County will work with a specialist to systematically assess opportunities to transition to EVs and charging infrastructure needs.

**Building Electrification** – In 2023, DPW completed the conversion of the Sprague Brook Park Casino to a ground source heat pump heating system. This is the first ground source heat pump installed at a County property. With this project the County will have almost eliminated the use of expensive and polluting propane and fuel oil from its buildings.

**Climate Action Fund** – This fund, established in the 2020 budget, reinvests half of the cost savings achieved through energy conservation and waste reduction projects into additional sustainability initiatives. Due to how the Energy Performance Contract is structured, the fund does not include the savings from those projects. The fund is overseen by the Core Green Team, the steering committee of the Green Team, which includes representatives from DPW, DEP, Parks, Social Services, and Budget. The fund is utilized to implement action items identified in the CASP, as well as other projects identified by the Green Team. Whenever possible the fund is used to leverage additional funding through grants and rebates. In 2023, the Climate Action Fund supported the purchase of an electric golf course mower for the Parks Department, electric vehicle charging projects, an electric cart for Sheriff's personnel, EV chargers for County buildings, the Sprague Brook Park Casino ground source heat pump project, a solid waste study, and a temporary junior staff to support the CCAP project.

**DSM Initiatives** - The Division of Sewerage Management has several projects in progress which will reduce GHG emissions. For example, a high-level biosolids master plan study is in progress with a draft report expected in the first half of 2024. Improvements continue regarding optimizing biosolids dewatering/stabilization. Construction of the anaerobic digester improvements at the Lackawanna Water Resource Recovery Facility (WRRF) continues and is expected to be completed by mid-2024. Various energy efficiency projects are ongoing, ranging from minor changes such as LED lighting conversions to major upgrades such as the replacement of the blowers at the Big Sister Creek WRRF which is estimated to decrease the electrical load for this equipment by over 990,000 kWh annually.

**State and National Recognition** – Erie County is one of only four counties to receive Silver Certification, currently the highest level, in NYSDEC's Climate Smart Communities program by demonstrating the

extensive work being done across the County to reduce GHG emissions and prepare for the changing climate. Erie County also received the most points of any large county or city in the New York State Energy Research and Development Authority's (NYSERDA) Clean Energy Communities program. This achievement resulted in the County receiving a \$250K grant award from NYSERDA for additional energy conservation projects. In 2023, the American Planning Association's New York Upstate Chapter recognized the County for Public Outreach for its CCAP. Finally, also in 2023, GObike Buffalo recognized Erie County as the year's Most Bike Friendly Employer.

**Commuter Committee** – In 2023, the County convened a Commuter Committee as a committee of the Green Team. This committee works on reducing single occupancy vehicle commuting via rideshare, bicycling, walking, and transit use. The committee meets quarterly.

**Unprecedented Grant Funding** – The County's climate planning efforts are leveraging unprecedented climate grant applications and awards. The County was awarded a \$5.2M USDA Forest Service grant for community forestry initiatives in disadvantaged communities that will result in many benefits including improving our resilience to extreme heat. This grant involves six community partners, addresses seven CCAP actions, and was resulted from the CCAP development. In 2023 the County also worked with partners to submit two federal grant applications – one for more than \$20M to install rooftop solar on low-income residences and another for \$40M that will fund Lake Erie and Niagara River coastal resiliency projects. Awards have not yet been announced for these grants.

## **Conclusion**

With the increasing availability of federal and state funding for climate initiatives, and the conclusion of the CCAP, we have entered an exciting time. However, as we can see in headlines every day, the impacts from climate change are increasing and we have much work ahead of us. Thanks to the efforts of many in our community, the leadership of the County Executive Mark Poloncarz, the support of the Erie County Legislature, and the hard work of County staff from many departments substantial progress has been made on this critical work.

## **What's Next in 2024**

In the next year our focus will include developing an Extreme Temperature Plan and rolling out the Erie County Low Income Program for Sustainable Energy. We will commence work on the USDA Forest Service Community Tree Project. The County will also complete the Board of Elections Building electrification project, begin a green roof and solar energy project for the Central Library and install rooftop solar on the Rath County Building. We also will be continuing to aggressively pursue additional federal and state funding for actions identified in the CCAP.

DEP's 2024 Budget includes a \$500K Climate Resilience Fund that will pilot climate resilience strategies at community heating and cooling centers. This project will address vulnerabilities that became apparent during the 2022 Blizzard and will coordinate with an ongoing Extreme Temperature Planning Project

As we continue this work, our guiding principles remain the same: to do our part as a community to reduce greenhouse gas emissions, strengthen Erie County's economy and create good jobs as we transition to clean energy, and above all protect businesses and residents from the impacts of climate change, especially those who are most vulnerable.

**2023 Summary Table of Initiatives - Erie County Climate Action and Sustainability Plan for Internal Operations - Priority Tier 1**

| Initiative   | Sector                         | Lead Dept. | % complete | Recent Progress  |
|--|--------------------------------|------------|------------|--|
| C-1 - Reducing Single occupancy Vehicle Commuting                    | Transportation - Commute       | Personnel  | On-going   | DEP facilitates the Green Team Commuter Committee, which was convened in 2023. This committee is helping to promote sustainable commute initiatives, like the recently announced pre-tax transit incentive, and bike parking amenities.  |
| C-2 - Employee Education on Commute Alternatives                     | Transportation - Commute       | DEP        | On-going   | Erie County has worked with partners such as GOBuffaloNiagara to make alternatives to single occupancy vehicle commuting a safer and viable option for employees. Currently 101 employees participate in the NY511 rideshare program, which is an on-line resource for employees to find easy, affordable, and sustainable alternatives to driving alone. In 2023, the Green Team formed a commuter committee, which meets quarterly to discuss employee commute opportunities and to promote sustainable transportation initiatives. An employee resource webpage and additional educational sessions are being planned for 2024. |
| C-3 - Construct Buildings and Parking to Support Alt. Transportation | Transportation                 | DPW        | 65%        | The County has added 14 charging stations at 10 locations throughout the county. These locations include the following parks and ECC locations: Sprague Brook, Isleview, Emery, Elma Meadows, Ellicott Creek, ECC South (2), Bennet Beach, Grover Cleveland, ECC North (2), and ECC City.  |
| F-1 - Preventative Fleet Maintenance Program                         | Transportation                 | DPW        | 65%        | DPW maintains many of the County vehicles with the exception of Highways, Parks, Sewers, and Sheriff's, who all maintain their own vehicles. The fleet inventory is continually updated by DPW to identify older, less efficient vehicles to target for replacement. Maintenance records of non-leased vehicles are kept at the department level. Information is shared through the Green Team Transportation Committee. Erie County is in the process of replacing almost all 2019 (and some 2018) vehicles. There are very few older vehicles remain, except for heavy duty.   |
| F-2 - Reducing Vehicle Idling  | Transportation                 | DPW        | 25%        | The transportation committee has created a draft fleet efficiency policy which establishes goals for reducing excess idling in the fleets. The committee will send this to the Executive Office for consideration. Automatic vehicle locators (AVLs) have been installed, but idle times have not been reviewed.   |
| F-3 - Increase Use of Alternatively Fueled Vehicles                  | Transportation                 | DPW        | On-going   | Due to maintenance issues, the Sheriff's Office will be removing a few hybrids from their inventory. Additionally, the general fleet will be losing some hybrids due to lease maturity. Fleet intends to buy another fully electric vehicle in 2024 to replace an inefficient Volt. A fleet electrification and optimization study is being planned for 2024, which will identify the most efficient way the County can transition its fleet to electric.  |
| F-4 - Improve Fleet Deployment and Monitoring                        | Transportation                 | DPW        | On-going   | AVLs are fully operational, with units being added as new vehicles are brought into the various fleets. Every department that has at least one vehicle with an AVL has had an invitation sent to a department head (or designated person) to create an account and view their vehicle(s).  |
| W-1 - Departmental Waste Plans                                       | Waste Management and Recycling | DEP        | 40%        | Erie County conducted a waste audit of County facilities which was completed at the end of 2023. The contractor (UB) is in the process of putting data together for review. Anticipate the final report by the end of March 2024, which will help create individual departmental plans.  |
| W-2 - Paper Reduction  | Waste Management and Recycling | DISS       | 40%        | We continue to reap the benefits of the paper reduction efforts that took place five years ago. The Green Team will look at ways to reengage employees on the topic in 2024.   |



| Initiative   | Sector                            | Lead Dept. | % complete | Recent Progress   |
|--|-----------------------------------|------------|------------|---|
| W-3 - Construction & Demolition Waste Policy           | Waste Management and Recycling    | DPW        | 5%         | No progress has been made, but this action will continue to be discussed at committee meetings in 2024.   |
| W-4 Meeting & Event Guidelines                         | Waste Management and Recycling    | DEP        | 60%        | No progress has been made, but the above referenced solid waste audit will help to address this action item.  |
| W-5 - Organic Waste Reduction Compost Program          | Waste Management and Recycling    | DEP        | 75%        | 2023 saw the full reinstatement of the composting program at the Erie County Correctional Facility in Alden. On April 1 the county began to collect all pre-consumer (from kitchen) waste from the Holding Center in Buffalo. Totes are picked up twice a week and the Holding Center is provided with clean totes at each trip. In Fall of 2023 the County began to offer an opportunity for various departments in the Rath Building to collect and compost coffee and tea. Expansion is anticipated in 2024.   |
| E-1 - Building Performance and Operations Improvements | Buildings and Energy              | DPW        | 75%        | The County is continuing to implement strategies to improve building performance and operations. These include the replacement of pneumatic controllers with electrical controllers when equipment breaks; integrating more equipment into a software based management system to allow better control and oversight; and training opportunities for staff to learn how to service and maintain equipment to perform optimally.  |
| E-2 - Building Energy Efficiency Improvements          | Buildings and Energy              | DPW        | On-going   | The County continues to invest in its buildings by upgrading outdated equipment and installing various energy efficiency measures, such as new windows and LED lighting. The County is also adopting new technology and energy saving strategies by switching to all-electric heating and cooling where practicable. The signature project is taking the five-story Board of Elections Building and switching from a large steam boiler to an air source heat pump system which will provide clean heating and cooling for all of the occupants. The County is also on track to remove propane heating from all of its parks by 2024. |
| E-3 - Renewable Energy                                 | Buildings and Energy              | DPW        | 50%        | The County completed the construction of a 450kW system to add to its 2 MW portfolio.   |
| L-1 - Landscape Management Guidelines                  | Land Management                   | Parks      | On-going   | The County continues towards its goal of 100% renewable energy through energy conservation, renewable production and renewable energy certificate purchasing.   |
| L-2 - Natural Resource Inventory                       | Land Management                   | DEP        | 100%       | The County continues to implement low-mow and no-mow areas as outlined in the Parks Master Plan Update and wildflower areas are being designated throughout County Parks. Utilizing Climate Action Funding, the County has begun replacing gas-powered landscape equipment with electric models.  |
| L-3 - Native Plant Policy                              | Land Management                   | DEP        | 40%        | The Erie County Natural Resource Inventory has been completed and is available on the Erie County website for internal and public use.  |
| Wa-1 - Implement Green Infrastructure Projects         | Water Conservation and Stormwater | DEP        | On-going   | The Native Plant Policy has been drafted. A list of native and invasive plants exists, but needs to be scaled down and sorted by availability. This has proven to be both complicated and time consuming, delaying implementation.  |
|  |                                   |            |            | The County was recently awarded a Green Infrastructure Grant to install a vegetative roof on the Central Library in Downtown Buffalo. This demonstration project will provide stormwater retention benefits for the City of Buffalo as well as thermal benefits all while extending the longevity of the roofing system   |

| Initiative   | Sector                            | Lead Dept. | % complete | Recent Progress  |
|--|-----------------------------------|------------|------------|--|
| Wa-2 - Educate Employees on Water Conservation and Protection  | Water Conservation and Stormwater | DEP        | On-going   | <p>The Lake Erie Watershed Protection Alliance (LEWPA), which Erie County participates in, developed watershed training videos for municipal officials and are available online. LEWPA held one septic system maintenance workshops in Akron. The Erie County Water Quality Committee continued to hold presentations on water quality initiatives and topics. These opportunities were shared with employees.</p> <p>Other employee education consisted of 11 employee trainings on the following topics: NYS stormwater permit regulations, illicit discharge detection, sampling and elimination, stormwater management practices/inspection, erosion and sediment control, construction site inspection, pollution prevention/good housekeeping, facility self-assessments.</p>    |
| S-1 - Investigate alternative means to manage biosolids at County owned water resource recovery facilities | Sewerage Management               | DSM        | 50%        | <p>The Division of Sewerage Management retained the services of Brown and Caldwell to complete a high-level biosolids master plan study. A draft report is expected in the first half of 2024. Improvements continue with regard to optimizing biosolids dewatering/stabilization. Evaluation of the use of alternative fuels in the incineration process at the Southtowns Advanced Wastewater Treatment Facility (AWTF) is on-hold. Construction of the anaerobic digester improvements at the Lackawanna Water Resource Recovery Facility (WRRF) continues and is expected to be completed by mid-2024.</p>   |
| S-2 - Address GHG Impacts at Water Resource Recovery Facilities  | Sewerage Management               | DSM        | 75%        | <p>The Strategic Energy Management pilots have been completed at the Southtowns AWTF and Big Sister Creek WRRF. Several initiatives have been implemented, with others in progress. There has been no progress on potential combined heat/power - likely this will be considered after the anaerobic digesters at the Lackawanna WRRF are upgraded.</p>  |
| S-3 - Triple Bottom Line Decision Making Process for Large Capital Projects                                | Sewerage Management               | DSM        | 100%       | <p>A triple bottom line analysis was developed for evaluating options associated with major upgrades at the Southtowns facility.</p>   |
| P-1 - Environmentally Friendly Procurement   | Purchasing                        | DEP        | 20%        | <p>DEP provided the Purchasing Department with information on the NYS Green Purchasing program and is waiting for an evaluation if we can participate. DEP has begun reviewing bids and specs to identify products being purchased by the County that are not environmentally preferable and are determining potential alternative products from the GreenNY approved list. Implementation of a program to be discussed in 2024.</p>   |
| P-2 - Financial Mechanism for Climate Actions  | Budget                            | DEP        | 100%       | <p>The Erie County Green Team and DEP oversee a funding mechanism for clean energy and sustainability projects called the Climate Action Fund. DEP documents ongoing cost savings from energy conservation and waste projects (not including the Energy Performance Contract), and requests 50% of these savings are included in the County budget for the Climate Action Fund to be used for additional sustainability projects. Funded projects to date include heating and cooling projects in Parks' buildings, electric vehicles, electric vehicle chargers, electric landscaping equipment, electric bicycles for the Sheriff's Office, energy conservation projects, support for a County waste and transportation study, and support of the Community Climate Action Plan.</p> |

**2023 Summary Table of Initiatives - Erie County Climate Action and Sustainability Plan - Internal Operations - Priority Tier 2**

| Initiative  | Sector                         | Lead Dept. | % complete | Recent Progress  |
|---|--------------------------------|------------|------------|--|
| C-4 - Expand Current Commuter Programs  | Transportation                 | DEP        | On-going   | The Niagara Frontier Transportation Authority's fare system has been updated and Erie County will soon offer pre-tax bus and train passes to County Employees. The recently formed Green Team Commuter Committee has added additional programs to expand commuter options, such as a new carpool and vanpool program and consultations on individual commutes.   |
| C-5 - Employee Schedule - Implement and promote a comprehensive flexible work schedule                                    | Transportation                 | Personnel  | 80%        | A Work From Home Policy was developed and adopted by the County. Additional opportunities could be explored including flexible scheduling and a compressed work week.  |
| F-5 - Strategies to promote walking & bicycling   | Transportation                 | DPW        | 40%        | Erie County participated in the development of the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Regional Bicycle Master Plan, which was finalized in 2021. Municipalities will coordinate with GBNRTC for bicycle infrastructure on County-owned roads within their community.<br><br>In addition, the Live Well Erie (LWE) transportation and mobility sub-committee has started conversations with the EEO and Parks departments as they are looking at policies and infrastructure to improve walkability in Erie County. |
| W-6 - Plan and implement ongoing waste assessments by facility  | Waste Management and Recycling | DEP        | On-going   | A solid waste management study of County owned buildings was completed in 2023 and recommendations from the study will be released in early 2024.  |
| W-7 - Divert Waste from Landfill, Increase Recycling & Reuse  | Waste Management and Recycling | DEP        | On-going   | All non-Cannon printer cartridges are now able to be recycled by a new program that was put in place near the end of 2023. All cartridges are now being returned to the Purchasing office in the Rath Building. Coffee grounds and tea bags are now being composted in the Rath building. Expansion to additional buildings is anticipated in 2024.  |
| E-4 - Increased Standards for Building Design and Construction  | Buildings and Energy           | DPW        | On-going   | All newly constructed buildings are evaluated for LEED eligibility with the Erie Community College STEM building and the Botanical Gardens Expansion being recent examples of LEED certified projects. Smaller construction projects are subject to the NYS 2020 Energy Code to maximize energy efficiency.  |
| L-4 - Update the Forest Management Plan and identify strategies to utilize and improve protection and management of trees | Land Management                | DPW        | On-going   | A tree planting policy and tree donation policy have been established. The Forestry Management Plan Update process has started and the Public Engagement Strategy is complete and being implemented. Estimated completion date: Sept. 2025   |
| L-5 - Reuse/repurpose underutilized properties for sustainability projects  | Land Management                | DEP        | On-going   | Erie County completed the construction of a 445kw solar array on the existing brownfield located at 303 Woodward Avenue. DPW and the solar contractor worked with DEC to create a plan that would minimize soil disturbance to the area.   |

| Initiative   | Sector                            | Lead Dept. | % complete | Recent Progress  |
|--|-----------------------------------|------------|------------|--|
| Wa-3 - Conserve Water in County Owned Buildings                        | Water Conservation and Stormwater | DPW        | On-going   | Erie County upgraded all sink faucets and bathroom flush valves to touchless fixtures. These modern fixtures have reduced the consumption of water by an estimated 6 million gallons per year.   |
| Wa-4 - Erosion and Flooding Control using Natural or Organic materials | Water Conservation and Stormwater | DEP        | on-going   | The Lake Erie Watershed Protection Alliance (LEWPA) has continued implementing riparian buffers in Erie County. Additionally LEWPA continued to conduct stream assessments that included bank assessments in the Niagara River and Middle Tonawanda Creek Sub-watersheds.  |
| S-4 - Assess Sewer Collection System Carbon Footprint                  | Sewerage Management               | DSM        | on-going   | The Division of Sewerage Management has several projects in progress which will reduce GHG emissions. For example, a high-level biosolids master plan study is in progress with a draft report expected in the first half of 2024. Improvements continue regarding optimizing biosolids dewatering/stabilization. Construction of the anaerobic digester improvements at the Lackawanna Water Resource Recovery Facility (WRRF) continues and is expected to be completed by mid-2024. Various energy efficiency projects are ongoing, ranging from minor changes such as LED lighting conversions to major upgrades such as the replacement of the blowers at the Big Sister Creek WRRF which is estimated to decrease the electrical load for this equipment by over 990,000 kWh annually. |

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7D-2

COMMISSIONER OF  
SOCIAL SERVICES

Comm. 12E-34 Compliance Report - January

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Attachments

24COMM. 7D-2

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COUNTY OF ERIE  
MARK C. POLONCARZ  
COUNTY EXECUTIVE

February 15, 2024

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

Dear Honorable Members:

**RE: Comm. 12E-34 Compliance Report**

In accordance with Comm. 12E-34, please find an update of Child Protective caseloads for the month of January.

|   | January | Change Since December |
|---|---------|-----------------------|
| Caseload size at the last day of the Month                          | 1434    | 33                    |
| Number of CPS workers assigned at least five case last day of month | 90      | 1                     |
| Average number of cases per worker                                  | 15.933  | 0.1917603             |
| Cases Closed in Month   | 661     | 54                    |
| Intake during Month   | 724     | 35                    |
| Overdue Investigations at the last day of month                     | 315     | 9                     |
| Timely Determinations during month                                  | 289     | -44                   |

Thank you.

Sincerely,

Marie A. Cannon, MSW, Commissioner  
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7D-3

COMMISSIONER OF  
SOCIAL SERVICES

Comm. 12E-34 Compliance Report - February

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Attachments

24COMM. 7D-3

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COUNTY OF ERIE  
MARK C. POLONCARZ  
COUNTY EXECUTIVE

March 15, 2024

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

Dear Honorable Members:

**RE: Comm. 12E-34 Compliance Report**

In accordance with Comm. 12E-34, please find an update of Child Protective caseloads for the month of February.

|   | February | Change Since January |
|---|----------|----------------------|
| Caseload size at the last day of the Month                          | 1394     | -40                  |
| Number of CPS workers assigned at least five case last day of month | 87       | -3                   |
| Average number of cases per worker                                  | 16.022   | 0.0896               |
| Cases Closed in Month   | 709      | 48                   |
| Intake during Month   | 674      | -50                  |
| Overdue Investigations at the last day of month                     | 278      | -37                  |
| Timely Determinations during month                                  | 301      | 12                   |

Thank you.

Sincerely,

Marie A. Cannon, MSW, Commissioner  
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz



Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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COMM. 7D-4

COUNTY ATTORNEY

Transmittal of New Claims Against Erie  
County

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Attachments

24COMM. 7D-4

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EC LEG APR 5 '24 AM 10:14

## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

### DEPARTMENT OF LAW

### MEMORANDUM

TO: Olivia Owens, Clerk, Erie County Legislature

FROM: Jeremy C. Toth, Erie County Attorney

DATE: April 3, 2024

RE: Transmittal of New Claims Against Erie County

*JCT/WLD*

Ms. Owens:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), attached please find seven (7) new claims brought against the County of Erie. The claims are as follows:

#### Claim Name

1. Richard Riley v. County of Erie;
2. Rashawn Bell v. County of Erie, et al.;
3. Mark Nosal v. Erie County Holding Center;
4. Estate of Ledrise Curry v. County of Erie, et al.;
5. Derrick Staley, et al. v. Deborah Stworzydiak, et al.;
6. Kevin Henry v. Erie County Sheriff's Office; and
7. Ronald Cauley v. John J. Flynn.

JCT:dld  
Attachments





JEREMY C. TOTH  
COUNTY ATTORNEY

## COUNTY OF ERIE

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 1, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Riley, Richard v. County of Erie</i>  |
| Document Received:   | Notice of Claim  |
| Name of Claimant:    | Richard Riley<br>6956 Putnam Drive<br>Derby, New York 14047  |
| Claimant's attorney: | David M. Goodman, Esq.<br>The Coppola Firm PLLC<br>4033 Maple Road, Suite 100<br>Buffalo, New York 14202 |

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JCT", is written over the typed name "JEREMY C. TOTH".

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



SUPREME COURT :: STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD RILEY  
6956 Putnam Drive  
Derby, NY 14047

Claimant,

NOTICE OF CLAIM

v.

Index No.:

COUNTY OF ERIE  
95 Franklin Street  
Buffalo, NY 14202

Respondent.

-----X

**PLEASE TAKE NOTICE**, that the Claimant, RICHARD RILEY, (hereinafter "Claimant"), submits this Claim against the County of Erie, (hereinafter "Respondent"), and in support of said Claim states the following:

1. The address of Claimant is 6956 Putnam Drive, Derby, New York 14047.
2. The Attorneys for Claimant are The Coppola Firm PLLC, David M. Goodman, Esq., *Of Counsel*, 4033 Maple Road, Suite 100, Buffalo, New York 14226.
3. The claim arose on November 29, 2023, at approximately 6:45 a.m., in Lot 4 of the Buffalo Bills parking lot, at the site of the new stadium construction.
4. The claim arose when Claimant slipped and fell on ice and/or snow in that parking lot.
5. The incident occurred, in whole or in part, as a result of the negligence, carelessness and/or reckless of Respondent, through their agents, servants, and/or employees, including but not limited to a failure to plow, treat, salt, or otherwise abate a

This paper received at the  
Erie County Attorney's Office  
from *Maple Hill*  
the *7th* day of *Feb* 20*24*  
at *1:05* a.m./p.m.  
*L. Artig - Tagg*  
Erie County Clerk

hazardous and dangerous condition existing at the time and location of Claimant's fall and prior thereto.

6. That as a result thereof, Claimant has been physically injured including, but not limited to, an injury to his left shoulder requiring surgery.

7. That the incident herein described, and the resultant damages, were caused by the negligence, careless, and reckless of Respondent, by and through their agents, servants, and/or employees, without any comparative fault attributable to Claimant.

**WHEREFORE**, Claimant requests compensation from Respondent, all along with such other and further relief as may be awarded by the Court, including but not limited to costs and attorney's fees incurred herein, and for such other and further relief as to the Court may seem just and proper.

DATED: Buffalo, New York  
January 25, 2024

**THE COPPOLA FIRM PLLC**




---

David M. Goodman, Esq.  
*Attorneys for Claimant*  
4033 Maple Road, Suite 100  
Buffalo, New York 14202  
(716) 839-9700  
[dgoodman@coppolalegal.com](mailto:dgoodman@coppolalegal.com)


**VERIFICATION**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF ERIE        )

RICHARD RILEY, being duly sworn, deposes and says that he is the Claimant in the above matter, that he has read the foregoing Notice of Claim and knows the contents thereof and that the same is true to his own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters, he believes them to be true.

  
\_\_\_\_\_  
RICHARD RILEY

Sworn to before me this  
25<sup>th</sup> day of January, 2024.

  
\_\_\_\_\_  
Notary Public

**DAVID M. GOODMAN**  
Notary Public, State of New York  
Registration No. 02GO4998341  
Qualified in Erie County  
My Commission Expires 7/20/2026







## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 1, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202


Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Bell, Rashawn v. County of Erie, ECSO<br/>and Sheriff Garcia</i>                                     |
| Document Received:   | Notice of Claim   |
| Name of Claimant:    | Rashawn Bell<br>c/o Erie County Correctional Facility<br>11581 Walden Avenue<br>Alden, New York 14004   |
| Claimant's attorney: | Brittany L. Penberthy, Esq.<br>Penberthy Law Group LLP<br>227 Niagara Street<br>Buffalo, New York 14201 |

Should you have any questions, please call.

Very truly yours,

  
JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



---

In the Matter of the Claim of

RASHAWN BELL

Claimant,

**NOTICE OF CLAIM**

-vs-

COUNTY OF ERIE, ERIE COUNTY  
SHERIFF'S DEPARTMENT,  
and JOHN GARCIA, in his individual and  
official capacity as Sheriff of ERIE County,

Respondents.

---

TO: COUNTY OF ERIE  
ERIE COUNTY SHERIFF'S DEPARTMENT  
And SHERIFF JOHN GARCIA

**PLEASE TAKE NOTICE** that RASHAWN BELL, hereby makes claim against the  
COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT, and ERIE COUNTY  
SHERIFF JOHN GARCIA, individually and in his official capacity, and in support of said claim  
states the following:

1. The post office address of the Claimant RASHAWN BELL is 11581 Walden Avenue,  
Alden, New York, as he is presently incarcerated.
2. The attorneys for the Claimant are PENBERTHY LAW GROUP, LLP, and their post office  
address is 227 Niagara Street, Buffalo, New York 14201.
3. The claim of RASHAWN BELL, is for personal injuries sustained and for consequential  
damages generally.
4. The claim arose at Erie County Correctional Facility, 11581 Walden Avenue, Alden, County  
of Erie and State of New York.

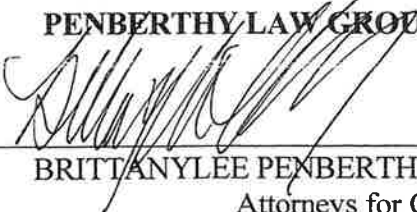
5. The claim arose in substance as follows: On or about December 10, 2023, the Claimant was caused to slip and fall due to a wet and slippery floor.

6. Upon information and belief, the incident herein described and the resultant injuries sustained were caused as a result of the negligence, carelessness, reckless disregard and/or on the part of the agents, servants and/or employees of the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S OFFICE, and ERIE COUNTY SHERIFF JOHN GARCIA.

7. Upon information and belief, as a result of the aforesaid incident, Claimant sustained severe bodily injuries and was painfully and seriously injured, was rendered sick, sore, lame and disabled; and sustained pain and suffering. Upon information and belief, these injuries will result in permanent defects.

WHEREFORE, Claimant requests COUNTY OF ERIE, ERIE COUNTY SHERIFF's DEPARTMENT, and ERIE COUNTY SHERIFF JOHN GARCIA honor and pay the claims of RASHAWN BELL.

DATED: January 5, 2024  
Buffalo, New York

**PENBERTHY LAW GROUP LLP**  
By:   
BRITTANY LEE PENBERTHY, ESQ.  
Attorneys for Claimant  
Office and P.O. Address  
227 Niagara Street  
Buffalo, New York 14201  
(716) 806-3330

VERIFICATION

STATE OF NEW YORK

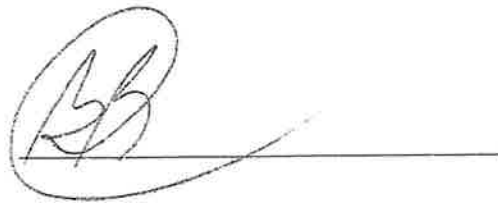
)

) SS.:

COUNTY OF ERIE CORRECTIONAL FACILITY

)

Rashawn Bell, being duly sworn, deposes and says that he is the claimant above named; he has read the foregoing claim and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, he believes them to be true.



Sworn to before me this

5<sup>th</sup> day of January, 2024.

  
Notary Public





## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 13, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Nosal, Mark v. Erie County Holding Center</i>               |
| Document Received:   | EEOC Charge of Discrimination                                  |
| Name of Claimant:    | Mark A. Nosal<br>1242 Davis Road<br>West Falls, New York 14170 |
| Claimant's attorney: | Claimant is proceeding <i>pro se</i> .                         |

Should you have any questions, please call.

Very truly yours,

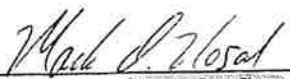
A handwritten signature in blue ink, appearing to read "Jc Toth", is written over a circular blue ink stamp.

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.





|  |            |  |               |          |        |            |            |
|--|------------|--|---------------|----------|--------|------------|------------|
| <b>CHARGE OF DISCRIMINATION</b><br><br>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.   |            | Charge Presented To:      Agency(ies) Charge No(s):<br><br>EEOC                              525-2023-01707<br><br>FEPA  |               |          |        |            |            |
| <b>New York State Division Of Human Rights</b> and EEOC<br><small>State or local Agency, if any</small>  |            |  |               |          |        |            |            |
| Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.)<br>Mr. Mark A. Nosal  |            | Home Phone<br>(716) 587-2032   | Year of Birth |          |        |            |            |
| <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b><br/> <b>MAR 11 2024</b> </div>   |            |  |               |          |        |            |            |
| Street Address<br>1242 Davis Road<br>West Falls, NY 14170  |            |  |               |          |        |            |            |
| Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)   |            |  |               |          |        |            |            |
| Name<br>Erie County Holding Center   |            | No. Employees, Members<br>201 - 500 Employees  | Phone No.     |          |        |            |            |
| Street Address<br>40 Delaware Ave<br>BUFFALO, NY 14202   |            |  |               |          |        |            |            |
| Name   |            | No. Employees, Members   | Phone No.     |          |        |            |            |
| Street Address      City, State and ZIP Code   |            |  |               |          |        |            |            |
| DISCRIMINATION BASED ON<br><br>Disability  |            | DATE(S) DISCRIMINATION TOOK PLACE<br><br><table style="width: 100%;"> <tr> <td style="width: 50%;">Earliest</td> <td style="width: 50%;">Latest</td> </tr> <tr> <td>06/11/2023</td> <td>06/11/2023</td> </tr> </table> |               | Earliest | Latest | 06/11/2023 | 06/11/2023 |
| Earliest   | Latest     |  |               |          |        |            |            |
| 06/11/2023   | 06/11/2023 |  |               |          |        |            |            |
| THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):<br>I am a qualified individual with a disability I have worked for Respondent since August 16, 2021, my last position held was Registered Nurse. While employed by the Respondent I made a request for reasonable accommodation asking for additional time to learn and practice some complex computer and charting tasks. Tasks that I was having difficulty with because of my disability. The response I received to my request was to practice or train before or during work. This not an effective accommodation, and there was not interactive process to discuss alternative accommodations. On about June 11, 2023, the Respondent called me into a meeting and stated that I must resign or be terminated. I believe that I have been denied reasonable accommodation, and forced to resign, because of my disability in violation of the Americans with Disabilities Act, as amended. |            |  |               |          |        |            |            |
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.  |            | NOTARY – When necessary for State and Local Agency Requirements  |               |          |        |            |            |
| I declare under penalty of perjury that the above is true and correct.   |            | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.<br>SIGNATURE OF COMPLAINANT   |               |          |        |            |            |
| <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <u>3/6/24</u><br/> <small>Date</small> </div> <div style="text-align: center;"> <br/> <small>Charging Party Signature</small> </div> </div>  |            | SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE<br><small>(month, day, year)</small>   |               |          |        |            |            |





## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 19, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Curry, Ledrise N., Estate of, by Phyllis E.<br/>Jackson v. County of Erie and City of Buffalo</i>                             |
| Document Received:   | Notice of Motion with Motion   |
| Name of Claimant:    | Phyllis E. Jackson<br>Administratrix of the Estate of Ledrise Curry<br>73 Newburgh Avenue, Right Side<br>Buffalo, New York 14201 |
| Claimant's attorney: | Brittany L. Penberthy, Esq.<br>Penberthy Law Group LLP<br>227 Niagara Street<br>Buffalo, New York 14201                          |

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

---

In the Matter of the Claim of

PHYLLIS E. JACKSON, Administratrix of the  
Estate of LEDRISE N. CURRY,

Claimant,

**AFFIRMATION IN SUPPORT OF  
APPLICATION FOR LEAVE TO  
SERVE LATE NOTICE OF CLAIM**

vs.

COUNTY OF ERIE  
and CITY OF BUFFALO

Respondents.

---

BRITTANYLEE PENBERTHY, ESQ., being duly sworn pursuant to CPLR § 2106,  
deposes and says that:

1. I am an attorney admitted to practice in the Courts of the State of New York. I am a partner with the law firm Penberthy Law Group LLP, attorneys for the Petitioner, PHYLLIS E. JACKSON, Administratrix of the estate of LEDRISE N. CURRY in this application. As such, I am familiar the facts and circumstances of this claim, except those stated upon information and belief, and as to those, I am informed and believe them to be true. Statements of legal authorities are made upon information and belief.
2. I submit this affirmation in support of Petitioner's motion for leave to serve a late Notice of Claim. See Proposed Notice of Claim ["PNOC"], annexed hereto as **Exhibit A**.
3. Upon information and belief, and as set forth in Petitioner's affidavit, decedent LEDRISE N. CURRY suffered an untimely death on or about December 26, 2022, after suffering an asthma attack that could not be timely responded to by emergency personnel due to the aftermath of the Buffalo blizzard of December 2022.

4. Upon information and belief, decedent's 13-year-old son was at the home at the time of decedent's asthma attack and promptly contacted 911, however, their street was still filled with too much snow for personnel to timely respond.

5. General Municipal Law § 50-e mandates that Notices of Claim, as a condition precedent to a tort or personal injury suit against a municipality, must be served within 90 days after the claim arose.

6. However, Petitioner was only appointed administrator of the estate on January 2, 2024.

7. Under the statutory calculation of 1 year and 90 days, Petitioner has until at least March 25, 2024 to file any causes of action arising from an incident of December 26, 2022.

8. Leave to serve a late Notice of Claim should be granted in this case.

9. Even when the time period to serve a late Notice of Claim has passed, "[a]n injured person who has failed to serve a timely notice of claim may, pursuant to General Municipal Law § 50-e (5), apply for permission to serve a late notice" (Matter of Felice v Eastport/South Manor Cent. Sch. Dist., 50 AD3d 138, 139 [2d Dept 2008]).

10. As further explained by the Appellate Division, Second Department, interpreting General Municipal Law § 50-e[5]:

Among the "facts and circumstances" a court must consider in determining an application for permission to serve a late notice of claim are the actual knowledge of the public corporation of the "essential facts constituting the claim" and the prejudice to the public corporation from a claimant's failure to serve a timely notice of claim

(id. at 139).

11. Additionally, General Municipal Law § 50-e[5] provides that the Court shall also consider whether the claimant was physically incapacitated in determining whether to grant an extension.

12. No single factor under General Municipal Law § 50-e[5] is dispositive (Cicio v City of New York, 98 AD2d 38, 39 [1st Dept 1983] ["In a series of cases, this court has emphatically rejected such arguments, holding that the statutory amendments to subdivision 5 of section 50-e of the General Municipal Law are to be liberally construed and that the absence of an acceptable excuse is not necessarily fatal. Rather, all relevant factors are to be considered, including the prejudice to the municipality and whether it obtained actual knowledge within the 90-day statutory period **or shortly thereafter**"] [emphasis added]).

13. Here, upon information and belief, and as stated in Petitioner's Affidavit, after she was only recently appointed administrator of the estate of her daughter, decedent LEDRISE N. CURRY, which resulted in a delay in obtaining counsel relative to this claim (see Client Aff.).

14. Therefore, under General Municipal Law § 50-e[5], Petitioner's inability to proceed until her appointment should be considered in Petitioner's favor.

15. Upon information and belief, importantly, the facts that this incident were both highly publicized, and also complained about in the timely Notice of Claim served by the family of a similarly situated decedent, Gloria Mawazo, individually and on behalf of Abdul Sharifu. Thus, both the County of Erie and City of Buffalo almost certainly had actual notice of the facts constituting the claim.

16. Moreover, upon information and belief, given the recency of the claim and the extensive efforts having been purportedly put forth by both Respondents to ensure proper emergency preparedness responses going forward, Respondents are in custody of ample opportunity to investigate the instant claim, and there is no conceivable prejudice to the Respondents in permitting Claimant to serve a late Notice of Claim relative to any claim.



WHEREFORE, for the reasons set forth above, and as set forth in the Affidavit of Petitioner, it is respectfully requested on behalf of Petitioner that leave be granted permitting Petitioner to serve the proposed Notice of Claim, together with any such other and further relief as the Court may deem just and proper.

DATED: March 15, 2024  
Buffalo, New York

**PENBERTHY LAW GROUP LLP**

By: s/ BrittanyLee Penberthy  
Brittanylee Penberthy, Esq.  
Attorneys for Petitioner  
227 Niagara Street  
Buffalo, New York 14201  
(716) 803-8402

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

DERRICK STALEY  
6 N. Parade Avenue, Lower Apt.  
Buffalo, New York 14211

NEVAEH STALEY  
6 N. Parade Avenue, Lower Apt.  
Buffalo, New York 14211

Plaintiffs,

v.

THE CITY OF BUFFALO  
c/o Corporation Counsel  
65 Niagara Street, 1100 City Hall  
Buffalo, New York 14202

ALLYSA TABORN, individually and in her  
capacity as a Buffalo Police Officer,  
74 Franklin Street  
Buffalo, New York 14202

AHMED ABDO, individually and in his  
capacity as a Buffalo Police Officer,  
74 Franklin Street  
Buffalo, New York 14202

ERIC PRENTISS, individually and in his  
capacity as a Buffalo Police Officer,  
74 Franklin Street  
Buffalo, New York 14202

JOHNATHAN JACKSON, individually and in  
his capacity as a Buffalo Police Officer,  
74 Franklin Street  
Buffalo, New York 14202

CHRISTINA IHLE, individually and in her  
capacity as a Buffalo Police Officer,  
74 Franklin Street  
Buffalo, New York 14202

**FIRST AMENDED  
COMPLAINT AND  
JURY DEMAND**

Civil Action No.: 1:22-CV-00945-JLS

JOSEPH FISCHER, individually and in his  
capacity as a detective for the City of Buffalo  
Police Department,  
74 Franklin Street  
Buffalo, New York 14202

DEBORAH STWORZYDLAK, individually  
and in her official capacity as a caseworker for  
Erie County Child Protective Services,  
2875 Union Road, Suite 356  
Cheektowaga, New York 14227

Defendants.

Plaintiffs, Derrick Staley (“Mr. Staley”) and Nevaeh Staley (“Nevaeh”)  
(collectively referred to as “Plaintiffs”), by their attorneys, Rupp Pfalzgraf LLC, as and for their  
complaint against defendants, the City of Buffalo, Police Officer Allysa Taborn, Police Officer  
Ahmed Abdo, Police Officer Johnathan Jackson, Police Officer Christina Ihle, Detective Joseph  
Fischer, and Deborah Stworzydlak, (collectively referred to as “Defendants”), allege the  
following:

### **PRELIMINARY STATEMENT**

1. Plaintiffs bring this action for compensatory damages, punitive damages,  
attorneys’ fees pursuant to 42 U.S.C. §§ 1983 and 1988, and other damages that this Court deems  
just and proper, for violations of their Constitutionally protected civil rights.

2. At issue in this litigation are two separate removals of Nevaeh from  
Mr. Staley’s home effected by an Erie County Child Protective Services (“CPS”) caseworker,  
and the actions of law enforcement officers which have violated Mr. Staley’s constitutional rights  
to be free from: (1) false arrest; (2) unreasonable searches and seizures; (3) malicious

# **EXHIBIT A**

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

---

In the Matter of the Claim of

PHYLLIS E. JACKSON, Administratrix of the  
Estate of LEDRISE N. CURRY,

**PROPOSED NOTICE OF CLAIM**

Claimant,

vs.

COUNTY OF ERIE  
and CITY OF BUFFALO

Respondents.

---

TO: CITY OF BUFFALO,  
COUNTY OF ERIE

PLEASE TAKE NOTICE, that PHYLLIS E. JACKSON, as Administratrix of the estate of LEDRISE N. CURRY, has and hereby makes claim against the COUNTY OF ERIE and CITY OF BUFFALO and in support of said claim state the following:

1. The post office address of the claimant is 73 Newburgh Avenue, Right Side, Buffalo, New York 14201.
2. The attorneys for the Claimant are PENBERTHY LAW GROUP LLP, and their post office address is 227 Niagara Street, Buffalo, New York 14201.
3. The claim of PHYLLIS E. JACKSON, as Administratrix of the estate of LEDRISE N. CURRY, is for negligence and wrongful death.
4. The claim arose at or near Newburgh Avenue within the City of Buffalo, County of Erie and State of New York.



## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 19, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Staley, Derrick and Nevaeh v. Deborah Stworzydiak, et al.</i>                                      |
| Document Received:   | Summons and Complaint   |
| Name of Claimant:    | Derrick Staley and Nevaeh Staley<br>6. N. Parade Avenue, Lower Apt.<br>Buffalo, New York 14211        |
| Claimant's attorney: | Timothy P. Noonan, Jr., Esq.<br>Rupp Pfalzgraf LLC<br>1600 Liberty Building<br>Buffalo, NY 14202-3694 |

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over a faint, larger blue ink signature that appears to read "Jeremy C. Toth".

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Western District of New York

Derrick Staley, Nevaeh Staley

*Plaintiff(s)*

v.

The City of Buffalo, Allysa Taborn, Ahmed Abdo, Eric  
Prentiss, Johnathan Jackson, Christina Ihle, Joseph  
Fischer, and Deborah Stworzydlak

*Defendant(s)*

This document received at  
**ECDSS OFFICE OF COUNSEL**  
from Dough DiFilippo on the  
27<sup>th</sup> day of February, 20  
at 12:39 a.m. 12:39 p.m.  
DiFilippo  
RECEIVED BY

Civil Action No. 1:22-cv-00945

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Deborah Stworzydlak, individually and in her capacity as a caseworker for Erie County  
Child Protective Services,  
2875 Union Road, Suite 356  
Cheektowaga, New York 14227

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Timothy P. Noonan, Jr.  
Rupp Pfalzgraf LLC  
1600 Liberty Building  
424 Main Street  
Buffalo, New York 14202

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:22-cv-00945

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

### DEPARTMENT OF LAW

March 28, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |  |
|----------------------|--|
| File Name:           | <i>Henry, Kevin N. Jr. v. Erie County Sheriff's Office</i>                   |
| Document Received:   | EEOC Charge of Discrimination  |
| Name of Claimant:    | Kevin N. Henry, Jr.<br>199 Lockwood Avenue, Lower<br>Buffalo, New York 14220 |
| Claimant's attorney: | Claimant is proceeding <i>pro se</i> .                                       |

Should you have any questions, please call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Toth", is written over the typed name.

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



|  |  |  |  |
|--|--|--|--|
| <b>CHARGE OF DISCRIMINATION</b><br><br>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. |  | Charge Presented To:      Agency(ies) Charge No(s):<br><br><div style="display: flex; justify-content: space-between;"> <span>EEOC</span> <span>525-2024-00623</span> </div> <div style="display: flex; justify-content: space-between;"> <span>FEPA</span> <span></span> </div> |  |
| <b>New York State Division Of Human Rights</b><br><i>State or local Agency, if any</i>   |  | and EEOC   |  |

|  |  |  |                       |
|--|--|--|-----------------------|
| I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.)<br><b>Mr. Kevin N. Henry Jr.</b>  |  | Home Phone<br>716-465-0787               | Year of Birth<br>1991 |
| Street Address<br>199 Lockwood Avenue lower<br>BUFFALO, NY 14220   |  |  |                       |
| Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) |  |  |                       |
| Name<br>Erie County Sheriff's Department   |  | No. Employees, Members<br>501+ Employees | Phone No.             |
| Street Address<br>40 DELAWARE AVE<br>BUFFALO, NY 14202   |  |  |                       |
| Name   |  | No. Employees, Members                   | Phone No.             |
| Street Address   |  | City, State and ZIP Code                 |                       |

|  |  |
|--|--|
| DISCRIMINATION BASED ON<br><br>Race, Retaliation | DATE(S) DISCRIMINATION TOOK PLACE<br><br><div style="display: flex; justify-content: space-between;"> <span>Earliest</span> <span>Latest</span> </div> <div style="display: flex; justify-content: space-between;"> <span>12/25/2023</span> <span>01/24/2024</span> </div> |
|--|--|

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I am a Black individual. I worked for Respondent since February 7, 2016. My most recent position was Deputy Sheriff Officer at Erie County Holding Center.

In December 2023, I was a victim of race discrimination. Specifically, a non-Black Captain refused to follow the contract in reference to placement of bid post and seniority. According to the Collective Bargaining Agreement (CBA) the bid should go to the bid holder. The job assignment I was seeking was in Ground Floor which is considered a far easier and loftier bid than working a housing unit. Upon information and belief, two non-Black individuals from a different shift were granted the bid post that I was denied. Consequently, I internally complained about Respondent violating the CBA and not granting me the bid post. Respondent has a history of not following the CBA when it comes to Black Deputies.

|   |   |
|---|---|
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. | NOTARY – When necessary for State and Local Agency Requirements   |
| I declare under penalty of perjury that the above is true and correct.<br><br><b>Digitally Signed By: Mr. Kevin N. Henry Jr.</b><br><br><b>03/19/2024</b><br><br><div style="text-align: right;"><i>Charging Party Signature</i></div>                        | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.<br>SIGNATURE OF COMPLAINANT<br><br><br>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE<br>(month, day, year) |

State or local Agency, if any



## COUNTY OF ERIE

JEREMY C. TOTH  
COUNTY ATTORNEY

KRISTEN M. WALDER  
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

March 28, 2024

Ms. Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

|                      |   |
|----------------------|---|
| File Name:           | <i>Cauley, Ronald R. Jr. v. John J. Flynn</i>                       |
| Document Received:   | Summons with Notice   |
| Name of Claimant:    | Ronald R. Cauley, Jr.<br>2 Morris Avenue<br>Buffalo, New York 14214 |
| Claimant's attorney: | Claimant is proceeding <i>pro se</i> .                              |

Should you have any questions, please call.

Very truly yours,

A handwritten signature in black ink, appearing to read "JCT", is written over the typed name of Jeremy C. Toth.

JEREMY C. TOTH  
Erie County Attorney

JCT:dld  
Enc.



Tonawanda City Court  
City Hall  
200 Niagara Street  
Tonawanda, NY 14150

DISTRICT ATTORNEY  
25 DELAWARE AVE  
2024 MAR 21 AM 11:38

CERTIFIED MAIL

BUFFALO NY 140



21 MAR 2024 PM 2 L

7021 1970 0000 0686 4889

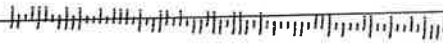
John J Flynn  
25 Delaware Avenue  
Buffalo, NY 14202



US POSTA  
\$008.69  
03/18/2024 2:54 PM

ELECTRONIC RETURN RECEIPT REQUESTED

14202-392699



A Guide to Small Claims Court is available at the Court addressed above  
(<https://www.nycourts.gov/courthelp/pdfs/SmallClaimsHandbook.pdf>)



State of New York, County of Erie  
City Court Small Claim Part

Index No:

1/TO  
00 AM

To all Defendants:  
John J Flynn, at 25 Delaware Avenue, Buffalo, NY 14202

**TAKE NOTICE** that the following Claimant(s): **Ronald R Cauley Jr., at 2 Morris Avenue, Buffalo, NY 14202** has/have entered judgment in this Court against you for **\$1,500.00** together with costs upon the following claim(s): **Property for \$1,500.00 Additional detail (if any): Property that is lawfully mine has not been returned.** There will be a Hearing before the Court on this claim on: **May 8, 2024 at 9:00 AM in the Small Claim Part, Room: 1, at the Tonawanda City Court located at: City Hall, 200 Niagara Street, Tonawanda, NY 14150**

You must appear and bring this notice with you.

You **MUST** attend and present your defense and any counterclaim you may desire to assert at the Hearing set forth above (a corporation must be represented by an attorney or any authorized officer, director or employee). **IF YOU (OR YOUR ATTORNEY) DO NOT ATTEND, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT EVEN THOUGH YOU MAY HAVE A VALID DEFENSE.** If your defense or counterclaim, if any, is supported by witnesses, account books, receipts or other documents, you must produce them at the Hearing. The Clerk, if requested, will issue subpoenas for witnesses, without charge. However, there may be a fee to serve the subpoena.

NOTE: If you desire a jury trial, you must, before the day upon which you have been notified to appear, file with the Clerk of the Court a written demand for a trial by jury. You must also pay to the Clerk a jury fee of \$70 and file an undertaking in the sum of \$50 or deposit such sum in cash to secure the payment of any costs that may be awarded against you. You will also be required to make an affirmation specifying the issues of fact which you desire to have tried by a jury and stating that such trial is desired and demanded in good faith. Under the law, the Court may award up to \$25, as additional costs to the Claimant if a jury trial is demanded by you and a decision is rendered against you.

If you wish to present a counterclaim against the Claimant, you must do so by filing with the Clerk of the Court a statement containing such counterclaim within five days of receiving this Notice of Claim. At the time of such filing you must pay the Clerk a filing fee of \$5 plus the cost of postage to send your counterclaim by first class mail to the Claimant. If you fail to file a counterclaim within this five-day period, you retain the right to file the counterclaim until the time of the Hearing, but the Claimant may request and obtain an adjournment of the Hearing to a later date.

If you admit the claim, but desire time to pay, you must attend on the day set for the Hearing and state to the Court your reasons for desiring time to pay.

Please read the additional information on the back of this notice

Dated: 03/15/2024

Stacey Bush  
Chief Clerk





Erie County Legislature  
Meeting Date: 04/11/2024

---

SUBJECT

---

COMM. 7M-1                      TOWN OF CONCORD                      Opposition to Windmills in Lake Erie

---

24COMM. 7M-1

---

**TOWN OF CONCORD  
ERIE COUNTY  
SPRINGVILLE, NEW YORK**

INTRO NO. 5(f)  
RESOLUTION NO. 3

DATE: March 14, 2024

I hereby certify that at a meeting of the Town Board of the Town of Concord held at the Town Hall in the Town of Concord on the 14<sup>th</sup> day of March, 2024, a Resolution was adopted of which the following is a true copy.

Council Member Drake moved the adoption of Resolution 3, seconded by Council Member Krzemien:

WHEREAS, approximately twelve million people live in the Lake Erie watershed, including seventeen 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 Concord, 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 Concord 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 Concord 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, NY 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

WHEREAS, there are a number of commercial wind energy facilities operating in Western New York, with more in the planning and permitting stages; and

WHEREAS, NY 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 this is 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 NY 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:

- + What assurances 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 wind turbines on the organisms living in the lake bed?

+ How would the blinking red lights atop each offshore wind turbines 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 Concord electricity ratepayers in terms of monthly increases to their utility bills?

+ How would property values along the lake shore be impacted by viewsheds including offshore wind turbines and their industrial support and maintenance activities?

Conclusion: Some of these questions cannot be answered, or would be cost prohibitive to address. There are many documented examples of negative impacts of wind turbines on both terrestrial and aquatic environments. There are alternatives such as small modular nuclear and hydropower, which deserve significant consideration as possible future sources of power and do not negatively affect Lake Erie or other large bodies of water.

NOW, THEREFORE, BE IT RESOLVED: The Town of Concord opposes, at this time, 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.


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 Steward-Cousins, Honorable Senate Minority Leader Robert Ort, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Crystal Peoples-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 Hamburg, Evans, Eden, North Collins and Dunkirk, Honorable Mayor of the Village of Silver Creek, Honorable Mayor of the City of Lackawanna Annette Iafallo, and Honorable Mayor of the City of Buffalo Byron Brown.

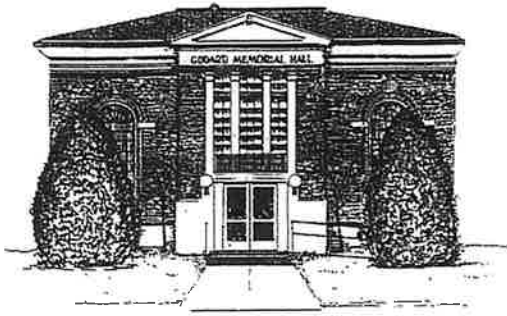
Voting as follows:

|                         |     |
|-------------------------|-----|
| Council Member Drake    | Aye |
| Council Member Kassel   | Aye |
| Council Member Krzemien | Aye |
| Council Member Zittel   | Aye |
| Supervisor Drozd        | Aye |

The foregoing Resolution was thereupon declared duly adopted.

  
Philip Drozd, Town Supervisor

Attest:   
Stephanie A. Bacon, Deputy Town Clerk



## *Town of Concord*

DARLENE G. SCHWEIKERT  
TOWN CLERK  
TAX COLLECTOR  
(716) 592-4948  
(716) 592-0123 FAX

I hereby certify that the attached is a true copy of the Resolution 3 in "Opposition to Windmills in Lake Erie," which was adopted by the Town of Concord Town Board on March 14, 2024.

Darlene G. Schweikert  
Town Clerk

(Seal)

Erie County Legislature  
Meeting Date: 04/11/2024

| SUBJECT      |             |  |
|--------------|-------------|--|
| COMM. 7M-2   | CONSTITUENT | Letter from Constituent Concerning Public Sanitation |
|              |             |  |
| Attachments  |             |  |
| 24COMM. 7M-2 |             |  |



**From:** Carollette Meadows <carolettedm@gmail.com>  
**Sent:** Wednesday, March 27, 2024 10:13 AM  
**To:** Councilmember Bollman - Lovejoy; zeverhart@buffalony.gov; joseph.lorigo@erie.gov; Johnson, Howard; McCants-Baskin, April; mnowakowski@city-buffalo.com; tim.meyers@erie.gov; Vinal, Jeanne; Owens, Olivia  
**Subject:** Public toilets

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

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

Hello,

With the increasing homelessness population causing the side effect of public defecation, Downtown, due to restricted public toilet access, I would like to propose a partnership between the city and county to install squat toilets.

I envision that these toilets could connect directly to the sewer pipes so it would greatly reduce, those with mental illness, having the ability to fish for feces to smear.

Additionally, the squat toilets eliminate workers from having to touch anything inside since the use of a pressure washer would flush everything into the sewer.

If you could clock this in as an agenda item in your respective offices, it would be appreciated.

Respectfully,

Carollette Meadows

<https://www.chinaexpatsociety.com/expat-life/chinese-toilets>

Erie County Legislature

Meeting Date: 04/11/2024

---

SUBJECT

---

COMM. 7M-3

MICHELE IANNELLO

ECWA Commissioner Letter of Interest

---

Attachments

24COMM. 7M-3

---

Michele M. Iannello  
4 Heritage Rd. E  
Williamsville, NY 14221  
Michele.iannello@gmail.com  
[REDACTED]

Via electronic submission to [Olivia.owens@erie.gov](mailto:Olivia.owens@erie.gov)

March 15, 2024

Honorable April Baskin, Chair  
C/O Olivia Owens, Clerk  
Erie County Legislature  
92 Franklin St., Buffalo, NY, 14202

Letter of interest – Commissioner Erie County Water authority

Dear Chairwoman, Baskin,

Pursuant to section 5.0 one of the Erie County Legislature rules of order, I submit this letter of interest, along with my résumé, in consideration, for appointment to the position of Commissioner of the Erie County Water Authority.

Thank you for taking the time to read my letter and résumé. I look forward to the opportunity to meet with you and the other legislators to answer any questions that you may have.

Sincerely,

  
Michele M. Iannello

Attachment résumé

**Michele M. Iannello-Ward  
4 Heritage Rd. E**

**michele.iannello@gmail.com**

**Professional Experience**

|  |   |
|--|---|
| January 1, 2017- Present<br>*Vice President                                    | Complete Security, Inc.<br>380 Highland Avenue<br>Tonawanda, NY 14223               |
| April 29, 2021 – Present<br>*Commissioner                                      | Erie County Water Authority<br>295 Main St. Rm. 350<br>Buffalo, NY 14203-2494       |
| April, 2007 – December 31, 2016<br>*Real Estate Paralegal                      | Brenon, Lipman & Zarcone, LLP<br>5500 Main St. Suite 201<br>Williamsville, NY 14221 |
| January 1, 2006 – December 31, 2009<br>*Legislator – 10 <sup>th</sup> District | Erie County<br>92 Franklin St. - 4th floor<br>Buffalo, NY 14202                     |
| November 5, 2001 – August, 2006<br>*Real Estate Paralegal                      | Block, Colucci, Notaro, Laing PC<br>One Niagara Square<br>Buffalo, NY 14202         |
| December, 2003 – December 31, 2005<br>*Trustee                                 | Village of Kenmore<br>2919 Delaware Ave.<br>Kenmore, NY 14217                       |
| May 1991- February 1993<br>*Owner/operator                                     | Grimaldi's Pizza<br>Niagara Falls Blvd,<br>Wheatfield, NY                           |

**Education**

|  |   |
|--|---|
| June 2012<br>*Associates in Science Degree | Empire State College<br>Niagara Frontier, Cheektowaga, NY |
| May 2000<br>*Paralegal Certification       | University at Buffalo<br>Amherst Campus                   |

January 1996-1998  
\*Paralegal Studies

Erie Community Collège  
City Campus

Graduated 1978  
\*Business Major

Kenmore West Senior High  
Highland Ave., Kenmore

**Education and Awards**

Graduate, New York State Association of Counties Dennis Pelletier Institute 2009,  
Cornell University School of Industrial and Labor Relations,  
Supervision and Retail Organization Structure  
Recipient of the YWCA 2009 Marybeth Lawton Leadership Award  
Recipient of the AccuTheranostics 2012-2013 Woman in Excellence Award

Other interests include, Cycling, Women's Softball, Pilates, Politics and walking my dogs.

**References upon request**

Erie County Legislature  
Meeting Date: 04/11/2024

| SUBJECT      |                                      |  |
|--------------|--------------------------------------|--|
| COMM. 7M-4   | CITIZENS SALARY<br>REVIEW COMMISSION | 2024 Citizens Salary Review Commission -<br>Final Report & Recommendations |
| Attachments  |                                      |  |
| 24COMM. 7M-4 |                                      |  |



## COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION

### *Memorandum*

**DATE:** April 5, 2024

**TO:** Hon. Mark C. Poloncarz, Erie County Executive  
Hon. Members of the Erie County Legislature

**FROM:** Laurie A. Buonanno, Chair, 2024 Citizens Salary Review Commission of  
Erie County

**RE:** 2024 Citizens Salary Review Commission - Final Report & Recommendations

Enclosed for your review is the final report & recommendations of the 2024 Citizen Salary Review Commission. The Commission met a total of ten (10) times between December 2023 and April 2024 in an effort to determine fair compensation for the independently elected officials of Erie County government as required by the Erie County Charter Article 22-A.

Our Commission looks forward to a public hearing and the opportunity to present our findings to the people of Erie County and the Erie County Legislature.

In the meantime, should your Honorable Body have questions in connection with the recommendations of this report, please feel free to contact me.

It has been a pleasure for the Commission to be of service to the Citizens of Erie County.

# **ERIE COUNTY**

## **2024 Citizens Salary Review Commission**



**FINAL REPORT**

**April 2, 2024**



## Executive Summary

The Erie County Charter requires a Citizens Salary Review Commission (CSRC) to review the salaries of all elected officials of Erie County, except for the District Attorney, every even year, and report its recommendations to the County executive and the County Legislature. The CSRC is comprised of nine representatives.

The 2024 CSRC convened several meetings between December 8, 2023, and April 2, 2024. The CSRC also met with representatives of the majority and minority in the County Legislature and countywide elected officials during this timeframe. Time was set aside for the public to participate at the end of each meeting and/or email their opinions. A dedicated website contained previous CSRC reports as well as the minutes and all other matters pertaining to the current review.

Current salaries (2024 adopted Erie County Budget) are County Executive \$139,392, County Sheriff \$101,811, County Clerk \$90,129, County Comptroller \$107,160, County Legislator \$42,588, County Legislature Chair \$52,588, and Majority and Minority Leader \$47,588. The County Legislature voted to increase the salaries of the County Executive, the County Sheriff, and the County Comptroller based on the 2018 CSRC recommendations. The Legislature also included a COLA for the four countywide elected positions. The 2018 CSRC did not recommend a salary increase for Legislators, who have not received a salary increase since 1996, and the Legislature declined to override the CSRC's recommendations.

The 2024 CSRC took a multipronged approach to both data collection and choice of analyses. Nine analyses were conducted based on several different factors: 1) comparable counties (the basis of the 2018 CSRC's analysis), 2) the Legislature's duties, its role in Erie County's governance, and workload comparison/size with comparable counties 3) Earnings considering average annual economic growth, 4) internal equity, 5) external equity, 6), fringe benefits, 7) complexity of countywide elected officeholders' duties, 8) impact of staggered elections, and 9) cost of living adjustments. While each of these analyses influenced the salary recommendations, the CSRC members who voted for salary increases expressed that comparable counties, Legislature's duties/workload, internal equity, earning considering annual economic growth, and external equity were the most important factors informing their recommendations.

The salary recommendation to the County Legislature are as follows:

1. The County Executive position have a salary of \$175,000.
2. The County Sheriff position have a salary of \$150,000.
3. The County Comptroller position have a salary of \$140,000.
4. The County Clerk position have a salary of \$130,000.
5. The members of the Erie County Legislature have a salary of \$65,000.
6. The Majority and Minority Leaders of the Erie County Legislature have a stipend of \$5,000 (no change).
7. The Legislative Chair of the Erie County Legislature have a stipend of \$10,000 (no change).
8. Remove Existing Cost of Living Adjustment ("COLA").

## Acknowledgements

The 2024 Erie County Citizen Salary Commission would like to thank the County Executive, (Mark Poloncarz), the County Sheriff (John Garcia), the County Clerk (Michael Kearns), the County Comptroller (Kevin Hardwick), and several members of the County Legislature who generously gave time for interviews to discuss the nature of their work. We thank Comptroller Hardwick for the use of the Comptroller's conference room, which enabled the public and the media to watch and listen to our meetings. Our work would not have been possible without the superb support provided by Erie County Staff: Mark Cornell (Deputy Budget Commissioner), Lindsey McKay (Budget Analyst, Division of the Budget), and Natalia Nitsche, Secretarial Assistant, Office of the County Executive).

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## **Duties and Composition of the Erie County Citizens Salary Review Commission**

### **Duties**

The Erie County Citizens Salary Review Commission (CSRC) was established in 1986 as Article 22-B (now Article 22-A) of the Erie County Charter. Section 22-A-02: Beginning on July 1, 1986, the commission will review the salaries of all elected officials of the county of Erie, except for the District Attorney, and report its recommendations to the County Executive and the County Legislature by September 1st of that year. The committee will provide ample opportunity for public input prior to making its recommendations to the County Executive and County Legislature. Such a review of salaries must occur during every even year starting with 1986.<sup>1</sup>

### **Composition**

The commission consists of nine members representative of taxpayer, civic, labor, business, professional, financial and minority groups in the county of Erie. Five (5) members of the commission are appointed by the County Executive. Two (2) members of the commission are appointed by the Legislature's Majority, one (1) member is appointed by the Legislature's Minority and one (1) member is appointed by the County Comptroller.<sup>2</sup> Appendix A: The 2024 Commission contains a list of the 2024 appointees.

Article 22 – Other County Boards, Offices, Institutions and Functions<sup>3</sup>

Section 2205. Advisory Boards specifies that:

- members shall serve three-year terms and may serve no more than two consecutive terms; those who have served two consecutive terms shall be eligible again after a two-year absence.
- each advisory board shall elect one of its members to serve a two-year term as chair; no chair may serve more than two consecutive terms
- advisory boards shall meet at least four times per year

### **The 2024 Salary Review Process**

All minutes and other information pertinent to the seating and deliberations of the 2024 CSRC are available at <https://www4.erie.gov/csrc/2024-citizens-salary-review-commission>.

### **Public Participation Policy**

Article 22, Section 2205 (see above) requires that advisory board meetings “shall be held in compliance with the Open Meetings Law.”

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<sup>1</sup> <https://www3.erie.gov/law/charter/article-22-citizens-salary-review-commission-charter>

<sup>2</sup> Erie County, New York (nd). Citizens Review Commission. <https://www4.erie.gov/csrc/citizens-salary-review-commission#:~:text=The%20Citizens%20Salary%20Review%20Commission,in%20the%20county%20of%20Erie>.

<sup>3</sup> <https://www3.erie.gov/law/charter/article-22-other-county-boards-offices-institutions-and-functions-charter>

The 2024 CSRC adopted a Public Participation Policy, which was posted to the ECSR webpage. (See Box 1 for this policy.) Meetings were advertised on the Erie County website with a separate page dedicated to the “2024 Citizens Salary Review Commission.”<sup>4</sup>

Time was allotted at the end of each meeting for public comment. The public could also comment via email. There were no public comments.

The CSRC’s meetings were available to the public in-person or via videoconferencing through Erie County’s Webex platform, with a recurring link posted to the 2024 CSRC webpage.

*Box 1 Erie County CSRC Public Participation Policy*



## **COUNTY OF ERIE CITIZENS SALARY REVIEW COMMISSION**

### **Public Participation Policy**

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- A. The Erie County Citizens Salary Review Commission (CSRC) welcomes input from the general public. The Chair of the CSRC may authorize at their discretion, but is not required to allow, public participation on items on the agenda to ensure the orderly conduct of business during meetings.
- B. Request time to speak by emailing Lindsay McKay at [lindsay.mckay@erie.gov](mailto:lindsay.mckay@erie.gov) or calling 716-858-6194 at least four (4) hours before the start of a meeting so speakers may be listed on the agenda to be posted in a timely manner as required by the New York State Open Meetings Law. Confirmation from Lindsay is required to be included in the agenda and be allocated time to speak.
- C. Remarks and presentations from all speakers will be limited to 5 minutes and take place at the conclusion of any new business prior to adjournment. The Chair may allow additional time if doing so will further the duties and goals of CSRC.
- D. The Chair also has the ability to limit remarks from the public which are “repetitive” or “offensive.”

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<sup>4</sup> <https://www4.erie.gov/csrc/2024-citizens-salary-review-commission>

## Meetings

Eleven meetings were scheduled of the 2024 CSRC, but ten were convened due to inclement weather. These meetings are detailed in Table 1.

## Role of the County Legislature in the Process

Beyond the appointment of three (3) total members to the commission, the Legislature's role is as follows (As set forth in Section 202.3 of the Erie County Charter).

The Erie County Legislature is hereby prohibited from changing the salary of any county elected official, excluding the District Attorney, except in accordance with the following procedure:

- Prior to acting upon the Citizens Salary Review Commission's biennial report, the County Legislature shall hold at least one public hearing to solicit public input on said commission's recommendations.
- Notices of all such public hearings shall be published at least once in the official newspaper or newspapers of the county and in such other newspapers as the County Legislature may direct. At least five days but not more than ten days shall elapse between the first publication of such notice and the date specified for the hearing.
- The County Legislature shall have one year from the date said recommendations are submitted to adopt, modify, or reject the recommendations of the citizens salary review commission.
- Any salaries approved by the County Legislature in excess of those recommended by the Citizens Salary Review Commission shall be approved by a vote of at least two thirds of all the members of the County Legislature.
- The County Legislature shall specifically establish the effective date of any adjustments in the salaries of elected county officials. No increase in the salary of an elected official shall be permitted for any fiscal year in which there is an increase in the real property full value tax rate over the real property full tax rate of the previous fiscal year.
- The County Legislature's review of salaries as set forth above shall occur during every even year starting with 1986. No increase in the salary of any county elected official shall take effect until the current term of office of the elected official that is to receive an increase in salary has ended. Amended by Local Law No. 1-2017

## Current Salaries

The current salaries are listed in Box 2.

*Box 2 Current Salaries of Erie County Elected Officials (2024 Adopted Erie County Budget)*

|                              |           |
|------------------------------|-----------|
| County Executive             | \$139,392 |
| Sheriff                      | \$101,811 |
| County Clerk                 | \$90,129  |
| Comptroller                  | \$107,160 |
| County Legislators           | \$42,588  |
| County Legislature Chair     | \$52,588  |
| Majority and Minority Leader | \$47,588  |

## Background to this Report

### The Challenge

The members of the Commission took seriously their responsibility to represent the taxpayers in their deliberations, emphasizing both the importance of citizen “watchdogs” as provided in the Erie County Charter, but also their role in ensuring Erie County elected officials should be compensated fairly.<sup>5</sup> As the summary of the meetings indicates (see Table 1) indicates, the Commission was divided as to 1) the analyses that should be adopted to recommend salaries, 2) whether county legislators should be considered full-time or part-time county employees, 3) whether there should be an attempt to bring elected officials’ salaries closer to their deputies, a recurring debate in each seated CSRC (see previous CSRC reports as well as Monroe County’s most recent salary commission’s report),<sup>6</sup> 4) whether cost of living adjustments should be considered, and 5) whether other NYS counties are comparable to Erie County. Differences among the CSRC members were never completely overcome, with compromises made while agreeing to the 2024 salary recommendations.

### Data Collection

The Commission sought to triangulate both the data collection and data analysis to ensure we considered the issue of salary levels from various perspectives.<sup>7</sup> Based on internal deliberations, consultations with legislators, and a content analysis of the salary issue as reported by the media, the Commission agreed the salary analysis would need to be realistic and evidence based. We also agreed our analyses would be informed by respect for the citizen-taxpayers of Erie County and the cost of living in Erie County.

- Salaries of elected officials in other NYS counties (NYSAC, websites, reports, and calls to counties)
- Salaries of elected officials in the Big Four and Big Five counties (NYSAC, websites, reports, and calls to counties)
- Salaries of elected officials in the City of Buffalo

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<sup>5</sup> A citizen salary commission, for example, could have prevented the significantly higher salaries in Bell City, California, which came to light in an investigative series in the *LA Times*. Jeff Gottlieb; Ruben Vives (2010-07-14). Bell city manager could possibly be highest paid in nation: \$787,637 a year. [Latimesblogs.latimes.com](https://latimesblogs.latimes.com).

<sup>6</sup> Monroe County Compensation Commission Report (2023, May 31). County of Monroe. Compensation Policy Commission Report; Erie County Citizen Salary Review Commission, 2024 documents at <https://www4.erie.gov/csrf/2024-citizens-salary-review-commission>

<sup>7</sup> Public administration research strives to conduct “mixed methods” research, which combines the collection and analysis of both quantitative and qualitative data. The best research should also strive to “triangulate” the data collection, meaning we would assemble more than one type of quantitative and qualitative data and utilize them in our examination. The Commission adopted both approaches in its research methodology.



- Salaries of civil servants in Erie County (Erie County Department of Budget & Management)
- Population, median income, and median real estate values for other NYS counties (NYSAC)
- US Census data 1996-2023 for private and local government public employee salaries in Erie County
- Annual growth rates (compounded from 1996-2023)
- Number of legislators, size of legislatures' budgets, staff size in comparable counties
- Interviews with Erie County elected officials (provided by Erie County Department of Budget & Management)
- Duties and responsibilities of each office as outlined in the Erie County HR job descriptions provided to the Commission members (provided by Erie County Department of Budget & Management)
- Commission members meetings with elected officials
  - ECSR members met with all elected officials for which they were charged with considering salary levels. The meetings' discussions sought to address the questions listed in Box 3.
- Fringe Benefits (Aggregate from US Bureau of Labor Statistics)

*Box 3 Interview Questions - Elected Officials*

1. Do you think Erie County elected office(s) are compensated fairly?
2. Which ones are not? Why do you believe that is the case?
3. Do you consider the Legislator position to be Part-time or Full-time?
  - a. On average, how many hours a week do you work on legislative business?
  - b. How might your commitment level to your outside employment shift if being an Erie County Legislator is considered a full-time post?
4. Do you think that the pool of qualified candidates for Erie County elected office would increase with higher compensation level(s)?
5. What do you believe is a fair compensation level for Erie County elected officials?
6. What data analysis do you need to make an informed decision on our recommendations?
7. Would raises be more acceptable to the legislature if step increases were recommended?

## **Commission Deliberations**

Table 1 lists the date of each meeting and summarizes the major topic of each meeting. The meeting minutes provided the source for the "Topic" column, which are available on the Erie County Salary Commission website. Table 1 illustrates that the CSRC members expressed a wide variety of opinions as to whether salary increases were justified, whether the Legislators are part- or full-time employees, which countries are comparable (if any), whether annual growth rates should be considered, the workload of the Legislators (e.g. the extent to which the legislative staff are the "workhorses" of the Legislature, if the civil servants should earn more than the elected officials to whom they report, and the public's likely reaction to salary increases.

Table 1 2024 CSRC Meetings & Topic

| Meeting Date     | Topic  |
|------------------|--|
| December 8, 2023 | Introduction of CSRC members, CSRC charge & rules of procedure explained, Salary data provided (Managerial Confidential Pay Scales, analysis of raises resulting from the 2018 CSRC recommendations, comparison of elected officials' salaries with other county employees), L. Buonanno nominated and elected to Chair the 2014 CSRC, C. Stone and L. Buonanno shared their experiences as members of the 2018 CSRC, question of employment status (full-time/part-time) of Legislators introduced and the possibility of conducting interview with elected officials. Erie County support staff explained their roles: M. Cornell (Deputy Budget Director), L. McKay, and N. Nitsche   |
| January 9, 2024  | <ul style="list-style-type: none"> <li>• Public participation policy adopted.</li> <li>• Each member discussed their priorities/concerns, which produced consensus that the Commission needed to determine the workload and status (PT/FT) of Legislators because they hadn't received a salary increase since 1996 and their districts had expanded since that time<sup>8</sup>,</li> <li>• Concern about the ability of the average person to run for County Legislator and how the salary should be determined (average wages? Living Wage?), benefits of Legislators</li> <li>• Basis for comparison (should the 2018 analysis inform the 2024 Commission, or should additional analyses be considered?)</li> <li>• <b>Agreed</b> to conduct interviews with all elected officials</li> </ul>  |
| January 23, 2024 | <ul style="list-style-type: none"> <li>• Agreed interview questions.</li> <li>• Discussed longevity/turnover of County Legislators – only 2 in office when 2018 CSRC conducted interviews.</li> <li>• A running (and unresolved) theme of subsequent meetings emerged with concerns over whether Legislators would vote a raise for themselves (with some members thinking this should be a factor and others stating that whether Legislators would vote up or down shouldn't be a factor in the salary recommendations</li> <li>• Comparability of County Legislators with members of Buffalo Common Council? comparability of Erie County with rural counties? Comparability of legislative work with Westchester County (in terms of work performed rather than focusing on cost-of-living measures?) total Legislative budget (rather than salaries) compared to other counties?</li> </ul> |

<sup>8</sup> In 1967, responding to the US Supreme Court decisions requiring legislative districts to be equal in population, Erie County voters approved the establishment of a 20-member County Legislature to replace the Board of Supervisors, which was first seated January 1, 1968. The Legislature's post 1980 Census reapportionment reduced the number of seats to 17. There were 17 legislative districts in 1996 (the last time a salary increase was approved for Legislators). Based on the 2000 Census, the Erie reduced the number of districts from 17 to 15. A 2010 citizen referendum approved a measure reducing the Legislature to 11 members.

|                  |   |
|------------------|---|
|                  | <ul style="list-style-type: none"> <li>• Commission agreed to make two comparisons – Big Four and Big Five – because some members did not want to include Westchester County</li> <li>• Agreed to upload documents to Google Drive to facilitate collaboration.</li> </ul>  |
| January 30, 2024 | <ul style="list-style-type: none"> <li>• Discussed county budgets being used as a comparative metric (much discussion as to whether county budgets are directly comparable and whether it made sense to gather budget data from all counties),</li> <li>• Time series salary analysis from Census data for the private and local government sectors in Erie County</li> <li>• Reports from interviews with County Legislators – <ul style="list-style-type: none"> <li>○ Majority Caucus – sense that Legislators are underpaid/devote a lot of hours to their job, including constituency services, Legislator from the Majority Caucus suggested \$82,500 as a fair salary based on COLAs since 1996, lack of consensus as to whether a full-time job, do not favor restrictions on earning pay for outside work, higher salary would attract more candidates.</li> <li>○ Minority Caucus asked the Commission to review benefits, expressed opposition to a raise under the logic of the position is public service, supported raise for the County Sheriff but no other elected positions, lowering salaries of deputies rather than increasing salaries of countywide officials, opposed to a COLA, do not favor restrictions on earning pay for outside work, higher salary will not attract more candidates.</li> </ul> </li> <li>• Members agreed to compare salary increases among the Big Five with County's Department of Budget &amp; Mgmt agreed to collect salaries of elected officials in the Big Five</li> <li>• Analysis of ten (charter) counties for 2018 &amp; 2021 (latest data) to determine the total cost of the Legislature (Erie County's costs lowest, Monroe's total cost almost double)</li> <li>• Erie County Budget &amp; Mgmt confirmed that in County's payroll system Legislators are considered FT (they receive FT pensions and health care benefits)</li> <li>• Benefits discussed</li> </ul> |
| February 6, 2024 | <ul style="list-style-type: none"> <li>• Suffolk County Legislators earn \$111,333 annual salary, Comptroller &amp; Clerk earn over \$212,812, County Executive \$241,409 – but not part of the Big Five</li> <li>• Interviews with County Executive, Comptroller, Clerk <ul style="list-style-type: none"> <li>○ CE – Legislator salaries and countywide are underpaid.</li> <li>○ Comptroller – salary increases would not have a large impact on the County budget, elected official job are public service and aren't comparable to the private sector.</li> <li>○ Clerk – County Clerk team is underpaid, six day/week job due to Auto Bureau schedule, paid much lower than comparable counties, Clerk has much more work to perform than other counties (e.g. in some counties the Clerk does not</li> </ul> </li> </ul>   |

|                   |  |
|-------------------|--|
|                   | <p>oversee the auto bureaus), all four countywide elected officials are underpaid, Clerk's office major profit center, but underappreciated, COLA was helpful</p> <ul style="list-style-type: none"> <li>• More discussion about Legislators – various and opposing opinions: some members expressed that they are FT positions working at least 37 hours/week, staying on top of the budget requires experience and skills vs. FT staff is responsible for the budget/more pay will not increase competition or quality of candidates for Legislature: it became increasingly apparent that the Commission was not closing in on a unanimous position re Legislators' salaries.</li> <li>• Tour de table – Commission members expressed various opinions : <ul style="list-style-type: none"> <li>○ Legislators and countywide elected need raises, but unsure of increments</li> <li>○ Modest raises for Legislators because FT job at PT salary, more parity among the four countywide elected</li> <li>○ Increase for all, one member quite substantial for Legislators (80k range)</li> <li>○ \$10k-\$20k raises for countywide and significant raises for Legislators (no \$ amount attached)</li> <li>○ CE should earn more than the other three countywide elected</li> </ul> </li> <li>• To what extent explanations revealed in the tour de table can be understood in terms of the several informal analyses offered (comparing counties and subset, legislatures? Cost of living adjustments (compounding salaries by annual growth rates since 1996)?</li> <li>• Can this Commission provide an “algorithm” for future Commissions? Discussion about the 2018's comparative analysis not accepted as definitive by 2024 commissioners.</li> </ul> |
| February 13, 2024 | <p>Sheriff interview – base pay and OT of Undersheriff, Chief of Administration, and Superintendent of the Holding Center discussed, oversees one of the largest police forces in NYS, on call 24 hours, salary should be commensurate with the CE – suggested pay as follows: “\$200k CE, Clerk \$125k, Sheriff \$175k, Comptroller \$125k; Legislators \$75-\$80k as more in line with Buffalo Common Council</p> <ul style="list-style-type: none"> <li>• Moved to discussing salary increases based on analyses. <ul style="list-style-type: none"> <li>○ Legislators, costs, # of constituents, county population</li> <li>○ Wage growth in Erie County in the public &amp; private sectors since 1996</li> <li>○ Salary comparisons &amp; other indicators for the Big Four and Big Five</li> <li>○ COLA &amp; staggered elections impacting when salary increases are implemented.</li> </ul> </li> <li>• First-cut, advisory votes taken. <ul style="list-style-type: none"> <li>○ Some members continued to express dissatisfaction with subordinates earning more than the elected officials.</li> </ul> <p>Agreed that Rabb would write an explanation of how the</p> </li> </ul>   |

|                   |   |
|-------------------|---|
|                   | <p>civil service system works. The Commission's report would include a table of salaries to inform Erie County residents of the disparity in order for them to have the same data the Commission viewed.</p> <ul style="list-style-type: none"> <li>○ Salary differentials – no unanimity</li> </ul>  |
| February 20, 2024 | <ul style="list-style-type: none"> <li>• Discussion of rationale for first-cut votes</li> <li>• Examined the history of previous salary commission recommendations as covered by <i>The Buffalo News</i><sup>9</sup></li> <li>• Discussion of comparable counties – some believed Erie County was comparable to the Big Four or Big Five some thought Erie County was unique and couldn't be compared.</li> <li>• Monroe County's salary increases (January 1, 2024) discussed – all comparable countywide higher than Erie County except Legislature</li> <li>• Continued concern by some members about public impressions of recommendations of large salary increases.</li> <li>• Legislature as a "steppingstone" to other positions</li> <li>• Reached an impasse in terms of no new ideas emerging. <ul style="list-style-type: none"> <li>○ Commission agreed to read the Chair's document "First Cut Analyses" and defend their salary recommendations at the next meeting.</li> <li>○ Call for a vote at the next meeting.</li> <li>○ Recommended salaries will be selected by the majority</li> </ul> </li> </ul> |
| February 27, 2024 | Individual votes taken on each salary recommendation, carried by a majority   |
| March 12, 2024    | Reviewed report to be sent to the County Legislature  |

## Analyses

This section documents the nine analyses the CSRC members considered in their deliberations. Analysis #1 focused on identifying and comparing counties in NYS with Erie County based on several factors. Analysis #2 studied the Erie County Legislature in terms of workload, comparable counties, the distinct role of the Legislature in a charter county, and the role salaries may play in the decision to run for Legislator. Analysis #3 considered earnings with respect to average annual economic growth, taking as the starting point 1996 (the last time the Legislature agreed to increase all salaries). Analysis #4 compared internal equity (the pay of an employee relative to the pay that the other employees of the same organization are receiving). Analysis #5 was based on external equity comparisons, particularly with respect to salaries of elected officials in the City of Buffalo. Analysis #6 analyzed fringe benefits. Analysis #7 weighed the complexity of the job duties of the four countywide elected officials and relied mainly on

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<sup>9</sup> CSRCs were convened in 1996, 2004, 2014, and 2018. The most recent CSRC was convened in 2018. A 2004 CSRC had recommended raises, which the Legislature rejected. The Legislature in 2014 unanimously rejected CSRC recommendations for across-the-board salary increases. The Legislature approved the 2018 CSRC recommendations to increase salaries for the County Executive, Sheriff, and Comptroller. COLAs were recommended and accepted for the County Executive, Sheriff, Comptroller, and Clerk. No salary increases or COLAs were recommended for the Legislature.

interviews with these officials for data collection. Analysis #8 touched on a concern that staggered elections can create a disequilibrium even after salary increases have been adopted. Finally, Analysis #9 analyzed longitudinal cost living data.

### **Analysis #1: Comparable Counties**

The 2018 CSRC grounded its salary recommendations in an analysis of comparative counties.<sup>10</sup> The 2024 CSRC undertook several comparative analyses.

The idea of a comparative analysis of salaries of elected officials is informed by the idea that NYS counties were created by State legislative acts and are administrative units of the State. Counties are governed by Article IX of the State Constitution, the Municipal Home Rule Law and the Statute of Local Governments. While originally conceived of and treated by Albany as handmaidens of the State, the NYS Constitution was amended in 1935 to authorize the NYS Legislature to enact alternative forms of county government. (Discussed further in Analysis #2, below.) This legislation, originally proposed by Governor Alfred E. Smith, resulted from a recognition by Albany that counties should play a more important role in regional governance as NYS had become increasingly diverse and complex. The movement towards enhanced regional governance culminated in NYS voters approving alternative forms of county government in November 1958, permitting those counties outside of NYC to prepare, adopt, and amend their charters.<sup>11</sup> New York's 57<sup>12</sup> counties located outside of the City of New York "carry out local functions specified by the State of New York. These functions, which include maintaining records, enforcing state laws, conducting elections for the state, and providing economic assistance through social services programs...reflect the role of the county as a regional government...and the structure of New York's counties is fairly similar..."<sup>13</sup>

Importantly, Analysis #1 is grounded in the notion that NYS counties are more alike to one another than they are to the municipalities located within the respective counties or as Deputy Budget Director Mark Cornell clarified when asked to weigh in on the comparability question, "Erie County is probably more similar to an unlike-size county in New York State than it is to a like-sized county in another state." Therefore, in this view, the duties for which elected officials in Erie County are responsible are more like duties of other NYS counties than they are to, for example, elected officials in the City of Buffalo.

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<sup>10</sup> The 2018 CSRC compared Erie County salaries with those of counties that were within one standard deviation of the mean for median income and median real estate values, thereby eliminating Dutchess, Nassau, Orange, Putnam, Rockland, Schenectady, Suffolk, and Westchester Counties from the comparative analysis.

<sup>11</sup> See New York State Department of State. (2023a). Adopting Local Laws in New York State, Third Edition. [https://dos.ny.gov/system/files/documents/2023/01/adopting-local-laws-in-nys\\_1.pdf](https://dos.ny.gov/system/files/documents/2023/01/adopting-local-laws-in-nys_1.pdf); New York Department of State. (2023b). Adopting and Amending County Charters. [https://dos.ny.gov/system/files/documents/2023/01/adopting-and-amending-county-charters\\_1.pdf](https://dos.ny.gov/system/files/documents/2023/01/adopting-and-amending-county-charters_1.pdf)

<sup>12</sup> The five NYS boroughs are not considered comparable to the 57 NYS counties and are routinely excluded from comparative analyses of NYS counties.

<sup>13</sup> Pratt, Anastasia L. (2015, Spring). Our Evolving Counties: A History of New York State County Government. *NYSAC News Magazine*. (p. 1) <https://www.nysac.org/media/4r2phkpn/our-evolving-counties-history-of-nys-counties.pdf>

But given comparability, which counties are MOST comparable? There were several views on this point: 1) “charter counties” are more comparable regional governmental entities, 2) the Big Five (Albany, Erie, Monroe, Onondaga, and Westchester Counties) and the Big Four (excludes Westchester County), and Monroe County as Erie’s most comparable county. The Big Five are often grouped together because each has a core urban area surrounded by suburban and rural areas. Population size, median income, and median real estate values are also considered relevant, and explains why some analysts do not think Westchester County is comparable to the Big Four. Median family income and median real estate prices are powerful indicators of cost of living; specifically, wages should be related to prices in the local area, and housing is generally the largest expense in a family’s budget. Housing costs vary considerably across counties and wages should reflect such disparities. Government salaries for elected officials should not only be consistent with the taxpayers’ ability to pay and standard of living (median family income), but also the ability of an elected official to maintain a reasonable standard of living (e.g. carry a mortgage for which median real estate value serves as a proxy). Individual analyses follow.

#### *1a. Focus on the Charter Counties*

Table 2 provides key indicators for NYS’s charter counties. As some students of NYS government have commented, “One of the main features of charter counties is in the establishment of a distinction between the legislative and executive branches because only adoption by the county of a charter permits it to establish a county administrator (typically ‘executive’) with powers independent of the legislative body.”<sup>14</sup> Erie County is one of 23 “charter counties” (defined by an elected executive or appointed administrative official), and one of just 18 counties with a county executive elected in county-wide general elections.<sup>15</sup> All the counties with higher populations have opted for the charter organization.

The 2018 CSRC had relied heavily on a more conservative analysis to arrive at its recommendations. In that analysis, counties that were within one standard deviation of the mean in median income and media real estate value were compared as the basis for salary recommendations, regardless of population size. Several of the 2024 CSRC members objected to this analysis, arguing that despite similarities in governance structure, other factors were more relevant, **especially population size**, median income and real estate values, size of the county budget, and mix of urban/suburban/rural (including size of the county’s primate city). As Table 2 indicates, Erie County is one standard deviation above the county population mean when

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<sup>14</sup> Quote from Buonanno, L, Ciaccia, F., and Parshall, L. (forthcoming). “Counties under Pressure: The Death of County Nursing Homes,” in *Governing New York State Through Crises* (Ed. Brown, B., Buonanno, L., Floss, F., and Parshall, L.) SUNY Press.

<sup>15</sup>Picente, A. and S. Acquario. (2015). *County Government Organization in New York State*. NYSAC. [https://cms2.revize.com/revize/otsegocountyny/County%20Organization%20in%20NYS%20-%20Updated%202\\_18\\_15.pdf](https://cms2.revize.com/revize/otsegocountyny/County%20Organization%20in%20NYS%20-%20Updated%202_18_15.pdf) Charter Counties (23): Nassau (1936), Westchester (1937), Suffolk (1958), Erie (1959), Oneida (1961), Onondaga (1961), Monroe (1965), Schenectady (1965), Broome (1966), Herkimer (1966), Dutchess (1967), Orange (1968), Tompkins (1968), Rensselaer (1972), Albany (1973), Chemung (1973), Chautauqua (1974), Putnam (1977), Rockland (1983), Sullivan (1999), Montgomery (2012) Ulster (2012), Steuben (2013) See New York State Department of State. (nd). County Government, Table 3 [https://video.dos.ny.gov/lg/handbook/html/county\\_government.htm](https://video.dos.ny.gov/lg/handbook/html/county_government.htm)

compared to other charter counties. So, too, some charter counties were one standard deviation below the mean on key indicators.

Table 2 Charter Counties

| County                 | Pop-<br>ulation<br>(2023) | State<br>Rank | Median<br>House-<br>hold<br>Income | Media<br>n Real<br>Estate<br>Value | County<br>Execu-<br>tive | Sheriff          | Clerk           | Comp-<br>troller |
|------------------------|---------------------------|---------------|------------------------------------|------------------------------------|--------------------------|------------------|-----------------|------------------|
| Albany                 | 315,041                   | 9             | \$78,829                           | \$263,800                          | \$181,406                | \$166,049        | \$138,088       | \$149,539        |
| Broome                 | 198,365                   | 14            | \$58,317                           | \$139,200                          | \$92,083                 | \$96,021         | \$85,951        | \$100,370        |
| Chautauqua             | 127,440                   | 18            | \$54,625                           | \$110,900                          | \$97,776                 | \$88,172         | \$58,666        |                  |
| Chemung                | 83,584                    | 27            | \$61,358                           | \$128,200                          | \$163,889                |                  |                 |                  |
| Dutchess               | 296,467                   | 10            | \$94,578                           | \$348,700                          | \$148,387                | \$133,317        | \$112,480       | \$102,935        |
| <b>Erie</b>            | <b>951,232</b>            | <b>4</b>      | <b>\$68,014</b>                    | <b>\$197,400</b>                   | <b>\$139,932</b>         | <b>\$101,811</b> | <b>\$90,129</b> | <b>\$107,160</b> |
| Herkimer               | 60,293                    | 38            | \$68,104                           | \$130,900                          |                          | \$73,071         | \$65,808        |                  |
| Monroe                 | 756,406                   | 5             | \$71,450                           | \$182,700                          | \$180,000                | \$175,000        | \$115,000       |                  |
| Montgomery             | 49,624                    | 41            | \$58,033                           | \$132,300                          | \$110,000                | \$105,000        | \$80,000        |                  |
| Nassau                 | 1,389,160                 | 2             | \$137,709                          | \$633,800                          |                          |                  | \$166,300       | \$166,300        |
| Oneida                 | 231,055                   | 12            | \$66,402                           | \$157,600                          | \$146,585                | \$120,409        | \$88,998        | \$91,092         |
| Onondaga               | 472,637                   | 6             | \$71,479                           | \$172,800                          | \$199,246                | \$132,894        | \$100,542       | \$127,572        |
| Orange                 | 401,237                   | 7             | \$91,806                           | \$337,800                          |                          |                  |                 |                  |
| Putnam                 | 97,942                    | 24            | \$120,970                          | \$421,800                          | \$148,635                | \$142,818        | \$119,494       |                  |
| Rensselaer             | 160,943                   | 17            | \$83,734                           | \$230,800                          | \$121,300                | \$99,600         | \$112,000       |                  |
| Rockland               | 337,326                   | 8             | \$106,173                          | \$528,900                          | \$155,087                | \$143,322        | \$138,640       |                  |
| Schenectady            | 159,447                   | 16            | \$75,056                           | \$204,400                          |                          | \$94,109         | \$87,689        |                  |
| Steuben                | 93,584                    | 25            | \$62,506                           | \$121,000                          |                          | \$76,502         | \$63,232        |                  |
| Suffolk                | 1,524,486                 | 1             | \$122,498                          | \$490,800                          | \$224,125                |                  |                 |                  |
| Sullivan               | 78,725                    | 28            | \$67,841                           | \$220,200                          |                          | \$92,529         | \$82,775        |                  |
| Tompkins               | 102,555                   | 23            | \$69,995                           | \$264,300                          |                          | \$97,632         | \$79,062        |                  |
| Ulster                 | 182,153                   | 15            | \$77,197                           | \$288,400                          | \$133,572                | \$97,362         | \$101,709       | \$101,709        |
| Westchester            | 997,904                   | 3             | \$114,651                          | \$619,000                          | \$160,760                | \$245,940        | \$213,150       |                  |
| <b>STATS</b>           |                           |               |                                    |                                    |                          |                  |                 |                  |
| <b>All Charters</b>    |                           |               |                                    |                                    |                          |                  |                 |                  |
| Mean                   | 394,244                   |               | \$81,797                           | \$275,030                          | \$150,174                | \$120,082        | \$104,986       | \$118,335        |
| SD                     | 430,577                   |               | \$23,491                           | \$160,953                          | \$35,621                 | \$41,838         | \$37,336        | \$26,894         |
| 1 SD Above             | <b>824,821*</b>           |               | \$105,287                          | \$435,983                          | \$185,795                | \$161,920        | \$142,321       | \$145,229        |
| <b>Larger Charters</b> |                           |               |                                    |                                    |                          |                  |                 |                  |
| <b>UPSTATE 5</b>       |                           |               |                                    |                                    |                          |                  |                 |                  |
| Mean                   | 698,644                   |               | \$80,885                           | \$287,140                          | \$172,269                | \$164,339        | \$131,382       | \$128,090        |
| SD                     | 297,878                   |               | \$19,285                           | \$188,885                          | \$ 22,634                | \$ 54,023        | \$ 49,123       | \$ 21,194        |
| 1 SD Above             | 996,552                   |               |                                    |                                    |                          |                  |                 |                  |
| <b>UPSTATE 4</b>       |                           |               |                                    |                                    |                          |                  |                 |                  |
| Mean                   | 623,829                   |               | \$72,443                           | \$204,175                          | \$175,146                | \$143,939        | \$110,940       | \$128,090        |
| SD                     | 284,592                   |               | \$4,577                            | \$ 41,015                          | \$25,057                 | \$ 33,419        | \$ 20,774       | \$ 21,194        |
| 1 SD Above             | 917,421                   |               |                                    |                                    |                          |                  |                 |                  |

\*Erie County an outlier – over one standard deviation above the mean.



*1b. Focus on the Big Four and Big Five Counties*

Based on the findings in 1a., the analysis shifted to the “Big Five” upstate counties: Albany (Albany), Erie (Buffalo), Monroe (Rochester), Onondaga (Syracuse) and Westchester (Yonkers). The “Big Four” excludes Westchester County due to its higher median income and median real estate values. Table 3 indicates that even when comparing salaries with the Big Four and Big Five, Erie County’s countywide elected officials have lower salaries than each of the other four counties. A careful analysis reveals that Erie County comparative lower salaries are responsible for pulling down the average salaries in comparable counties!

*Table 3 The Big Five & Four (Salary figures included in Counties’ 2024 Adopted Budgets)*

| County             | Population | Median Income | Median Real Estate Value | County Executive | Sheriff          | Clerk            | Comptroller      |
|--------------------|------------|---------------|--------------------------|------------------|------------------|------------------|------------------|
| Albany             | 315,041    | \$78,829      | \$263,800                | \$181,406        | \$166,049        | \$138,088        | \$149,539        |
| Erie               | 951,232    | \$68,014      | \$197,400                | \$139,932        | \$101,811        | \$90,129         | \$107,160        |
| Monroe             | 756,406    | \$71,450      | \$182,700                | \$180,000        | \$175,000        | \$115,000        | \$               |
| Onondaga           | 472,637    | \$71,479      | \$172,800                | \$199,246        | \$132,894        | \$100,542        | \$127,572        |
| Westchester        | 997,904    | \$114,651     | \$619,000                | \$160,760        | \$245,940        | \$213,150        | \$               |
| <b>Average (5)</b> | 698,644    | \$80,885      | \$287,140                | <b>\$172,269</b> | <b>\$164,339</b> | <b>\$131,382</b> | <b>\$128,090</b> |
| <b>Average (4)</b> | 623,829    | \$72,443      | \$204,175                | <b>\$175,146</b> | <b>\$143,939</b> | <b>\$110,940</b> | <b>\$128,090</b> |

*1d. Monroe County is the most comparable NYS county to Erie County*

Several CSRC members expressed their opinion that Monroe is the most similar county to Erie County in terms of geography (urban, suburban, rural), median family income, and median real estate value. Table 4 reports salaries for Monroe County elected officials.<sup>16</sup>

*Table 4 Monroe County Salaries (effective January 1, 2024)*

| Position                                       | Previous                | Current   |
|--|-------------------------|-----------|
| County Executive                               | \$120,000               | \$180,000 |
| Sheriff  | \$149,376               | \$175,000 |
| County Clerk                                   | \$81,000                | \$115,000 |
| County Comptroller                             | Not an elected position |           |
| County Legislator                              | \$18,000                | \$28,500  |
| Legislature Chair                              | \$36,000                | \$45,000  |
| Legislature Majority & Minority Leader Stipend | \$5,000                 | \$7,500   |

Table 4 shows that Monroe County’s countywide elected officials receive higher compensation than Erie County despite the former’s lower population and smaller budget.

<sup>16</sup> Monroe County Compensation Commission Report (2023, May 31). County of Monroe. Compensation Policy Commission Report.

*1e. Population and Budget Size Suggest Erie County is Not Strictly Comparable*

Erie County has the highest population of the Big Four and is ranked second among the Big Five. It also has the largest county budget of the Big Four. (See Table 5.)

*Table 5 Population & Budgets in Comparable Counties (2024 Adopted Budgets – All Funds)*

| County      | Population Size<br>(2023 Estimate) | Rank In<br>NYS | Rank<br>among Big<br>Four | Rank<br>among Big<br>Five | County<br>Budget (\$) |
|-------------|------------------------------------|----------------|---------------------------|---------------------------|-----------------------|
| Albany      | 315,041                            | 9              | 4                         | 5                         | \$ 886,932,478        |
| Erie        | 951,232                            | 4              | 1                         | 2                         | \$2,257,510,953       |
| Monroe      | 756,406                            | 5              | 2                         | 3                         | \$1,464,553,034       |
| Onondaga    | 472,637                            | 6              | 3                         | 4                         | \$1,476,242,621       |
| Westchester | 997,904                            | 3              |                           | 1                         | \$2,438,304,233       |

Many of the CSRC members took the position that Erie County is much more complex to govern than Albany, Onondaga, and even Monroe County. Therefore, they argued that Erie County's salaries should be higher than the other Big Four.

**Analysis #2: The Erie County Legislature**

Of the 18 counties with the county executive system,<sup>17</sup> only two have fewer legislators than Erie County (Montgomery, 9 legislators: population 49,258 and Putnam, 9 legislators: population 99,323).

*2a. Legislators' workload*

The Commission spent a great deal of time discussing the composition, workload, and duties of the legislature (summarized in Table 1).

**Responsibilities of Erie County Legislators**

Article 2 of the County Charter specifies the duties of county legislators. Nowhere in the charter is it specified whether the post is considered full-time or part-time. Box 4 summarizes Erie County Legislators' duties.

*Box 4 Erie County Legislators' Duties*

The County Legislature shall have, but not by way of limitation, the following powers and duties:

1. To make appropriations, levy taxes and incur indebtedness.
2. To exercise all powers of local legislation in relation to enacting, amending, repealing or rescinding local laws, legalizing acts, ordinances or resolutions, subject to veto by the County Executive in such instances as are specifically provided in this Charter.

<sup>17</sup> Counties with a county executive: Albany, Broome, Chautauqua, Chemung, Dutchess, Erie, Monroe, Montgomery, Nassau, Oneida, Onondaga, Orange, Putnam, Rensselaer, Rockland, Suffolk, Ulster, Westchester.

Amended by Local Law No. 10 1974.

3. By local law to adopt, amend and repeal an administrative code which shall set forth the details of administration of the County government in harmony with the provisions of this Charter and may contain revisions, simplifications, consolidations, codifications and restatements of special laws, local laws, ordinances, resolutions, rules and regulations consistent with this Charter.
4. By local law to create, alter, combine or abolish County administrative units not headed by elective officers.
5. To adopt by resolution all necessary rules and regulations for its conduct and procedure.
6. To fix the compensation of all officers and employees paid from County funds, except members of the judiciary.
7. To fix the amount of bonds of officers and employees paid from County funds.
8. To make such studies and investigations as it deems to be in the best interest of the County, and in connection therewith to obtain professional and technical advice, appoint temporary advisory boards of citizens, subpoena witnesses, administer oaths and require the production of books, papers and other evidence, deemed necessary or material to the study or inquiry.
9. To determine and make provision for any matter of County government not otherwise provided for, including any matter involved in the transition to this charter form of government.
10. To award contracts submitted to it for approval on bids or otherwise and to determine whether acceptance of any bid or award of any proposed contract will best promote the public interest. In the awarding of contracts, the first consideration shall be given to the best promotion of the public interest.

Subsection j. Added by Local Law No. 7 1978.

11. To confirm each appointment of the County Executive of heads of every department, division or other administrative unit not administered by another elective official, pursuant to Article III of this Charter.

Several Commissioners expressed the opinion that the workload of Erie County Legislators is much higher than that of Legislators in comparable counties. Table 6 compares the Erie County legislative workload and costs with the 10 counties with the highest population. Erie County Legislature is an outlier with just 11 members and the highest constituency ratio (86,476 members per legislative district). This analysis suggests that the higher constituency numbers must be recognized as a factor in compensation (e.g., travel time, constituency service,

complexity of district issues, committee workload). While Erie County has the fourth largest population, it has the lowest number of Legislators (Column C) and the highest number of residents per Legislator (Column D). Despite having the fifth highest salary per legislator, Erie County incurs the lowest combined costs of Legislators (column F). Finally, Column G projects what the true cost of a Legislator for each of the ten counties if they all had the same number as Erie County (Column F divided by 11), indicating that the cost/per Legislator is lowest in Erie County (Column G).

New York State has also recognized the increased responsibilities of County Legislatures as regional governance has taken on more importance in quality-of-life issues and the delivery of services: "The heightened responsibility of members of county legislative bodies is indicated by the fact that the budgets they must consider and adopt each year range from tens of millions of dollars in small counties to hundreds of millions in large counties. Several counties have budgets in excess of one billion dollars, and Nassau County's budget exceeds three billion dollars."<sup>18</sup>

Table 6 County Legislative District Sizes (by population)

| A           | B          | C                | D                           | E                         | F                                | G                                       |
|-------------|------------|------------------|-----------------------------|---------------------------|----------------------------------|---|
| County      | Population | # of Legislators | Constituents per Legislator | Legislative Salary (Base) | Total Cost of Legislators (F/11) | Cost per Legislator based on 11 members |
| Erie        | 925,528    | 11               | 84,139                      | \$42,588                  | \$468,468                        | \$42,588                                |
| Onondaga    | 465,398    | 17               | 27,376                      | \$37,619                  | \$639,523                        | \$58,138                                |
| Rockland    | 328,868    | 17               | 19,345                      | \$64,500                  | \$1,096,500                      | \$99,682                                |
| Westchester | 980,244    | 17               | 57,661                      | \$75,000                  | \$1,275,000                      | \$115,909                               |
| Suffolk     | 1,492,953  | 18               | 82,942                      | \$107,051                 | \$1,926,918                      | \$175,174                               |
| Nassau      | 1,369,514  | 19               | 72,080                      | \$84,370                  | \$1,603,030                      | \$145,730                               |
| Orange      | 382,226    | 21               | 18,201                      | \$30,499                  | \$640,479                        | \$58,225                                |
| Dutchess    | 295,568    | 25               | 11,823                      | \$27,500                  | \$687,500                        | \$62,500                                |
| Monroe      | 747,642    | 29               | 25,781                      | \$28,500                  | \$826,500                        | \$75,136                                |
| Albany      | 309,612    | 39               | 7,939                       | \$26,049                  | \$1,015,911                      | \$92,356                                |

#### 2b. Separation of powers in NYS charter counties

As pointed out above, Erie County is a charter county. The implication is that a strong legislature is needed to check the power of an independent executive. The importance of a professional body with expertise to check the power of the executive branch was a topic of conversation throughout the Commission's deliberations. So, too, in the past several years the Legislature has been called upon to provide more oversight of the Erie County Sheriff's Office, adding another layer of complexity to the Legislature's responsibilities. Some Commission members who advocated for higher compensation for County Legislators expressed the idea that the while the comparable county analysis offers a sensible range, Erie County is *sui generis*

<sup>18</sup> Source: [https://video.dos.ny.gov/lg/handbook/html/county\\_government.html](https://video.dos.ny.gov/lg/handbook/html/county_government.html)

among New York State counties due to its size, housing the second largest city in New York State, its location as the westernmost city in the State, and the more conservative political leanings of its residents as compared to New York City. Some CSRC members suggested that Erie County is the only local government entity capable of exercising regional governance on the Niagara Frontier and can act as a countervailing power to Albany. It was further expressed that Erie County is in a better position than any other county in Upstate New York to tackle problems that Albany has been reluctant to take up or has simply ignored. In this laboratory of democracy view, Erie County has the “gravitas” based on the factors noted above to provide a counterweight to Albany for other upstate counties facing similar challenges. Regional governance requires both a strong executive and a strong legislature. In this view, elected officials from both branches need adequate compensation to ensure the highest level of professionalism and skill for effective regional governance in Western New York.

*2c. The ability to run for Erie County legislator open to more residents of Erie County*

Some CSRC members pointed out that a base salary of \$42,588 is inadequate to attract individuals to run for this office. Interviews with Legislators suggested that those individuals who run their own business, practice law, or are in otherwise more “flexible” occupations are the only individuals who can afford to serve as County Legislators. The idea of calculating a time series minimum wage was rejected as not realistic for a county legislator. Accordingly, Census Bureau data for all local government in Erie County were downloaded and an average calculated. The data are the average annual wage by county 2022, the last full year of data. The top portion of the table shows average wages for all government employees. The bottom section shows the average salary for all industries by county. As Table 7 indicates, if Legislators’ salaries had kept up with increments for local government employees in Erie County, their 2023 salary should be \$64,354 (the average salary for local government employees).

*Table 7 Average Local Government Salaries (Census Bureau)\**

| County                 | Wage 1996 | Wage 2023       | Years | Index | Average Annual |
|------------------------|-----------|-----------------|-------|-------|----------------|
| Local Government       |           |                 |       |       |                |
| Erie County            | \$34,696  | <b>\$64,354</b> | 27    | 1.85  | 2.31%          |
| Albany County          | \$29,968  | \$64,965        | 27    | 2.17  | 2.91%          |
| Monroe County          | \$32,651  | \$59,178        | 27    | 1.81  | 2.23%          |
| Onondaga County        | \$28,949  | \$60,913        | 27    | 2.10  | 2.79%          |
| Private All Industries |           |                 |       |       |                |
| Erie County            | \$26,150  | \$59,122        | 27    | 2.26  | 3.07%          |
| Albany County          | \$27,226  | \$69,314        | 27    | 2.55  | 3.52%          |
| Monroe County          | \$32,209  | \$61,880        | 27    | 1.92  | 2.45%          |
| Onondaga County        | \$27,805  | \$60,985        | 27    | 2.19  | 2.95%          |

\*Bureau of Labor Statistics, QCEW (QCEW Searchable Databases : U.S. Bureau of Labor Statistics (bls.gov)).

Therefore, this salary should represent the “expected average wage” in local government in Erie County. Several Commissioners expressed the idea that a County Legislator should be

compensated, at a minimum, at the mid-level salary range for local government because they are responsible for writing and passing legislation, reviewing, and passing the executive budget, and reviewing and approving contracts. Also, in line with a local government middle manager, they are responsible for supervising staff. Finally, given the median household income for Erie County is \$68,014 (see Table 2), the mid-60s was accepted by many CSRC members as a realistic salary range.

#### *2d. Benefits for Erie County legislators*

Some Commissioners expressed the importance of comparable benefits. Erie County Legislators are considered full-time for purposes of eligibility for the NYS retirement system and health care coverage. The Erie County budget specifically includes Erie County Legislatures as full-time employees. Monroe County legislators, on the other hand, are not eligible for retiree healthcare and pension credits earned by county legislator are on a part-time basis.<sup>19</sup> This seemed to be a fundamental difference between Erie County and its most comparable NYS county.

#### *2e. Size of Legislature budget*

Due to the difficulty of finding comparable information on the size of legislative staffs, the Commission employed budgets as a “proxy” for Legislative staff. Table 8 indicates the Total Legislature Budget. A great deal of Erie County’s total legislature budget is devoted to staff costs rather than legislative salaries. To some Commission members this indicated that Legislators have staff as “workhorses,” but other members objected to the idea of staff being empowered with knowledge that elected officials should have to make informed decisions. Erie County may be relying excessively on legislative staff to compensate for lower salaries and the resulting necessity to retain outside employment.

*Table 8 Legislative Budgets, Big 5*

| County      | Leg Base        | # of Legislators | Legislators Total Salary | Total Legislature Budget |
|-------------|-----------------|------------------|--------------------------|--------------------------|
| Albany      | \$26,049        | 39               | \$1,044,331              | \$5,283,410              |
| <b>Erie</b> | <b>\$42,588</b> | <b>11</b>        | <b>\$488,468</b>         | <b>\$4,862,427</b>       |
| Monroe      | \$28,500        | 29               | \$826,500                | \$3,498,841              |
| Onondaga    | \$37,619        | 17               | \$688,116                | \$2,296,114              |
| Westchester | \$75,000        | 17               | \$1,275,000              | \$9,607,672              |

### **Analysis #3: Earnings Considering Average Annual Economic Growth**

Another line of inquiry involved cost of living adjustments. US Census Bureau data were downloaded. The base year was 1996 because that represents the last year the Erie County Legislature approved salary increases for **all** elected officials. Table 9 contains year to year calculations of what Erie County elected officials’ salaries would be if the average annual increase had been applied since 1996.

*Table 9 Cost of Living Calculations*

<sup>19</sup> See County of Monroe, Compensation Policy Commission Report, May 31, 2023, p. 4.

| Office                 | Wage<br>1996 | Wage<br>2023 | Expected<br>Wage | Difference | Percent<br>Change |
|------------------------|--------------|--------------|------------------|------------|-------------------|
| Local Government       |              |              |                  |            |                   |
| County Executive       | \$103,248    | \$131,391    | \$191,504        | \$60,113   | 45.8%             |
| Sheriff                | \$79,092     | \$95,957     | \$146,700        | \$50,743   | 52.9%             |
| Clerk                  | \$79,092     | \$84,628     | \$146,700        | \$62,072   | 73.3%             |
| Comptroller            | \$80,613     | \$100,620    | \$149,521        | \$48,901   | 48.6%             |
| Leaders                | \$47,588     | \$47,588     | \$88,266         | \$40,678   | 85.5%             |
| Legislators            | \$42,588     | \$42,588     | \$78,992         | \$36,404   | 85.5%             |
| Legislator Chair       | \$52,488     | \$52,488     | \$97,355         | \$44,867   | 85.5%             |
| Private All Industries |              |              |                  |            |                   |
| County Executive       | \$103,248    | \$131,391    | \$233,431        | \$102,040  | 77.7%             |
| Sheriff                | \$79,092     | \$95,957     | \$178,817        | \$82,860   | 86.4%             |
| Clerk                  | \$79,092     | \$84,628     | \$178,817        | \$94,189   | 111.3%            |
| Comptroller            | \$80,613     | \$100,620    | \$182,256        | \$81,636   | 81.1%             |
| Leaders                | \$47,588     | \$47,588     | \$107,591        | \$60,003   | 126.1%            |
| Legislators            | \$42,588     | \$42,588     | \$96,286         | \$53,698   | 126.1%            |
| Legislator Chair       | \$52,488     | \$52,488     | \$118,669        | \$66,181   | 126.1%            |

Two sets of calculations are presented: for local government and for private industry. So, for example, using local government annual increments, the Erie County Executive should be earning \$191,504 per annum and the Legislature (base) should be earning \$78,992. (See Table 7, above, for the average annual growth rate.)

#### **Analysis #4: Internal Equity - Salaries of Non-Elected County Officials**

Internal equity is the pay of an employee relative to the pay that the other employees of the same organization are receiving. It is the assurance that the employer pays salaries which are commensurate to each job's internal value. The concern is that underpaying elected officials may lead to a situation where either only unqualified or wealthy individuals will run for these offices or will succumb to the temptation to take on additional part-time employment.<sup>20</sup> In addition, underpaying for these influential roles may create an environment ripe for corruption to compensate for the lack of fair pay. For this analysis, the compensation of elected officials is compared to the compensation paid to others in the same or similar departments. The responsibilities of each job are compared and measured against the compensation differences to determine fairness. Furthermore, subordinates can increase their income beyond their base salary upwards of 50 percent through other compensation not afforded to elected officials such as overtime, shift differential, and lineup pay. Table 10 documents the disparity in internal equity across within the relevant elected offices.

<sup>20</sup> See, for example, *The Buffalo News*, Op-Ed (2014, July 15), "Howard Should Have Known that a Full-time Sheriff Can't Take a Part-time Job," <https://buffalonews.com/2014/07/15/howard-should-have-known-that-a-full-time-sheriff-cant-take-a-part-time-job/.ANY>

Table 10 Internal Equity in Erie County

| Title  | 2023<br>Budgeted | 2023<br>Actual  | 2024<br>Budgeted  | Variance<br>vs<br>Deputy |
|--|------------------|-----------------|-------------------|--------------------------|
| <b>County Executive</b>                          |                  |                 | <b>139,932.00</b> |                          |
| <i>Deputy County Executive</i>                   | \$189,363.00     | \$175,527.45    | \$188,000.00      | 34%                      |
| <b>Comptroller</b>                               |                  |                 | <b>107,160.00</b> |                          |
| <i>Deputy Comptroller<br/>(Accounting)</i>       | \$144,215.00     | \$159,821.56    | 153,970.00        | 44%                      |
| <b>County Clerk</b>                              |                  |                 | <b>90,129.00</b>  |                          |
| <i>First Deputy County Clerk</i>                 | \$126,936.00     | \$131,554.74    | 138,613.00        | 54%                      |
| <b>Sheriff</b>                                   |                  |                 | <b>101,811.00</b> |                          |
| <i>Undersheriff</i>                              | \$138,784.00     | \$226,207.79    | 170,723.00        | 68%                      |
| First Deputy DA                                  | \$161,836.00     | \$172,095.74    | 173,809.00        |                          |
| <b>Legislator - Chair</b>                        | <b>\$52,588</b>  | <b>\$52,588</b> | <b>\$52,588</b>   |                          |
| <i>Clerk of the Legislature*</i>                 | \$121,751.00     | \$83,115.43     | 129,939.00        | 147%                     |
| <b>Legislator - Majority Leader</b>              | <b>\$47,588</b>  | <b>\$47,588</b> | <b>\$47,588</b>   |                          |
| <i>Chief of Staff<br/>(Legislature Majority)</i> | \$116,430.00     | \$130,748.12    | 125,685.00        | 164%                     |
| <b>Legislator - Minority Leader</b>              | <b>\$47,588</b>  | <b>\$47,588</b> | <b>\$47,588</b>   |                          |
| <i>Chief of Staff<br/>(Legislature Minority)</i> | \$124,415.00     | \$134,252.65    | 132,792.00        | 179%                     |

\*served only partial year in role, job transitioned to full salaried positions

There are scores of officials with a base salary higher than that of elected officials' salaries. Examples include the Under Sheriff at \$170,723 (compared to the Sheriff at \$101,811); the First Deputy County Clerk at \$138,613 (compared to the County Clerk at \$90,129); the Deputy Comptroller at \$153,970 (compared to the County Comptroller at \$107,160); and the Deputy County Executive at \$188,000 (compared to the County Executive at \$139,932).

While it may not be practical to use internal equity as a basis from which to recommend salaries, nevertheless, the Commission – as have other citizen salary review commissions— determined it is still useful to be aware of the sometimes quite large disparities in salary between elected



officials and their immediate subordinates.<sup>21</sup> One drawback of using internal equity as a basis for salary determinations is that elected officials are often not career county employees, where their deputies often are. Furthermore, the salaries of deputies can drop substantially when an individual retires from the position and an employee with fewer years in county employment takes their place. How, then, do we determine what is the comparable internal equity?

Commission members also took note of Table 11, which indicates that despite salary increases for some countywide elected officials, there are now more employees exceeding those of the countywide elected officials than in 2018. The disparity between the Clerk and the Sheriff, on one hand, and their division employees has increased substantially, and especially with respect to the Clerk.

*Table 11 Comparative Salaries - Elected and Subordinates*

| <b>County Employee Salaries Compared to Elected Officials</b> |   |                 |   |                 |
|---|---|-----------------|---|-----------------|
| <b>Summary</b>  |   |                 |   |                 |
|   | <b># of Employees Exceeding Salary 2024</b> |                 | <b># of Employees Exceeding Salary 2018</b> |                 |
| <b>Elected</b>  | <b>Total</b>                                | <b>Own Dept</b> | <b>Total</b>                                | <b>Own Dept</b> |
| County Executive  | 76  | 2               | 84  | 2               |
| Comptroller   | 279   | 5               | 274   | 9               |
| Sheriff   | 352   | 39              | 299   | 38              |
| Clerk   | 639   | 6               | 299   | 2               |

These internal salary disparities generated a great deal of discussion among the Commissioners, as it has in all previous CSRCs. Some Commissioners expressed the opinion that deputies should not earn more than the elected official to whom they report. Other Commissioners suggested that effective and efficient government required an (experienced) professional civil service. In this latter view, the continuity required for an experienced civil service will inevitably produce salaries higher than elected officials.

#### **Analysis #5: External Equity - Salaries of Elected Officials in the City of Buffalo and Comparable County Positions**

External compensation equity is the pay of an employee relative to the pay of employees of other organizations. Commissioners discussed compensation in other municipalities, especially in the City of Buffalo. Table 12 contains comparative salaries for the City of Buffalo and Erie County, Budget Year 2024. The Commission also discussed salaries in other municipalities located in Erie County, noting that some police chiefs earn a higher salary than the Erie County Sheriff.

<sup>21</sup> See, for example, County of Monroe, Compensation Policy Commission Report, May 31, 2023, p. 4.

Table 12 Salaries in the City of Buffalo and Erie County

| Erie County                               | Erie County<br>(2024 Budget) | City of Buffalo  | City of Buffalo<br>(2023-24 Budget) | Difference |
|---|------------------------------|--|-------------------------------------|------------|
| County Executive                          | \$139,932                    | Mayor  | \$178,519                           | +28%       |
| Sheriff                                   | \$101,811                    | Police<br>Commissioner                                 | \$150,845                           | +48%       |
| County Clerk                              | \$90,129                     | City Clerk   | \$120,472                           | +37%       |
| County Comptroller                        | \$107,160                    | City Comptroller                                       | \$134,593                           | +26%       |
| County Legislator                         | \$42,588                     | Common Council<br>Member                               | \$84,472                            | +98%       |
| Legislature Chair                         | \$52,588                     | Common Council<br>President                            | \$99,472                            | +87%       |
| Legislature Majority<br>& Minority Leader | \$47,588                     | Common Council<br>Majority Leader<br>(Minority Leader) | \$94,472<br>(\$90,472)              | +99%       |

Some CSRC members tended to lean toward the comparability of the City of Buffalo and Erie County elected officials, while others thought the responsibilities of municipalities, especially New York's second largest city, are unique and require more local leadership than NYS counties. The idea expressed by some members is that as administrative units of the State, a good deal of the county's work is the "pass through" function for many State (and federal) programs, particularly social safety net programs as well as enforcing/implementing NYS law.

#### Analysis #6: Fringe Benefits

The CSRC also undertook an analysis of fringe benefits. Data were downloaded from the US Bureau of Labor Statistics (2010 to 2023, Quarter 3). For the Year 2023, Quarter 3, benefits constituted 56.3% of the wages for public sector workers (as compared to 44.7% for all workers). These benefits also include all "mandatory" benefits such as Social Security and health insurance. It was determined that benefits were comparable to the larger public sector.

#### Analysis #7: Complexity of Countywide Elected Officeholders' Duties

We have discussed the Legislature (see above). Individual interviews were conducted by Commission members with each of the countywide officeholders. Some Commission members expressed interest in salary recommendations that would bridge the salary gap among the four countywide elected officials. Particularly, some CSRC members expressed an interest in closing the salary gap between the county executive and sheriff and some members thought there was an excessive salary gap between the comptroller and the clerk.

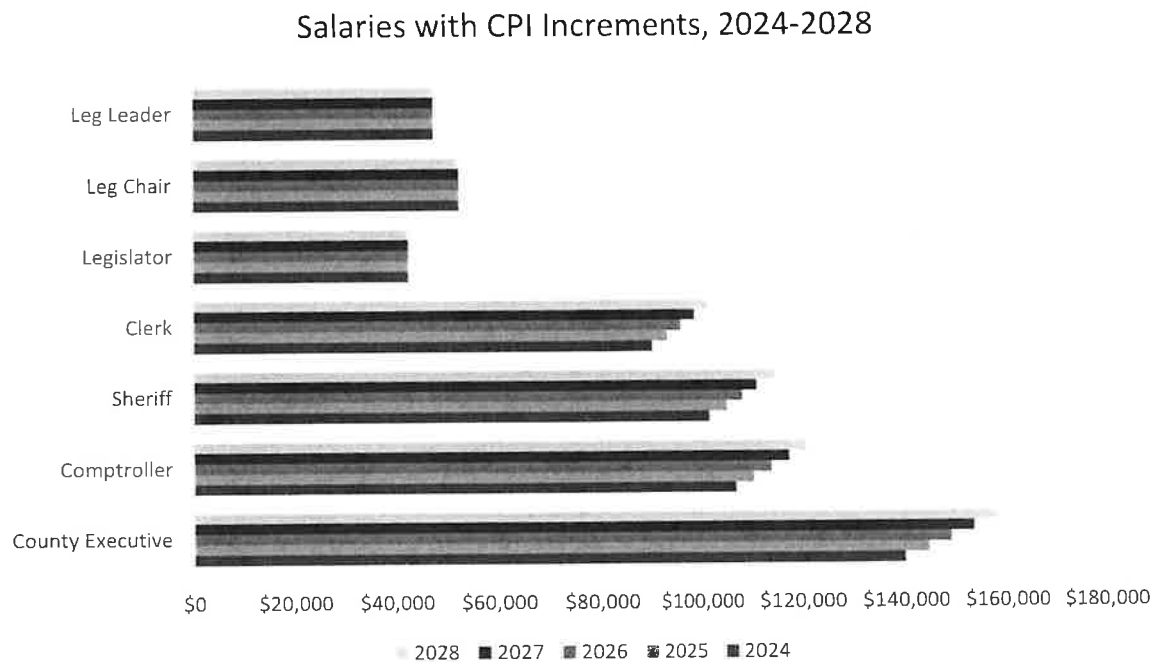
#### Analysis #8: Consideration of Staggering of Elections

The CSRC members discussed the effect of the Erie County Charter, which prohibits salary increases approved by the Erie County Legislature from taking effect until the next election. While there was some discussion of equalization of raises to take account of the election cycle, consensus began to emerge that it not only added a layer of complexity to the salary recommendations, but that given Erie County is required to seat a salary commission every even year, the next salary commission should consider this issue.

Analysis #9 Cost of Living Adjustments

According to the US Department of Labor, Bureau of Labor Statistics, “the Consumer Price Index (CPI) is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.”<sup>22</sup> The CPI and variations in this index are commonly used for “escalation” (inflation) calculations. If no action is taken on the current salary recommendations implemented since 2018, the salaries will increase (or stay the same) as projected in Figure 1. Various percentages were proffered from a range of 5-15 percent, with 3 percent selected based on current economic growth projections.

Figure 1 Salaries with CPI Increments, 2024-2028



Summary of Salary Comparisons Based on the Various Analyses

Table 13 summarizes the findings of the various statistical analyses for the reader’s convenience. As can be seen, salaries based on comparative counties (Analysis #1 & Analysis #2) are (generally) quite modest compared to the Average Annual Economic Growth (Analysis #3), internal equity (Analysis # 4), and external equity (Analysis #5). The only outlier are salaries of the Erie Couty Legislators. The combined quantitative and qualitative data discussed in Analysis #2 reveals circumstances that suggest Erie County Legislators are underpaid.

Table 13 Salary Comparisons Generated by the Analyses

<sup>22</sup> US Department of Labor, Bureau of Labor Statistics. <https://www.bls.gov/cpi/questions-and-answers.htm>.

| <b>COMPARISONS</b>  | <b>County Executive</b> | <b>Sheriff</b>   | <b>Clerk</b>     | <b>Comptroller</b> | <b>Legislator Base</b> |
|---|-------------------------|------------------|------------------|--------------------|------------------------|
| All Charter Counties  | \$150,174               | \$120,082        | \$104,986        | \$118,335          | \$22,890               |
| Big Four (Average)  | \$175,146               | \$143,939        | \$110,940        | \$128,090          | \$33,689               |
| Big Five (Average)  | \$172,269               | \$164,339        | \$131,382        | \$128,090          | \$41,951               |
| Monroe County   | \$180,000               | \$175,000        | \$115,000        | n/a                | \$28,500               |
| Expected Wage based on Annual Average Growth Rate (1996-2023)       | \$191,504               | \$146,700        | \$146,700        | \$149,521          | \$88,266               |
| Internal Equity (highest paid subordinate)                          | \$188,000               | \$170,723        | \$138,613        | \$153,970          | n/a                    |
| External Equity (City of Buffalo)                                   | \$178,519               | \$150,845        | \$120,472        | \$134,593          | \$84,472               |
| <b>Current Salaries Erie County Elected Officials (2024 budget)</b> | \$103,248               | \$105,273        | \$93,193         | \$110,803          | \$42,588               |
| <b>2024 CSRC Recommendations</b>                                    | <b>\$175,000</b>        | <b>\$150,000</b> | <b>\$130,000</b> | <b>\$140,000</b>   | <b>\$65,000</b>        |

## Salary Recommendations

The majority of the 2024 ECSR members were guided by a combination of the following quantitative and qualitative analyses:

- Comparative counties, especially the Big Four
- Erie County budget size & population
- Legislative responsibility in charter counties (home rule), particularly in budget, contract oversight, and constituency work
- Uniqueness of Erie County's location in NYS and its potential for exercising regional governance as a countervailing power and trendsetter with respect to NYS Legislature and statewide elected offices.
- Census-based annual growth rates for local government employees in Erie County since 1996
- Disparities in internal and external salary equity

1. The County Executive position have a salary of \$175,000.
2. The County Sheriff position have a salary of \$150,000.
3. The County Comptroller position have a salary of \$140,000.
4. The County Clerk position have a salary of \$130,000.
5. The members of the Erie County Legislature have a salary of \$65,000.
6. The Majority and Minority Leaders of the Erie County Legislature have a stipend of \$5,000 (no change).
7. The Legislative Chair of the Erie County Legislature have a stipend of \$10,000 (no change).
8. Remove Current Cost of Living Adjustment ("COLA").

**The vote tallies were as follows:**

County Executive (5-3)  
County Sheriff (6-2)  
County Comptroller (5-3)  
County Clerk (6-2)  
Legislature Base (5-3)  
Majority/Minority Leader (8-0)  
Legislative Chair (8-0)  
COLA Removal (8-0)

## **Conclusions**

The 2024 Erie County Citizen Salary Review Commission considered many factors in arriving at its salary recommendations. The Commission employed a mixed methods approach for collecting data by utilizing both qualitative (interviews, analysis of NYS charter county responsibilities in home rule and separation of powers, urban/suburban/rural) and quantitative data (population, median income, median real estate value, budget size, comparable salaries in other counties and the City of Buffalo, and annual average growth rates). The majority of the Commission member agreed there was not one-size-fits-all methodology for achieving a balance between possible resentment of some Erie County residents for salary increases for elected officials and the crucial importance of ensuring that regional governance in Western New York attracts the best and the brightest to ensure Erie County is well governed into the future.

## **Appendix A: The 2024 Commission**

### County Executive Appointments

#### **Dr. Laurie A. Buonanno**

Professor of public administration and political science at SUNY Buffalo State University.  
Elected to Chair the 2024 Commission.

#### **Dr. Frederick Floss**

Professor, SUNY Buffalo State University, Department of Economics and Finance. Member of the City of Buffalo Fiscal Stability Board.

#### **Mr. William Ransom, Jr.**

Forty years of broadcast experience in small, medium and large markets, in positions of Sales and Management. Last 19 years as President and General Manager of ABC Affiliate, WKBW-TV in Buffalo, New York.

#### **Mr. Greg Rabb**

Preservation Buffalo-Niagara, Emeritus Professor, SUNY Jamestown Community College, elected member of Jamestown City Council for 10 years, including the Council Chair.

#### **Mr. Christopher Stone**

President Emeritus and Business Agent, United Brotherhood of Carpenters -Local 276, retired)

### Majority Legislature Appointments

#### **Mr. Alex Burgos**

A graduate of SUNY Empire State College's School of Psychology and a West Side of Buffalo homeowner with a background in communications, public affairs and non-profit management.

#### **Mr. Mark Glasgow**

A twenty-year resident of Erie County, Master's graduate from the School of Public Health and Health Professions at SUNY Buffalo and the Former President of the Buffalo Urban League Young Professionals.

### Minority Legislature Appointment

#### **Mr. Gary Dickson**

West Seneca Town Supervisor

### County Comptroller

#### **Mr. David Pietrowski**

Retired President and partner in locally owned insurance brokerage. Over 35 years' experience including management and leadership. Currently serving in various positions with local non-profits.

Support Staff

**Mr. Mark Cornell** (Deputy Budget Director, Erie County Division of Budget & Management)

**Ms. Lindsay McKay** (Budget Analyst, Erie County Division of Budget & Management)

**Ms. Natalie Nitsche** (Secretarial Assistant, Office of the Erie County Executive)

## Appendix B: County Employees Salaries Compared to Elected Officials 2024

| Fund | Fund Center | Title                                    | JG        | Step     | 2024 Salary      | Bargaining Unit             |
|------|-------------|--|-----------|----------|------------------|-----------------------------|
| 110  | 1274010     | CHIEF MEDICAL EXAMINER                   | 25        | A        | \$258,770        | MC                          |
| 110  | 1271003     | COMMISSIONER OF HEALTH                   | 24        | B        | \$241,730        | MC                          |
| 110  | 1274010     | DEPUTY CHIEF MEDICAL EXAMINER            | 24        | A        | \$238,904        | MC                          |
| 110  | 1274010     | ASSOCIATE CHIEF-MEDICAL EXAMINER         | 23        | 5        | \$212,639        | MC                          |
| 110  | 1274010     | ASSOCIATE CHIEF MEDICAL EXAMINER         | 23        | 5        | \$212,639        | MC                          |
| 110  | 1274010     | ASSOCIATE CHIEF-MEDICAL EXAMINER         | 23        | 5        | \$212,639        | MC                          |
| 110  | 1140010     | <b>DISTRICT ATTORNEY</b>                 | <b>70</b> | <b>1</b> | <b>\$210,900</b> | <b>MC ELECTED OFFICIALS</b> |
| 110  | 1601010     | COUNTY ATTORNEY                          | 22        | B        | \$206,963        | MC                          |
| 110  | 1051010     | CHIEF INFORMATION OFFICER                | 22        | B        | \$204,624        | MC                          |
| 110  | 1201020     | COMMISSIONER OF SOCIAL SERVICES          | 21        | A        | \$190,141        | MC                          |
| 110  | 1011010     | DEPUTY COUNTY EXECUTIVE                  | 22        | 4        | \$188,118        | MC                          |
| 820  | 4201010     | DIRECTOR BUFFALO & EC PUBLIC LIBRARY     | SP EC.    |          | \$185,000        | MC Grade 10+ Special        |
| 110  | 1221010     | COMMISSIONER OF PUBLIC WORKS             | 20        | C        | \$183,016        | MC                          |
| 110  | 1021010     | DIRECTOR OF BUDGET AND MANAGEMENT        | 19        | F        | \$182,539        | MC                          |
| 110  | 1140010     | FIRST DEPUTY DISTRICT ATTORNEY           | 20        | 5        | \$172,809        | MC-DA                       |
| 110  | 1620010     | COMMISSIONER OF ENVIRONMENT AND PLANNING | 20        | 5        | \$172,809        | MC                          |
| 110  | 1241010     | COMMISSIONER OF MENTAL HEALTH            | 20        | 5        | \$172,809        | MC                          |
| 110  | 1601010     | FIRST ASSISTANT COUNTY ATTORNEY          | 19        | C        | \$171,069        | MC                          |
| 110  | 1151010     | UNDER SHERIFF                            | 19        | 5        | \$170,723        | MC SHERIFF                  |
| 281  | 1140050     | ASSISTANT DISTRICT ATTORNEY VII          | 18        | F        | \$168,508        | MC-DA                       |
| 110  | 1140030     | ASSISTANT DISTRICT ATTORNEY VII          | 18        | F        | \$167,919        | MC-DA                       |
| 110  | 1140040     | ASSISTANT DISTRICT ATTORNEY VII          | 18        | F        | \$167,919        | MC-DA                       |
| 110  | 1140010     | ASSISTANT DISTRICT ATTORNEY VII          | 18        | E        | \$164,282        | MC-DA                       |
| 110  | 1201020     | FIRST DEPUTY COMMISSIONER OF SOCIAL SERV | 18        | E        | \$164,282        | MC                          |
| 110  | 1140030     | ASSISTANT DISTRICT ATTORNEY VII          | 18        | E        | \$164,282        | MC-DA                       |



|     |         |   |          |   |           |                      |
|-----|---------|---|----------|---|-----------|----------------------|
| 110 | 1601020 | ASSISTANT COUNTY ATTORNEY VII           | 18       | E | \$164,282 | MC                   |
| 110 | 1601030 | ASSISTANT COUNTY ATTORNEY VII           | 18       | E | \$164,282 | MC                   |
| 110 | 1161010 | FIRST DEPUTY SUPERINTENDENT (SHERIFF)   | 17       | F | \$161,891 | MC SHERIFF           |
| 110 | 1151010 | CHIEF OF ADMINISTRATION                 | 17       | E | \$160,176 | MC SHERIFF           |
| 110 | 1161010 | CHIEF OF COMM REINTEGRATION (SHERIFF)   | 17       | E | \$160,176 | MC SHERIFF           |
| 110 | 1140010 | DEPUTY DISTRICT ATTORNEY - TRAINING     | 18       | C | \$157,408 | MC-DA                |
| 220 | 1801010 | DEPUTY COMMISSIONER (SEWERAGE MGMT)     | 18       | C | \$157,408 | MC EXEC STF          |
| 110 | 1161010 | FIRST DEPUTY SUPERINTENDENT (SHERIFF)   | 17       | D | \$156,948 | MC SHERIFF           |
| 110 | 1161010 | SUPERINTENDENT-HOLDING CENTER           | 18       | 5 | \$156,628 | MC SHERIFF           |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI          | 17       | B | \$156,147 | MC-DA                |
| 820 | 4201010 | DEPUTY DIRECTOR (LIBRARY) COO           | SP<br>EC |   | \$156,060 | MC Grade 10+ Special |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY VII         | 18       | C | \$155,701 | MC-DA                |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VII         | 18       | A | \$155,671 | MC-DA                |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VII         | 18       | B | \$155,656 | MC-DA                |
| 220 | 1801010 | CHIEF TREATMENT PLANT SUPERVISOR        | 17       | F | \$154,454 | MC                   |
| 110 | 1620020 | DEPUTY COMMISSIONER OF ENVIRON CONTROL  | 17       | F | \$154,454 | MC                   |
| 110 | 1261010 | COMMISSIONER OF PROBATION               | 17       | F | \$154,454 | MC                   |
| 110 | 1120010 | DEPUTY COMPTROLLER                      | 18       | B | \$153,970 | MC                   |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY VII         | 18       | B | \$153,970 | MC-DA                |
| 110 | 1601010 | ASSISTANT COUNTY ATTORNEY VII           | 18       | B | \$153,970 | MC                   |
| 110 | 1151090 | CHIEF OF INTERNAL AFFAIRS               | 17       | C | \$153,723 | MC SHERIFF           |
| 110 | 1151030 | CHIEF DEPUTY SHERIFF                    | 17       | C | \$152,130 | MC SHERIFF           |
| 110 | 1500030 | COMMISSIONER, BOARD OF ELECTIONS        | 17       | E | \$151,143 | MC                   |
| 110 | 1500040 | COMMISSIONER, BOARD OF ELECTIONS        | 17       | E | \$151,143 | MC                   |
| 110 | 1601030 | ASSISTANT COUNTY ATTORNEY VI            | 17       | E | \$151,143 | MC                   |
| 220 | 1801010 | ASSISTANT DEPUTY COMMISSIONER           | 17       | E | \$149,589 | MC                   |
| 110 | 1140015 | ASSISTANT DISTRICT ATTORNEY VI          | 17       | E | \$149,589 | MC-DA                |
| 220 | 1801010 | ASSISTANT DEPUTY COMMISSIONER           | 17       | D | \$148,011 | MC                   |
| 110 | 1601060 | CONFIDENTIAL INVESTIGATOR (COUNTY ATTY) | 17       | D | \$148,011 | CSEA                 |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY VI          | 17       | D | \$148,011 | MC-DA                |

|            |                |  |           |          |                  |                                 |
|------------|----------------|--|-----------|----------|------------------|---------------------------------|
| 110        | 1204020        | EXECUTIVE DIRECTOR DSS-<br>OFFICE OF COUNSEL | 17        | D        | \$148,011        | MC                              |
| 110        | 1650010        | COMMISSIONER OF CENTRAL<br>POLICE SERVICES   | 18        | 5        | \$147,106        | MC                              |
| 110        | 1611010        | COMMISSIONER OF PERSONNEL                    | 18        | 5        | \$147,106        | MC                              |
| 110        | 1140010        | DEPUTY DISTRICT ATTORNEY-<br>PROSECUTION     | 18        | 5        | \$147,106        | MC-DA                           |
| 110        | 1140010        | DEPUTY FOR ADMINISTRATION<br>(DIST ATTY)     | 18        | 5        | \$147,106        | MC-DA                           |
| 110        | 1201020        | FIRST DEPUTY COMMISSIONER<br>OF SOCIAL SERV  | 18        | 5        | \$147,106        | MC                              |
| 110        | 1274020        | CHIEF COUNTY TOXICOLOGIST                    | 18        | 5        | \$147,106        | CSEA                            |
| 110        | 1021060        | SENIOR EXECUTIVE ASSISTANT<br>(COUNTY EXEC)  | 18        | 5        | \$147,106        | MC                              |
| 281        | 1140050        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | D        | \$146,210        | MC-DA                           |
| 110        | 1165010        | FIRST DEPUTY<br>SUPERINTENDENT-COMPLIANCE    | 17        | 5        | \$144,048        | MC SHERIFF                      |
| 210        | 1231010        | DEPUTY COMMISSIONER<br>(HIGHWAYS)            | 18        | 5        | \$143,702        | MC                              |
| 281        | 1140050        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | C        | \$143,074        | MC-DA                           |
| 110        | 1140030        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | B        | \$141,757        | MC-DA                           |
| 110        | 1201020        | SECOND DEPUTY COMMISSIONER<br>(SOCIAL SVCS)  | 17        | B        | \$141,757        | MC                              |
| 110        | 1011010        | CHIEF OF STAFF-COUNTY<br>EXECUTIVE           | 17        | B        | \$141,757        | MC                              |
| 110        | 1061010        | PURCHASING DIRECTOR                          | 17        | B        | \$141,757        | MC                              |
| 110        | 1021020        | SENIOR BUDGET CONSULTANT                     | 17        | B        | \$141,757        | MC                              |
| 281        | 1140050        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | I        | \$141,750        | MC-DA                           |
| 110        | 1208020        | ASSISTANT COMMISSIONER-<br>ADMINISTRATION    | 16        | F        | \$141,493        | MC                              |
| 281        | 1140050        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | A        | \$140,132        | MC-DA                           |
| 110        | 1052020        | ASSISTANT DIRECTOR FOR<br>APPLICATION SVCS   | 16        | F        | \$139,998        | CSEA                            |
| <b>110</b> | <b>1011010</b> | <b>COUNTY EXECUTIVE</b>                      | <b>60</b> | <b>1</b> | <b>\$139,932</b> | <b>MC ELECTED<br/>OFFICIALS</b> |
| 110        | 1131010        | FIRST DEPUTY COUNTY CLERK                    | 17        | A        | \$138,613        | MC                              |
| 110        | 1140030        | ASSISTANT DISTRICT ATTORNEY<br>VI            | 17        | A        | \$138,613        | MC-DA                           |
| 110        | 1241010        | ASSISTANT COMMISSIONER<br>PLANNING & ANALYS  | 16        | E        | \$138,481        | MC                              |
| 110        | 1601050        | ASSISTANT COUNTY ATTORNEY<br>V               | 16        | E        | \$138,481        | MC                              |
| 110        | 1670010        | COMM OF HOMELAND SECURITY<br>& EMERG SVCS    | 16        | E        | \$138,481        | MC                              |
| 110        | 1052010        | MANAGER OF INFORMATION<br>PROCESSING         | 16        | E        | \$138,481        | CSEA                            |
| 110        | 1201020        | EXECUTIVE DIRECTOR SOC SVCS<br>FAMILY INDEP  | 16        | E        | \$138,481        | MC                              |
| 290        | 1621120        | PRINCIPAL CONTRACT MONITOR<br>(COMM DEV)     | 16        | E        | \$138,481        | CSEA                            |

|     |         |  |    |   |           |            |
|-----|---------|--|----|---|-----------|------------|
| 290 | 1011080 | DIRECTOR OF WORKFORCE DEVELOPMENT        | 17 | A | \$137,062 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | A | \$137,062 | MC-DA      |
| 110 | 1161010 | CHIEF OF OPERATIONS (SHERIFF)            | 15 | F | \$136,990 | MC SHERIFF |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$136,971 | MC-DA      |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$136,971 | MC-DA      |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$136,971 | MC-DA      |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,962 | MC-DA      |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY V            | 16 | D | \$135,630 | MC-DA      |
| 110 | 1611050 | CHIEF OF CLASSIFICATION AND COMPENSATION | 16 | D | \$135,630 | MC         |
| 110 | 1641010 | COMMISSIONER OF PARKS AND RECREATION     | 17 | 5 | \$135,488 | MC         |
| 110 | 1631010 | COMMISSIONER OF SENIOR SERVICES          | 17 | 5 | \$135,488 | MC         |
| 110 | 1140010 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1620060 | DEPUTY COMMISSIONER OF PLAN & ECON DEV   | 17 | 5 | \$135,488 | MC         |
| 110 | 1140010 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1601030 | ASSISTANT COUNTY ATTORNEY VI             | 17 | 5 | \$135,488 | MC         |
| 110 | 1140050 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1031010 | COMMISSIONER OF LABOR RELATIONS          | 17 | 5 | \$135,488 | MC         |
| 110 | 1111010 | DIRECTOR OF REAL PROPERTY TAX SERVICES   | 17 | 5 | \$135,488 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 5 | \$135,488 | MC-DA      |
| 110 | 1601050 | ASSISTANT COUNTY ATTORNEY VI             | 17 | 5 | \$135,488 | MC         |
| 110 | 1271006 | DEPUTY COMMISSIONER (HEALTH)             | 17 | 5 | \$135,488 | MC         |
| 110 | 1165030 | SENIOR NURSE PRACTITIONER (CORR HEALTH)  | 16 | B | \$135,035 | NYSNA      |
| 220 | 1801010 | ASSISTANT CHIEF TREATMENT PLANT SUPV     | 16 | D | \$134,222 | MC         |
| 110 | 1161010 | CHIEF OF OPERATIONS (SHERIFF)            | 15 | E | \$134,205 | MC SHERIFF |
| 110 | 1004040 | CHIEF OF STAFF (MINORITY)                | 16 | C | \$132,792 | MC         |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY V            | 16 | C | \$132,792 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY V            | 16 | C | \$132,792 | MC-DA      |

|     |         |  |    |   |           |            |
|-----|---------|--|----|---|-----------|------------|
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY V            | 16 | C | \$132,792 | MC-DA      |
| 110 | 1500040 | DEPUTY COMMISSIONER OF ELECTIONS-DEM     | 16 | C | \$132,792 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY V            | 16 | C | \$131,377 | MC-DA      |
| 110 | 1003030 | CLERK OF LEGISLATURE                     | 16 | B | \$129,939 | MC         |
| 220 | 1801010 | ASSISTANT DEPUTY COMM (SEWER MGT) ADMIN  | 16 | B | \$129,939 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY V            | 16 | B | \$129,939 | MC-DA      |
| 110 | 1611010 | DEPUTY COMMISSIONER OF PERSONNEL         | 16 | B | \$129,939 | MC         |
| 110 | 1051010 | DIRECTOR OF CENTRAL DATA PROCESSING      | 17 | 4 | \$129,214 | MC         |
| 110 | 1275010 | DIR OF SVCS TO CHILDREN WITH SPEC NEEDS  | 15 | F | \$128,625 | CSEA       |
| 110 | 1140010 | CHIEF OF PROMIS BUREAU                   | 15 | F | \$128,625 | MC-DA      |
| 220 | 1801010 | SENIOR SEWER DISTRICT MANAGER            | 15 | F | \$128,625 | MC         |
| 220 | 1801010 | SENIOR COORDINATOR-SEWER CONSTRUCTION    | 15 | F | \$128,625 | CSEA       |
| 110 | 1120020 | SENIOR APPLICATION SYSTEMS SPECIALIST    | 15 | F | \$128,625 | CSEA       |
| 110 | 1120020 | DIRECTOR OF ACCOUNTING SERVICES          | 15 | F | \$128,625 | CSEA       |
| 110 | 1271250 | EPIDEMIOLOGIST                           | 15 | F | \$128,625 | CSEA       |
| 230 | 1650050 | DIRECTOR OF INFORMATION SYSTEMS          | 15 | F | \$128,625 | CSEA       |
| 110 | 1204060 | SENIOR COUNSEL (SOCIAL SERVICES)         | 15 | F | \$128,625 | CSEA       |
| 110 | 1151050 | CHIEF DEPUTY OF TECHNOLOGY&TECH CRIM SRV | 17 | 3 | \$127,950 | MC SHERIFF |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH)  | 16 | 8 | \$127,760 | NYSNA      |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY V            | 16 | A | \$127,537 | MC-DA      |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY V            | 16 | A | \$127,091 | MC-DA      |
| 110 | 1272010 | DEPUTY COMMISSIONER EMERG MED SRV        | 16 | A | \$127,091 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY V            | 16 | A | \$127,091 | MC-DA      |
| 110 | 1011010 | SENIOR EXECUTIVE ASSISTANT (CE)          | 16 | A | \$127,091 | MC         |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 4 | \$126,106 | MC-DA      |
| 110 | 1140010 | CHIEF CONFIDENTIAL CRIMINAL INV ACCOUNT  | 15 | E | \$125,917 | CSEA       |
| 110 | 1273030 | ASSOCIATE PUBLIC HEALTH ENGINEER         | 15 | E | \$125,917 | CSEA       |
| 110 | 1650040 | DIRECTOR OF FORENSIC LABORATORY          | 15 | E | \$125,917 | CSEA       |
| 281 | 1620020 | CHIEF ENVIRONMENTAL COMPLIANCE SPECIALIS | 15 | E | \$125,917 | CSEA       |
| 110 | 1111010 | SUPERVISING TAX ACCOUNTANT               | 15 | E | \$125,917 | CSEA       |

|     |         |   |    |   |           |            |
|-----|---------|---|----|---|-----------|------------|
| 220 | 1801010 | SENIOR SANITARY ENGINEER                    | 15 | E | \$125,917 | CSEA       |
| 110 | 1003030 | CHIEF OF STAFF (LEGISLATURE)                | 16 | A | \$125,685 | MC         |
| 210 | 1231020 | PRINCIPAL CIVIL ENGINEER                    | 16 | A | \$125,685 | CSEA       |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1222015 | SENIOR CONSTRUCTION PROJECT<br>MGR BLDGS    | 16 | 5 | \$124,255 | CSEA       |
| 110 | 1222010 | DEPUTY COMMISSIONER<br>(BUILDINGS & GROUND) | 16 | 5 | \$124,255 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1120010 | ASSOCIATE DEPUTY<br>COMPTROLLER             | 16 | 5 | \$124,255 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1165010 | DIRECTOR OF CORRECTIONAL<br>HEALTH SERVICES | 16 | 5 | \$124,255 | CSEA       |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16 | 5 | \$124,255 | MC-DA      |
| 110 | 1165030 | SENIOR NURSE PRACTITIONER<br>(CORR HEALTH)  | 16 | 6 | \$123,557 | NYSNA      |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER<br>(CORR HEALTH)  | 16 | 6 | \$123,557 | NYSNA      |
| 110 | 1261010 | DEPUTY DIRECTOR OF<br>PROBATION             | 15 | D | \$123,356 | MC         |
| 110 | 1052020 | SENIOR APPLICATION SYSTEMS<br>SPECIALIST    | 15 | D | \$123,356 | CSEA       |
| 110 | 1004040 | EXECUTIVE ASSISTANT<br>(LEGISLATURE) II     | 15 | D | \$123,356 | MC         |
| 110 | 1601030 | ASSISTANT COUNTY ATTORNEY<br>VI             | 17 | 3 | \$122,951 | MC         |
| 110 | 1151020 | CHIEF DEPUTY-CIVIL                          | 15 | 5 | \$121,025 | MC SHERIFF |
| 110 | 1204030 | DIRECTOR OF CHILD SUPPORT<br>ENFORCEMENT    | 15 | C | \$120,797 | MC         |
| 110 | 1620060 | CHIEF PLANNER                               | 15 | C | \$120,797 | CSEA       |

|     |         |   |          |   |           |                         |
|-----|---------|---|----------|---|-----------|-------------------------|
| 820 | 4201010 | ASSISTANT DEPUTY DIRECTOR<br>(LIBRARY)      | SP<br>EC |   | \$120,000 | MC Grade 10+<br>Special |
| 110 | 1120030 | DEPUTY (COMPTROLLER)                        | 17       | 3 | \$119,839 | MC                      |
| 110 | 1601050 | ASSISTANT COUNTY ATTORNEY<br>VI             | 17       | 3 | \$119,839 | MC                      |
| 110 | 1140010 | EXECUTIVE ASSISTANT-SECOND<br>DEPUTY DA     | 18       | 1 | \$119,680 | MC-DA                   |
| 110 | 1611030 | DIRECTOR OF PAYROLL<br>SERVICES             | 15       | C | \$119,520 | CSEA                    |
| 110 | 1272010 | PHARMACIST                                  | 16       | 4 | \$118,592 | CSEA                    |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16       | 4 | \$118,592 | MC-DA                   |
| 110 | 1274010 | ADMINISTRATIVE<br>COORDINATOR-MED EX OFFICE | 15       | B | \$118,223 | CSEA                    |
| 110 | 1021020 | MANAGEMENT CONSULTANT<br>(COUNTY EXECUTIVE) | 15       | B | \$118,223 | MC                      |
| 110 | 1273010 | ADMINISTRATIVE COORDINATOR<br>PH LAB        | 15       | B | \$118,223 | CSEA                    |
| 110 | 1111010 | SUPERVISING CHIEF DATA TAX<br>CLERK         | 15       | B | \$118,223 | CSEA                    |
| 110 | 1500040 | SYSTEMS ADMINISTRATOR (BOE)                 | 15       | B | \$118,223 | CSEA                    |
| 110 | 1221010 | SPECIAL ASST TO COMM OF<br>PUBLIC WORKS     | 15       | B | \$116,955 | MC                      |
| 110 | 1601050 | ASSISTANT COUNTY ATTORNEY<br>IV             | 15       | B | \$116,955 | MC                      |
| 281 | 1632010 | SUPERVISOR OF GRANTS<br>ADMINISTRATION      | 14       | F | \$116,594 | CSEA                    |
| 220 | 1801010 | COORDINATOR-SEWER<br>CONSTRUCTION PROJECTS  | 14       | F | \$116,594 | CSEA                    |
| 110 | 1204030 | COUNSEL (SOCIAL SERVICES)                   | 14       | F | \$116,594 | CSEA                    |
| 110 | 1140015 | GRAND JURY STENOGRAPHER                     | 14       | F | \$116,594 | CSEA                    |
| 281 | 1632010 | ASSISTANT PROJECT DIR<br>NUTRITION PROG ELD | 14       | F | \$116,594 | CSEA                    |
| 110 | 1273030 | ASSOCIATE PUBLIC HEALTH<br>SANITARIAN       | 14       | F | \$116,594 | CSEA                    |
| 110 | 1273030 | ASSOCIATE PUBLIC HEALTH<br>SANITARIAN       | 14       | F | \$116,594 | CSEA                    |
| 110 | 1052020 | SENIOR ERP SUPPORT ANALYST                  | 14       | F | \$116,594 | CSEA                    |
| 110 | 1273030 | ASSOCIATE PUBLIC HEALTH<br>SANITARIAN       | 14       | F | \$116,594 | CSEA                    |
| 110 | 1650060 | PROJECT COORDINATOR (STOP<br>DWI)           | 14       | F | \$116,594 | CSEA                    |
| 220 | 1801020 | SEWER DISTRICT MANAGER                      | 14       | F | \$116,594 | MC                      |
| 295 | 1271215 | SENIOR MEDICAL CARE<br>ADMINISTRATOR        | 14       | F | \$116,594 | CSEA                    |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>V            | 16       | 4 | \$115,779 | MC-DA                   |
| 110 | 1620060 | DIRECTOR OF GEOGRAPHIC<br>INFORMATION SRV   | 15       | A | \$115,666 | CSEA                    |
| 110 | 1242010 | DIRECTOR OF FORENSIC MENTAL<br>HEALTH SVCS  | 15       | A | \$115,666 | CSEA                    |
| 110 | 1241010 | DIR OF FISCAL<br>ADMINISTRATION(MENTAL HEA) | 15       | A | \$115,666 | CSEA                    |
| 110 | 1252010 | SUPERVISOR OF DETENTION<br>FACILITIES       | 14       | F | \$115,385 | CSEA                    |

|     |         |  |    |   |           |            |
|-----|---------|--|----|---|-----------|------------|
| 110 | 1052020 | APPLICATION SYSTEMS SPECIALIST           | 14 | F | \$115,385 | CSEA       |
| 110 | 1500030 | DEPUTY COMMISSIONER OF ELECTIONS-REP     | 14 | E | \$114,157 | MC         |
| 110 | 1052010 | PRINCIPAL TECHNICAL SUPPORT SVS SPEC     | 14 | E | \$114,157 | CSEA       |
| 110 | 1131010 | PRINCIPAL TECHNICAL SUPPORT SVS SPEC     | 14 | E | \$114,157 | CSEA       |
| 110 | 1201060 | MANAGEMENT AND ORGANIZATIONAL CONSULTANT | 14 | E | \$114,157 | CSEA       |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,495 | MC-DA      |
| 110 | 1131010 | ADMIN SECRETARIAL ASST (COUNTY CLERK)    | 15 | 5 | \$113,098 | MC         |
| 110 | 1641010 | DEPUTY COMMISSIONER (PARKS)              | 15 | 5 | \$113,098 | MC         |
| 110 | 1241010 | DIRECTOR OF PLANNING AND EVALUATION      | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1271022 | EXECUTIVE ASSISTANT                      | 15 | 5 | \$113,098 | MC         |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1222015 | DIRECTOR OF ENERGY DEVELOPMENT & MGT     | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1274010 | ANTHROPOLOGIST                           | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1051010 | SR INFORMATION SECURITY ANALYST (DISS)   | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1620070 | DIRECTOR, INDUSTRIAL ASSISTANCE PROGRAM  | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1620020 | CHIEF ENVIRONMENTAL COMPLIANCE SPECIALIS | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1091000 | COMMISSIONER OF PUBLIC ADVOCACY          | 15 | 5 | \$113,098 | MC         |
| 110 | 1204060 | DIRECTOR OF CHILD WELFARE LEGAL UNIT     | 15 | 5 | \$113,098 | MC         |
| 110 | 1003030 | EXECUTIVE ASSISTANT (LEGISLATURE) II     | 15 | 5 | \$113,098 | MC         |
| 110 | 1201020 | SPECIAL ASSISTANT COMMISSIONER SOCIAL SR | 15 | 5 | \$113,098 | MC         |
| 110 | 1620020 | SUSTAINABILITY DIRECTOR                  | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$113,098 | MC-DA      |
| 110 | 1204060 | DIRECTOR OF CHILD WELFARE LEGAL UNIT     | 15 | 5 | \$113,098 | MC         |
| 110 | 1021020 | MANAGEMENT CONSULTANT (COUNTY EXECUTIVE) | 15 | 5 | \$113,098 | MC         |
| 220 | 1801010 | SENIOR SANITARY ENGINEER                 | 15 | 5 | \$113,098 | CSEA       |
| 110 | 1151010 | ASSISTANT CHIEF OF ADMIN (SHERIFF)       | 13 | F | \$112,761 | MC SHERIFF |

|     |         |  |    |   |           |                      |
|-----|---------|--|----|---|-----------|----------------------|
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 3 | \$112,226 | MC-DA                |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$112,226 | MC-DA                |
| 110 | 1204030 | COUNSEL (SOCIAL SERVICES)                | 14 | D | \$111,857 | CSEA                 |
| 220 | 1801020 | SEWER DISTRICT MANAGER                   | 14 | D | \$111,857 | MC                   |
| 110 | 1052010 | SENIOR LAN ADMINISTRATOR                 | 14 | D | \$111,857 | CSEA                 |
| 230 | 1650050 | DATABASE ADMINISTRATOR                   | 14 | D | \$111,857 | CSEA                 |
| 290 | 1621120 | PRINCIPAL PLANNER                        | 14 | D | \$111,857 | CSEA                 |
| 110 | 1165010 | DIRECTOR OF NURSING (CORR HEALTH)        | 21 | 5 | \$111,352 | TEAMSTERS - SWRN SUP |
| 281 | 1650040 | FORENSIC BIOLOGIST IV                    | 14 | C | \$110,904 | CSEA                 |
| 110 | 1140010 | TARGET CRIME INITIATIVE CASE COORDINATOR | 14 | D | \$110,715 | CSEA                 |
| 110 | 1611040 | SENIOR PERSONNEL SPECIALIST              | 14 | D | \$110,715 | MC                   |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH)  | 16 | 3 | \$110,663 | NYSNA                |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$110,558 | MC-DA                |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$110,558 | MC-DA                |
| 110 | 1081010 | DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY | 15 | 5 | \$110,558 | MC                   |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 5 | \$110,558 | MC-DA                |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY VI           | 17 | 1 | \$110,421 | MC-DA                |
| 110 | 1151030 | CAPTAIN                                  | 11 | E | \$110,388 | PBA                  |
| 110 | 1151040 | CAPTAIN                                  | 11 | E | \$110,388 | PBA                  |
| 110 | 1151030 | CAPTAIN                                  | 11 | E | \$110,388 | PBA                  |
| 110 | 1208020 | ASSISTANT COMMISSIONER-ADMINISTRATION    | 16 | 3 | \$110,097 | MC                   |
| 281 | 1632010 | LONG TERM CARE COORDINATOR               | 14 | C | \$109,948 | CSEA                 |
| 281 | 1632010 | SENIOR COORDINATOR OF NEIGHBORHOOD SVCS  | 14 | C | \$109,948 | CSEA                 |
| 110 | 1241040 | COORDINATOR, MENTAL DISABILITY SERVICES  | 14 | C | \$109,554 | CSEA                 |
| 110 | 1204030 | COUNSEL (SOCIAL SERVICES)                | 14 | C | \$109,554 | CSEA                 |
| 110 | 1242020 | COORDINATOR OF CHILD & YOUTH SVCS INTEGR | 14 | C | \$109,554 | CSEA                 |
| 110 | 1241040 | COORDINATOR, MENTAL DISABILITY SERVICES  | 14 | C | \$109,554 | CSEA                 |
| 110 | 1052010 | SENIOR LAN ADMINISTRATOR                 | 14 | C | \$109,554 | CSEA                 |
| 220 | 1801020 | SEWER DISTRICT MANAGER                   | 14 | C | \$109,554 | MC                   |
| 220 | 1801010 | SEWER DISTRICT MANAGER                   | 14 | C | \$109,554 | MC                   |
| 110 | 1165010 | REGISTERED NURSE SUPP SPEC (CORR HEALTH) | 10 | A | \$109,092 | TEAMSTERS - MEDICAL  |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 3 | \$108,722 | MC-DA                |
| 110 | 1151050 | SENIOR DETECTIVE (NARCOTICS)             | 11 | D | \$108,365 | PBA                  |



|     |         |   |           |          |                  |                                 |
|-----|---------|---|-----------|----------|------------------|---------------------------------|
| 110 | 1051010 | EXECUTIVE ASSISTANT-CTY<br>EXECUTIVE BUDGET | 15        | 4        | \$107,978        | MC                              |
| 110 | 1140040 | ASSISTANT DISTRICT ATTORNEY<br>IV           | 15        | 4        | \$107,978        | MC-DA                           |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>IV           | 15        | 4        | \$107,978        | MC-DA                           |
| 110 | 1641010 | DEPUTY COMMISSIONER OF<br>RECREATION        | 15        | 4        | \$107,978        | MC                              |
| 110 | 1601020 | ASSISTANT COUNTY ATTORNEY<br>IV             | 15        | 4        | \$107,978        | MC                              |
| 110 | 1601050 | ASSISTANT COUNTY ATTORNEY<br>IV             | 15        | 4        | \$107,978        | MC                              |
| 110 | 1165020 | HEAD NURSE (HOLDING CENTER)                 | 10        | A        | \$107,939        | TEAMSTERS -<br>MEDICAL          |
| 110 | 1670020 | DEPUTY COMMISSIONER FIRE<br>SAFETY          | 14        | B        | \$107,233        | MC                              |
| 110 | 1132010 | DEPUTY COUNTY CLERK (AUTO<br>BUREAU)        | 14        | B        | \$107,233        | MC                              |
| 110 | 1140030 | SENIOR CHIEF, CONF CRIMINAL<br>INVESTIGATOR | 14        | B        | \$107,233        | CSEA                            |
| 110 | 1202030 | DIRECTOR OF SOCIAL SERVICES<br>TECH SUPPORT | 14        | B        | \$107,233        | CSEA                            |
| 110 | 1201040 | PERSONNEL SUPERVISOR<br>(SOCIAL SERVICES)   | 14        | B        | \$107,233        | MC                              |
| 110 | 1120010 | <b>COUNTY COMPTROLLER</b>                   | <b>50</b> | <b>1</b> | <b>\$107,160</b> | <b>MC ELECTED<br/>OFFICIALS</b> |
| 110 | 1165020 | HEAD NURSE (HOLDING CENTER)                 | 10        | 7        | \$106,766        | TEAMSTERS -<br>MEDICAL          |
| 110 | 1165030 | HEAD NURSE (HOLDING CENTER)                 | 10        | 7        | \$106,766        | TEAMSTERS -<br>MEDICAL          |
| 110 | 1165010 | DISCHARGE PLANNER (CORR<br>HEALTH)          | 10        | 7        | \$106,766        | TEAMSTERS -<br>MEDICAL          |
| 281 | 1650040 | FIREARMS EXAMINER IV                        | 13        | F        | \$106,369        | CSEA                            |
| 110 | 1151050 | SENIOR DETECTIVE                            | 11        | C        | \$106,359        | PBA                             |
| 110 | 1151050 | CAPTAIN                                     | 11        | C        | \$106,359        | PBA                             |
| 110 | 1163020 | CORRECTION CAPTAIN                          | 14        | E        | \$106,175        | CSEA CF<br>Officers             |
| 110 | 1163020 | CORRECTION CAPTAIN                          | 14        | E        | \$106,175        | CSEA CF<br>Officers             |
| 110 | 1670010 | DEPUTY COMM CIVIL DEFENSE &<br>DISASTER PRE | 14        | B        | \$106,089        | MC                              |
| 110 | 1611070 | EXECUTIVE DIRECTOR OFFICE<br>FOR DISABLED   | 14        | B        | \$106,089        | MC                              |
| 110 | 1222015 | CONSTRUCTION PROJECT<br>MANAGER (BUILDINGS) | 14        | B        | \$106,089        | CSEA                            |
| 110 | 1052010 | SENIOR LAN ADMINISTRATOR                    | 14        | B        | \$106,089        | CSEA                            |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>IV           | 15        | 4        | \$105,431        | MC-DA                           |
| 110 | 1140030 | ASSISTANT DISTRICT ATTORNEY<br>IV           | 15        | 4        | \$105,431        | MC-DA                           |
| 110 | 1271300 | DIRECTOR - HEALTH EQUITY                    | 15        | 4        | \$105,431        | CSEA                            |
| 110 | 1151050 | SENIOR DETECTIVE (NARCOTICS)                | 11        | C        | \$105,368        | PBA                             |
| 110 | 1151040 | SENIOR TACTICAL FLIGHT<br>OFFICER           | 11        | C        | \$105,368        | PBA                             |

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|-----|---------|--|----|---|-----------|---------------------|
| 281 | 1273031 | SENIOR PUBLIC HEALTH ENGINEER            | 14 | A | \$105,296 | CSEA                |
| 220 | 1801020 | CHIEF WASTEWATER TREATMENT PLANT OPER    | 13 | F | \$105,075 | CSEA                |
| 110 | 1208030 | ADMINISTRATIVE DIRECTOR-SERVICES         | 13 | F | \$105,075 | CSEA                |
| 110 | 1261010 | PRINCIPAL PROBATION OFFICER              | 13 | F | \$105,075 | CSEA                |
| 110 | 1500040 | ASSISTANT DEPUTY COMM (BOARD OF ELECT)   | 13 | F | \$105,075 | MC                  |
| 110 | 1208070 | ADMINISTRATIVE DIRECTOR-SERVICES         | 13 | F | \$105,075 | CSEA                |
| 110 | 1206030 | DIRECTOR, EMPLOYMENT PROGRAMS            | 13 | F | \$105,075 | CSEA                |
| 110 | 1205040 | DIRECTOR OF TEMPORARY ASST & EMERG SVCS  | 13 | F | \$105,075 | CSEA                |
| 110 | 1271215 | MEDICAL CARE ADMINISTRATOR               | 13 | F | \$105,075 | CSEA                |
| 220 | 1801010 | SENIOR SANITARY CHEMIST                  | 13 | F | \$105,075 | CSEA                |
| 110 | 1641020 | PARK SUPERINTENDENT                      | 13 | F | \$105,075 | CSEA                |
| 110 | 1203020 | ASSISTANT DIRECTOR OF INVESTIGATIONS     | 13 | F | \$105,075 | CSEA                |
| 110 | 1207030 | DIR OF SUPPLEMENTAL NUTRITION ASST PROG  | 13 | F | \$105,075 | CSEA                |
| 110 | 1641025 | PARK SUPERINTENDENT                      | 13 | F | \$105,075 | CSEA                |
| 110 | 1140020 | LEAD DISCOVERY EXPEDITOR                 | 13 | F | \$105,075 | MC-DA               |
| 110 | 1021020 | SENIOR BUDGET EXAMINER (PROBATION)       | 13 | F | \$105,075 | CSEA                |
| 220 | 1801010 | SENIOR PROJECT ENGINEER                  | 13 | F | \$105,075 | CSEA                |
| 110 | 1261020 | PRINCIPAL PROBATION OFFICER              | 13 | F | \$105,075 | CSEA                |
| 110 | 1202030 | DATABASE ADMINISTRATOR                   | 14 | A | \$104,928 | CSEA                |
| 110 | 1140015 | GRAND JURY STENOGRAPHER                  | 14 | A | \$104,928 | CSEA                |
| 110 | 1611010 | HUMAN RESOURCES INFO SYS SPEC (EC PERS)  | 14 | A | \$104,928 | CSEA                |
| 295 | 1204020 | COUNSEL (SOCIAL SERVICES)                | 14 | A | \$104,928 | CSEA                |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 4 | \$104,521 | MC-DA               |
| 281 | 1140050 | ASSISTANT DISTRICT ATTORNEY IV           | 15 | 4 | \$104,521 | MC-DA               |
| 110 | 1252010 | DEPUTY COMMISSIONER (YOUTH SERVICES)     | 16 | 2 | \$104,416 | MC                  |
| 281 | 1650040 | FORENSIC BIOLOGIST III                   | 13 | E | \$104,252 | CSEA                |
| 110 | 1204040 | CHILD SUPPORT OPERATIONS MANAGER         | 13 | F | \$103,999 | CSEA                |
| 210 | 1231020 | SENIOR CIVIL ENGINEER                    | 14 | A | \$103,792 | CSEA                |
| 110 | 1165020 | HEAD NURSE (HOLDING CENTER)              | 10 | 6 | \$103,274 | TEAMSTERS - MEDICAL |
| 110 | 1208050 | ADMINISTRATIVE DIRECTOR-SERVICES         | 13 | E | \$102,907 | CSEA                |
| 110 | 1208030 | ADMINISTRATIVE DIRECTOR-SERVICES         | 13 | E | \$102,907 | CSEA                |
| 110 | 1242010 | COORD ADULT SINGLE POINT OF ACCESS & ACC | 13 | E | \$102,907 | CSEA                |
| 110 | 1207040 | DIRECTOR OF MEDICAID & PUBLIC HEALTH PRO | 13 | E | \$102,907 | CSEA                |

|            |                |  |           |          |                  |                             |
|------------|----------------|--|-----------|----------|------------------|-----------------------------|
| 110        | 1208035        | DIRECTOR CHILD PROTECTIVE SERVICES       | 13        | E        | \$102,907        | CSEA                        |
| 110        | 1208030        | ADMINISTRATIVE DIRECTOR-SERVICES         | 13        | E        | \$102,907        | CSEA                        |
| 110        | 1052010        | SENIOR TECHNICAL SUPPORT SERV SPECIALIST | 13        | E        | \$102,907        | CSEA                        |
| 110        | 1140020        | ASSISTANT DISTRICT ATTORNEY IV           | 15        | 3        | \$102,847        | MC-DA                       |
| 110        | 1140030        | ASSISTANT DISTRICT ATTORNEY IV           | 15        | 3        | \$102,847        | MC-DA                       |
| 110        | 1140030        | ASSISTANT DISTRICT ATTORNEY IV           | 15        | 3        | \$102,847        | MC-DA                       |
| 110        | 1140020        | ASSISTANT DISTRICT ATTORNEY IV           | 15        | 3        | \$102,847        | MC-DA                       |
| 110        | 1031010        | DEPUTY COMMISSIONER OF LABOR RELATIONS   | 15        | 3        | \$102,847        | MC                          |
| 110        | 1140030        | ASSISTANT DISTRICT ATTORNEY IV           | 15        | 3        | \$102,847        | MC-DA                       |
| 210        | 1231020        | TRAFFIC SAFETY ENGINEER                  | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1204060        | COUNSEL (SOCIAL SERVICES)                | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1204060        | COUNSEL (SOCIAL SERVICES)                | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1204060        | COUNSEL (SOCIAL SERVICES)                | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1140015        | GRAND JURY STENOGRAPHER                  | 14        | 5        | \$102,639        | CSEA                        |
| 210        | 1231020        | SENIOR CIVIL ENGINEER                    | 14        | 5        | \$102,639        | CSEA                        |
| 210        | 1231020        | SENIOR CIVIL ENGINEER                    | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1222015        | ASSISTANT ARCHITECT                      | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1253010        | SR DIRECTOR OF YOUTH BUREAU (SOC SVCS)   | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1620060        | PRINCIPAL PLANNER                        | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1222015        | CONSTRUCTION PROJECT MANAGER (BUILDINGS) | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1241020        | COORDINATOR, MENTAL DISABILITY SERVICES  | 14        | 5        | \$102,639        | CSEA                        |
| 110        | 1151030        | LIEUTENANT                               | 10        | E        | \$101,874        | PBA                         |
| 110        | 1151030        | LIEUTENANT                               | 10        | E        | \$101,874        | PBA                         |
| <b>110</b> | <b>1151010</b> | <b>SHERIFF</b>                           | <b>80</b> | <b>1</b> | <b>\$101,811</b> | <b>MC ELECTED OFFICIALS</b> |
| 281        | 1650040        | FORENSIC BIOLOGIST III                   | 13        | D        | \$101,159        | CSEA                        |
| 220        | 1801020        | CHIEF WASTEWATER TREATMENT PLANT OPER    | 13        | D        | \$100,860        | CSEA                        |
| 110        | 1131010        | DEPUTY COUNTY CLERK - FINANCE            | 13        | D        | \$100,860        | MC                          |
| 110        | 1261030        | PRINCIPAL PROBATION OFFICER              | 13        | D        | \$100,860        | CSEA                        |
| 110        | 1222015        | PROJ ENG CONSTRUCTION (PUBLIC WORKS)     | 13        | D        | \$100,860        | CSEA                        |
| 110        | 1271510        | MEDICAL CARE ADMINISTRATOR               | 13        | D        | \$100,860        | CSEA                        |
| 110        | 1151090        | SERGEANT-OFFICER                         | 11        | F        | \$100,411        | TEAMSTERS - GUARDS          |
| 110        | 1161020        | SERGEANT-OFFICER                         | 11        | F        | \$100,410        | TEAMSTERS - GUARDS          |
| 110        | 1161020        | SERGEANT-OFFICER                         | 11        | F        | \$100,410        | TEAMSTERS - GUARDS          |

|     |         |   |          |   |           |                      |
|-----|---------|---|----------|---|-----------|----------------------|
| 110 | 1161080 | SERGEANT-OFFICER                        | 11       | F | \$100,410 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11       | F | \$100,410 | TEAMSTERS - GUARDS   |
| 110 | 1161080 | SERGEANT-OFFICER                        | 11       | F | \$100,410 | TEAMSTERS - GUARDS   |
| 110 | 1204060 | COUNSEL (SOCIAL SERVICES)               | 14       | 5 | \$100,354 | CSEA                 |
| 110 | 1204060 | COUNSEL (SOCIAL SERVICES)               | 14       | 5 | \$100,354 | CSEA                 |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH) | 16       | 1 | \$100,344 | NYSNA                |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH) | 16       | 1 | \$100,344 | NYSNA                |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH) | 16       | 1 | \$100,344 | NYSNA                |
| 110 | 1165020 | SENIOR NURSE PRACTITIONER (CORR HEALTH) | 16       | 1 | \$100,344 | NYSNA                |
| 110 | 1601020 | ASSISTANT COUNTY ATTORNEY IV            | 15       | 3 | \$100,306 | MC                   |
| 110 | 1601020 | ASSISTANT COUNTY ATTORNEY IV            | 15       | 3 | \$100,306 | MC                   |
| 110 | 1120030 | ASSOCIATE DEPUTY COMPTROLLER            | 15       | 3 | \$100,306 | MC                   |
| 110 | 1601050 | ASSISTANT COUNTY ATTORNEY IV            | 15       | 3 | \$100,306 | MC                   |
| 110 | 1601030 | ASSISTANT COUNTY ATTORNEY IV            | 15       | 3 | \$100,306 | MC                   |
| 110 | 1161020 | CAPTAIN-OFFICER                         | 12       | E | \$100,218 | TEAMSTERS - SWRN SUP |
| 110 | 1161020 | CAPTAIN-OFFICER                         | 12       | E | \$100,218 | TEAMSTERS - SWRN SUP |
| 110 | 1161020 | CAPTAIN-OFFICER                         | 12       | E | \$100,218 | TEAMSTERS - SWRN SUP |
| 110 | 1271676 | HEAD NURSE (DETENTION)                  | 10       | D | \$100,040 | NYSNA                |
| 281 | 1650040 | FORENSIC CHEMIST III                    | 13       | C | \$100,019 | CSEA                 |
| 281 | 1650040 | QUALITY ASSURANCE COORDINATOR           | 13       | C | \$100,019 | CSEA                 |
| 820 | 4206205 | ASSISTANT DEPUTY DIRECTOR (LIBRARY)     | SP<br>EC |   | \$99,358  | MC Grade 10+ Special |
| 820 | 4203220 | ASSISTANT DEPUTY DIRECTOR (LIBRARY)     | SP<br>EC |   | \$99,358  | MC Grade 10+ Special |
| 820 | 4206510 | ASSISTANT DEPUTY DIRECTOR (LIBRARY)     | SP<br>EC |   | \$99,358  | MC Grade 10+ Special |
| 110 | 1273011 | CHIEF MICROBIOLOGIST (PUBLIC HEALTH)    | 13       | C | \$98,801  | CSEA                 |
| 110 | 1242010 | ASST DIRECTOR OF FORENSIC MENTAL HEALTH | 13       | C | \$98,801  | CSEA                 |
| 110 | 1271250 | ASSOCIATE EPIDEMIOLOGIST                | 13       | C | \$98,801  | CSEA                 |
| 110 | 1500040 | DATABASE PROJECT COORDINATOR (BOE)      | 13       | C | \$98,801  | CSEA                 |
| 290 | 1621120 | PRINCIPAL HOUSING INSPECTOR             | 13       | C | \$98,801  | CSEA                 |
| 110 | 1620070 | INDUSTRIAL ASSISTANCE SPECIALIST        | 13       | C | \$98,801  | CSEA                 |
| 110 | 1641030 | PARK SUPERINTENDENT                     | 13       | C | \$98,801  | CSEA                 |
| 110 | 1120020 | PRINCIPAL ACCOUNTING ANALYST            | 13       | C | \$98,801  | CSEA                 |

|     |         |   |          |   |          |                         |
|-----|---------|---|----------|---|----------|-------------------------|
| 110 | 1151030 | LIEUTENANT                                  | 10       | C | \$98,154 | PBA                     |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III             | 14       | 4 | \$98,036 | MC-DA                   |
| 281 | 1140050 | PROJECT COORDINATOR<br>VIC/WITNESS PROGRAM  | 12       | E | \$97,998 | CSEA                    |
| 210 | 1232010 | SENIOR HIGHWAY<br>MAINTENANCE ENGINEER      | 13       | C | \$97,783 | CSEA                    |
| 281 | 1140050 | ASSISTANT CRIME ANALYST                     | 12       | F | \$97,750 | CSEA                    |
| 281 | 1632010 | DEPUTY COMMISSIONER OF<br>SENIOR SERVICES   | 15       | 2 | \$97,726 | MC                      |
| 820 | 4202110 | ASSISTANT DEPUTY DIRECTOR<br>(LIBRARY)      | SP<br>EC |   | \$97,410 | MC Grade 10+<br>Special |
| 110 | 1151040 | LIEUTENANT                                  | 10       | C | \$97,225 | PBA                     |
| 281 | 1261035 | PROBATION SUPERVISOR 1                      | 12       | F | \$97,029 | CSEA                    |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1151090 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 110 | 1163020 | CORRECTION LIEUTENANT                       | 13       | E | \$97,005 | CSEA CF<br>Officers     |
| 820 | 4206120 | LIBRARY INFORMATION<br>TECHNOLOGY ADMINISTR | SP<br>EC |   | \$97,000 | MC Grade 10+<br>Special |
| 110 | 1140030 | CHIEF CONFIDENTIAL CRIMINAL<br>INVESTIGATOR | 13       | B | \$96,747 | CSEA                    |
| 110 | 1611040 | PERSONNEL SPECIALIST                        | 13       | B | \$96,747 | MC                      |
| 110 | 1004040 | EXECUTIVE ASSISTANT<br>(LEGISLATURE) I      | 13       | B | \$96,747 | MC                      |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161080 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                            | 11       | D | \$96,700 | TEAMSTERS -<br>GUARDS   |
| 110 | 1271009 | CHIEF ACCOUNTANT (HEALTH)                   | 12       | F | \$96,691 | CSEA                    |
| 110 | 1631010 | CHIEF DIETITIAN                             | 12       | F | \$96,691 | CSEA                    |
| 110 | 1206050 | CHIEF SOCIAL WELFARE<br>EXAMINER            | 12       | F | \$96,691 | CSEA                    |
| 110 | 1207040 | CHIEF SOCIAL WELFARE<br>EXAMINER            | 12       | F | \$96,691 | CSEA                    |

|     |         |   |    |   |          |                      |
|-----|---------|---|----|---|----------|----------------------|
| 110 | 1208030 | CHILD PROTECTIVE COORDINATOR            | 12 | F | \$96,691 | CSEA                 |
| 110 | 1206060 | DAY CARE PROGRAM COORDINATOR            | 12 | F | \$96,691 | CSEA                 |
| 110 | 1242020 | FORENSIC MENTAL HEALTH SPECIALIST II    | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1271022 | COORDINATOR - PUBLIC HEALTH             | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261030 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1273038 | SENIOR PUBLIC HEALTH SANITARIAN         | 12 | F | \$96,691 | CSEA                 |
| 110 | 1273030 | SENIOR PUBLIC HEALTH SANITARIAN         | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1500040 | ELECTIONS OFFICE MANAGER                | 12 | F | \$96,691 | CSEA                 |
| 110 | 1274020 | TOXICOLOGIST II                         | 12 | F | \$96,691 | CSEA                 |
| 110 | 1202020 | SOCIAL SERVICES PROGRAMS ANALYST        | 12 | F | \$96,691 | CSEA                 |
| 110 | 1201050 | ENERGY PROGRAM COORDINATOR              | 12 | F | \$96,691 | CSEA                 |
| 110 | 1205030 | ADMINISTRATIVE DIRECTOR I               | 12 | F | \$96,691 | CSEA                 |
| 820 | 4206420 | SUPERVISOR OF BLDG OPER&MAINT (LIBRARY) | 12 | F | \$96,691 | CSEA                 |
| 110 | 1273030 | ASSISTANT PUBLIC HEALTH ENGINEER        | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1620060 | SENIOR PLANNER-GEOGRAPHIC INFO SYSTEMS  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1273030 | SENIOR PUBLIC HEALTH SANITARIAN         | 12 | F | \$96,691 | CSEA                 |
| 110 | 1271009 | CHIEF ACCOUNTANT (HEALTH)               | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR I                  | 12 | F | \$96,691 | CSEA                 |
| 110 | 1151040 | LIEUTENANT                              | 10 | B | \$96,282 | PBA                  |
| 110 | 1151090 | LIEUTENANT                              | 10 | B | \$96,282 | PBA                  |
| 110 | 1151070 | LIEUTENANT                              | 10 | B | \$96,282 | PBA                  |
| 110 | 1161020 | CAPTAIN-OFFICER                         | 12 | C | \$96,091 | TEAMSTERS - SWRN SUP |
| 110 | 1165020 | REGISTERED NURSE (HOLDING CENTER)       | 08 | A | \$96,085 | TEAMSTERS - MEDICAL  |
| 110 | 1140015 | GRAND JURY STENOGRAPHER                 | 14 | 4 | \$95,766 | CSEA                 |
| 110 | 1204060 | COUNSEL (SOCIAL SERVICES)               | 14 | 4 | \$95,766 | CSEA                 |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III         | 14 | 4 | \$95,766 | MC-DA                |
| 110 | 1120020 | SENIOR SYSTEMS ACCOUNTANT               | 13 | B | \$95,731 | CSEA                 |
| 110 | 1201030 | STAFF DEVELOPMENT COORDINATOR           | 12 | F | \$95,712 | CSEA                 |
| 110 | 1205040 | ADMINISTRATIVE DIRECTOR I               | 12 | F | \$95,712 | CSEA                 |
| 110 | 1261050 | PROBATION SUPERVISOR I                  | 12 | F | \$95,712 | CSEA                 |
| 220 | 1801010 | SANITARY CHEMIST                        | 12 | F | \$95,712 | CSEA                 |

|     |         |   |    |   |          |                    |
|-----|---------|---|----|---|----------|--------------------|
| 110 | 1151050 | DETECTIVE DEPUTY                        | 09 | E | \$95,620 | PBA                |
| 110 | 1151030 | SERGEANT                                | 09 | E | \$95,620 | PBA                |
| 110 | 1151090 | SERGEANT                                | 09 | E | \$95,620 | PBA                |
| 110 | 1151030 | SERGEANT                                | 09 | E | \$95,620 | PBA                |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1161020 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1151090 | SERGEANT-OFFICER                        | 11 | C | \$94,878 | TEAMSTERS - GUARDS |
| 110 | 1052040 | TECHNICAL SUPPORT SERVICES SPECIALIST   | 12 | E | \$94,718 | CSEA               |
| 820 | 4206120 | TECHNICAL SUPPORT SERVICES SPECIALIST   | 12 | E | \$94,718 | CSEA               |
| 110 | 1261020 | PROBATION SUPERVISOR 1                  | 12 | E | \$94,718 | CSEA               |
| 110 | 1261020 | PROBATION SUPERVISOR 1                  | 12 | E | \$94,718 | CSEA               |
| 110 | 1261030 | PROBATION SUPERVISOR 1                  | 12 | E | \$94,718 | CSEA               |
| 220 | 1801010 | ASSISTANT SANITARY ENGINEER             | 12 | E | \$94,718 | CSEA               |
| 110 | 1207030 | CHIEF SOCIAL WELFARE EXAMINER           | 12 | E | \$94,718 | CSEA               |
| 110 | 1261020 | PROBATION SUPERVISOR 1                  | 12 | E | \$94,718 | CSEA               |
| 110 | 1275010 | COORDINATOR-REHABILITATION SERVICES YTH | 12 | E | \$94,718 | CSEA               |
| 110 | 1611060 | MUNICIPAL PERSONNEL CONSULTANT          | 12 | E | \$94,718 | CSEA               |
| 110 | 1611020 | RISK MANAGER                            | 12 | E | \$94,718 | MC                 |
| 110 | 1650040 | FORENSIC CHEMIST II                     | 12 | E | \$94,718 | CSEA               |
| 110 | 1207030 | ADMINISTRATIVE DIRECTOR I               | 12 | E | \$94,718 | CSEA               |
| 110 | 1208030 | CHILD PROTECTIVE COORDINATOR            | 12 | E | \$94,718 | CSEA               |
| 110 | 1208020 | ADMINISTRATIVE COORDINATOR-SERVICES     | 12 | E | \$94,718 | CSEA               |
| 110 | 1208030 | CHILD PROTECTIVE COORDINATOR            | 12 | E | \$94,718 | CSEA               |
| 110 | 1202030 | DOCUMENT MANAGEMENT SYSTEM SPECIALIST   | 12 | E | \$94,718 | CSEA               |
| 110 | 1261020 | PROBATION SUPERVISOR 1                  | 12 | E | \$94,718 | CSEA               |
| 281 | 1632010 | CHIEF DIETITIAN                         | 12 | E | \$94,718 | CSEA               |

|     |         |  |    |   |          |                        |
|-----|---------|--|----|---|----------|------------------------|
| 110 | 1273030 | SENIOR PUBLIC HEALTH<br>SANITARIAN           | 12 | E | \$94,718 | CSEA                   |
| 110 | 1261020 | PROBATION SUPERVISOR I                       | 12 | E | \$94,718 | CSEA                   |
| 110 | 1052020 | PROGRAMMER ANALYST                           | 12 | E | \$94,718 | CSEA                   |
| 110 | 1222015 | SENIOR CONTRACTS<br>ADMINISTRATOR-PW         | 12 | E | \$94,718 | CSEA                   |
| 110 | 1208040 | SOCIAL CASE SUPERVISOR                       | 12 | E | \$94,718 | CSEA                   |
| 110 | 1208040 | SOCIAL CASE SUPERVISOR                       | 12 | E | \$94,718 | CSEA                   |
| 110 | 1300010 | VETERANS SERVICE OFFICER                     | 13 | A | \$94,699 | MC                     |
| 220 | 1801010 | CHIEF OF MAINTENANCE-<br>WASTEWATER TR PLANT | 13 | A | \$94,699 | CSEA                   |
| 110 | 1071010 | FLEET MANAGER                                | 13 | A | \$94,699 | CSEA                   |
| 110 | 1052010 | SENIOR TECHNICAL SUPPORT<br>SERV SPECIALIST  | 13 | A | \$94,699 | CSEA                   |
| 210 | 1232020 | SENIOR HIGHWAY<br>MAINTENANCE ENGINEER       | 13 | A | \$94,699 | CSEA                   |
| 210 | 1232050 | SENIOR HIGHWAY<br>MAINTENANCE ENGINEER       | 13 | A | \$94,699 | CSEA                   |
| 210 | 1232030 | SENIOR HIGHWAY<br>MAINTENANCE ENGINEER       | 13 | A | \$94,699 | CSEA                   |
| 110 | 1151030 | LIEUTENANT                                   | 10 | A | \$94,433 | PBA                    |
| 110 | 1165020 | REGISTERED NURSE (HOLDING<br>CENTER)         | 08 | 7 | \$94,165 | TEAMSTERS -<br>MEDICAL |
| 110 | 1165020 | REGISTERED NURSE (HOLDING<br>CENTER)         | 08 | 7 | \$94,165 | TEAMSTERS -<br>MEDICAL |
| 110 | 1165020 | REGISTERED NURSE (HOLDING<br>CENTER)         | 08 | 7 | \$94,165 | TEAMSTERS -<br>MEDICAL |
| 110 | 1161020 | SERGEANT-OFFICER                             | 11 | C | \$93,980 | TEAMSTERS -<br>GUARDS  |
| 110 | 1151050 | DETECTIVE DEPUTY                             | 09 | D | \$93,907 | PBA                    |
| 110 | 1151050 | DETECTIVE DEPUTY (ARSON)                     | 09 | D | \$93,907 | PBA                    |
| 110 | 1151050 | DETECTIVE DEPUTY                             | 09 | D | \$93,907 | PBA                    |
| 110 | 1151040 | SERGEANT                                     | 09 | D | \$93,907 | PBA                    |
| 110 | 1151040 | DETECTIVE DEPUTY                             | 09 | D | \$93,907 | PBA                    |
| 110 | 1151060 | SERGEANT                                     | 09 | D | \$93,907 | PBA                    |
| 281 | 1261020 | PROBATION SUPERVISOR I                       | 12 | D | \$93,868 | CSEA                   |
| 110 | 1208030 | CHILD PROTECTIVE<br>COORDINATOR              | 12 | E | \$93,792 | CSEA                   |
| 110 | 1205060 | ADMINISTRATIVE DIRECTOR<br>HOME & DV SVCS    | 12 | E | \$93,792 | CSEA                   |
| 110 | 1208060 | SOCIAL CASE SUPERVISOR                       | 12 | E | \$93,792 | CSEA                   |
| 110 | 1140010 | ASSISTANT CHIEF OF<br>PROMIS/PCMS BUREAU     | 13 | A | \$93,681 | MC-DA                  |
| 110 | 1222010 | SENIOR SYSTEMS ACCOUNTANT                    | 13 | A | \$93,681 | CSEA                   |
| 110 | 1011010 | JUNIOR ADMINISTRATIVE<br>CONSULTANT CE       | 13 | A | \$93,681 | MC                     |
| 110 | 1208020 | ADMINISTRATIVE DIR PERM AND<br>CLINICAL SRV  | 13 | A | \$93,681 | CSEA                   |
| 220 | 1801010 | PRINCIPAL ACCOUNTING<br>ANALYST              | 13 | A | \$93,681 | CSEA                   |
| 110 | 1120020 | PRINCIPAL ACCOUNTING<br>ANALYST              | 13 | A | \$93,681 | CSEA                   |



|     |         |  |    |   |          |                         |
|-----|---------|--|----|---|----------|-------------------------|
| 210 | 1232040 | SENIOR HIGHWAY<br>MAINTENANCE ENGINEER   | 13 | A | \$93,681 | CSEA                    |
| 110 | 1204060 | COUNSEL (SOCIAL SERVICES)                | 14 | 3 | \$93,463 | CSEA                    |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY<br>III       | 14 | 3 | \$93,463 | MC-DA                   |
| 110 | 1271514 | PUBLIC HEALTH NURSE                      | 09 | D | \$93,289 | NYSNA                   |
| 110 | 1165020 | REGISTERED NURSE (HOLDING<br>CENTER)     | 08 | 7 | \$93,210 | TEAMSTERS -<br>MEDICAL  |
| 281 | 1650040 | FORENSIC BIOLOGIST II                    | 12 | D | \$93,142 | CSEA                    |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | B | \$93,069 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | B | \$93,069 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | B | \$93,069 | TEAMSTERS -<br>GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | B | \$93,069 | TEAMSTERS -<br>GUARDS   |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | D | \$93,064 | PBA                     |
| 110 | 1161020 | LIEUTENANT-OFFICER                       | 11 | E | \$93,041 | TEAMSTERS -<br>SWRN SUP |
| 110 | 1161020 | LIEUTENANT-OFFICER                       | 11 | E | \$93,041 | TEAMSTERS -<br>SWRN SUP |
| 110 | 1151090 | LIEUTENANT-OFFICER                       | 11 | E | \$93,041 | TEAMSTERS -<br>SWRN SUP |
| 110 | 1161020 | LIEUTENANT-OFFICER                       | 11 | E | \$93,041 | TEAMSTERS -<br>SWRN SUP |
| 110 | 1208030 | CHILD PROTECTIVE<br>COORDINATOR          | 12 | D | \$92,851 | CSEA                    |
| 110 | 1201020 | FOSTER CARE OMBUDSMAN                    | 12 | D | \$92,851 | CSEA                    |
| 110 | 1208070 | SOCIAL CASE SUPERVISOR                   | 12 | D | \$92,851 | CSEA                    |
| 110 | 1272010 | SPECIAL ASSISTANT DEPUTY<br>COMM EMS     | 12 | D | \$92,851 | CSEA                    |
| 110 | 1670020 | RADIO SUPERVISOR                         | 12 | D | \$92,851 | CSEA                    |
| 110 | 1261020 | PROBATION SUPERVISOR I                   | 12 | D | \$92,851 | CSEA                    |
| 110 | 1163020 | CORRECTION LIEUTENANT                    | 13 | C | \$92,773 | CSEA CF<br>Officers     |
| 110 | 1201030 | STAFF DEVELOPMENT DIRECTOR               | 13 | 5 | \$92,647 | CSEA                    |
| 220 | 1801020 | CHIEF WASTEWATER<br>TREATMENT PLANT OPER | 13 | 5 | \$92,647 | CSEA                    |
| 220 | 1801020 | CHIEF WASTEWATER<br>TREATMENT PLANT OPER | 13 | 5 | \$92,647 | CSEA                    |

|     |         |  |    |   |          |                     |
|-----|---------|--|----|---|----------|---------------------|
| 110 | 1093020 | DIRECTOR OF WEIGHTS AND MEASURES         | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1140010 | PUBLIC INFORMATION OFFICER (DA)          | 13 | 5 | \$92,647 | MC-DA               |
| 110 | 1641065 | PARK SUPERINTENDENT                      | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1222040 | ASBESTOS/AIR QUALITY COORDINATOR         | 13 | 5 | \$92,647 | CSEA                |
| 290 | 1621120 | SENIOR CONTRACT MONITOR-COMMUNITY DEV    | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1500030 | ASSISTANT DEPUTY COMM (BOARD OF ELECT)   | 13 | 5 | \$92,647 | MC                  |
| 110 | 1274020 | TOXICOLOGIST III                         | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1011010 | JUNIOR ADMINISTRATIVE CONSULTANT CE      | 13 | 5 | \$92,647 | MC                  |
| 110 | 1052010 | SENIOR INFORMATION SYSTEMS SPECIALIST    | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1222015 | MECHANICAL ENGINEER                      | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1271021 | PUBLIC INFORMATION OFFICER (HEALTH)      | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1620020 | SUSTAINABILITY COORDINATOR               | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1120020 | PRINCIPAL ACCOUNTING ANALYST             | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1120020 | PRINCIPAL ACCOUNTING ANALYST             | 13 | 5 | \$92,647 | CSEA                |
| 281 | 1093010 | DEPUTY COMMISSIONER OF PUBLIC ADVOCACY   | 13 | 5 | \$92,647 | MC                  |
| 281 | 1271672 | MEDICAL CARE ADMINISTRATOR               | 13 | 5 | \$92,647 | CSEA                |
| 110 | 1201020 | PROJECTS COORDINATOR (SOCIAL SERVICES)   | 13 | 5 | \$92,647 | MC                  |
| 110 | 1132010 | SECOND DEPUTY COUNTY CLERK (AUTO BUREAU) | 13 | 5 | \$92,647 | MC                  |
| 110 | 1120030 | DIRECTOR OF ACCOUNTING SERVICES          | 15 | 1 | \$92,603 | CSEA                |
| 110 | 1201020 | ASSISTANT DEPUTY COMM (SOCIAL SERVICES)  | 15 | 1 | \$92,603 | MC                  |
| 110 | 1601020 | ASSISTANT COUNTY ATTORNEY IV             | 15 | 1 | \$92,603 | MC                  |
| 210 | 1231020 | ASSOCIATE CIVIL ENGINEER                 | 15 | 1 | \$92,603 | CSEA                |
| 281 | 1261035 | PROBATION SUPERVISOR I                   | 12 | F | \$92,246 | CSEA                |
| 110 | 1165020 | REGISTERED NURSE (HOLDING CENTER)        | 08 | 6 | \$92,240 | TEAMSTERS - MEDICAL |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | C | \$92,209 | PBA                 |
| 110 | 1151090 | DETECTIVE DEPUTY                         | 09 | C | \$92,209 | PBA                 |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | C | \$92,209 | PBA                 |
| 110 | 1151050 | DETECTIVE DEPUTY (ARSON)                 | 09 | C | \$92,209 | PBA                 |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | C | \$92,209 | PBA                 |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | C | \$92,209 | PBA                 |
| 110 | 1151040 | SERGEANT                                 | 09 | C | \$92,209 | PBA                 |
| 110 | 1151030 | SERGEANT                                 | 09 | C | \$92,209 | PBA                 |
| 110 | 1151030 | SERGEANT                                 | 09 | C | \$92,209 | PBA                 |
| 110 | 1151030 | SERGEANT                                 | 09 | C | \$92,209 | PBA                 |

|     |         |  |    |   |          |                      |
|-----|---------|--|----|---|----------|----------------------|
| 110 | 1151040 | SERGEANT                                 | 09 | C | \$92,209 | PBA                  |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | B | \$92,164 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | LIEUTENANT-OFFICER                       | 11 | E | \$92,119 | TEAMSTERS - SWRN SUP |
| 281 | 1650040 | FORENSIC BIOLOGIST II                    | 12 | C | \$92,110 | CSEA                 |
| 281 | 1650040 | FIREARMS EXAMINER III                    | 12 | C | \$92,110 | CSEA                 |
| 110 | 1620020 | SOLID WASTE RECYCLING SPECIALIST         | 12 | D | \$91,926 | CSEA                 |
| 110 | 1274010 | QUALITY ASSURANCE SPEC (MEDICAL EXAM)    | 12 | D | \$91,926 | CSEA                 |
| 110 | 1273012 | SANITARY CHEMIST                         | 12 | D | \$91,884 | CSEA                 |
| 820 | 4205010 | LIBRARY DIRECTOR IV                      | 13 | B | \$91,788 | LIBRARIANS           |
| 281 | 1271230 | PROJECTS COORDINATOR (HEALTH)            | 11 | F | \$91,649 | CSEA                 |
| 820 | 4206110 | LIBRARIAN IV                             | 12 | F | \$91,631 | LIBRARIANS           |
| 281 | 1271510 | HEAD NURSE                               | 10 | B | \$91,463 | NYSNA                |
| 110 | 1151050 | DETECTIVE DEPUTY                         | 09 | C | \$91,363 | PBA                  |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | A | \$91,244 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | A | \$91,244 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | A | \$91,244 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | A | \$91,244 | TEAMSTERS - GUARDS   |
| 110 | 1161020 | SERGEANT-OFFICER                         | 11 | A | \$91,243 | TEAMSTERS - GUARDS   |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III          | 14 | 3 | \$91,193 | MC-DA                |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III          | 14 | 3 | \$91,193 | MC-DA                |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III          | 14 | 3 | \$91,193 | MC-DA                |
| 110 | 1140020 | ASSISTANT DISTRICT ATTORNEY III          | 14 | 3 | \$91,193 | MC-DA                |
| 110 | 1204060 | COUNSEL (SOCIAL SERVICES)                | 14 | 3 | \$91,193 | CSEA                 |
| 110 | 1051010 | INFORMATION SECURITY ANALYST (DISS)      | 14 | 3 | \$91,193 | CSEA                 |
| 110 | 1165010 | ASSISTANT DIRECTOR NURSING (CORR HEALTH) | 20 | 5 | \$91,088 | TEAMSTERS - SWRN SUP |
| 110 | 1274010 | MEDICAL INVESTIGATOR-FORENSIC            | 12 | C | \$90,987 | CSEA                 |
| 110 | 1271215 | COMMUNITY COALITION COORDINATOR          | 12 | C | \$90,987 | CSEA                 |
| 281 | 1620020 | SENIOR ENVIRONMENTAL COMPLIANCE SPECIALI | 12 | C | \$90,987 | CSEA                 |
| 230 | 1650050 | DIRECTOR OF LAW ENFORCEMENT COMM         | 12 | C | \$90,987 | CSEA                 |
| 110 | 1261030 | PROBATION SUPERVISOR 1                   | 12 | C | \$90,987 | CSEA                 |
| 220 | 1801010 | ASSISTANT SANITARY ENGINEER              | 12 | C | \$90,987 | CSEA                 |
| 110 | 1261020 | PROBATION SUPERVISOR 1                   | 12 | C | \$90,987 | CSEA                 |
| 281 | 1261020 | PROBATION OFFICER                        | 11 | F | \$90,970 | CSEA                 |

|            |                |  |           |          |                 |                                 |
|------------|----------------|--|-----------|----------|-----------------|---------------------------------|
| 281        | 1261020        | PROBATION OFFICER                          | 11        | F        | \$90,970        | CSEA                            |
| 110        | 1165010        | QUALITY IMPROVEMENT NURSE<br>(CORR HEALTH) | 10        | A        | \$90,518        | NYSNA                           |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151040        | SERGEANT                                   | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 281        | 1151060        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151050        | DETECTIVE DEPUTY                           | 09        | B        | \$90,501        | PBA                             |
| 110        | 1151030        | SERGEANT                                   | 09        | B        | \$90,501        | PBA                             |
| 110        | 1161020        | SERGEANT-OFFICER                           | 11        | A        | \$90,342        | TEAMSTERS -<br>GUARDS           |
| 281        | 1632010        | COORDINATOR OF INSURANCE<br>OUTREACH & CO  | 11        | F        | \$90,308        | CSEA                            |
| 281        | 1261035        | PROBATION OFFICER                          | 11        | F        | \$90,300        | CSEA                            |
| 281        | 1261035        | PROBATION OFFICER                          | 11        | F        | \$90,300        | CSEA                            |
| 281        | 1271518        | IMMUNIZATION SPECIALIST                    | 10        | A        | \$90,172        | NYSNA                           |
| <b>110</b> | <b>1131010</b> | <b>COUNTY CLERK</b>                        | <b>40</b> | <b>1</b> | <b>\$90,129</b> | <b>MC ELECTED<br/>OFFICIALS</b> |

Erie County Legislature  
Meeting Date: 04/11/2024

| SUBJECT      |      |   |
|--------------|------|---|
| COMM. 7M-5   | NFTA | NFTA - Revised Annual Budget for FYE 2025 |
|              |      |   |
| Attachments  |      |   |
| 24COMM. 7M-5 |      |   |

Regular Meeting  
March 28, 2024

**CORPORATE:**

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

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

“**RESOLVED**, that the Resolution of the Niagara Frontier Transportation Authority, identified as number 2. (C) (1) dated March 28, 2024 as set forth herein, be and hereby is accepted and approved in its entirety.”

**AYES: HUGHES, ANSARI, BLUE, BAYNES, DOWNEY, PERRY, VIRTUOSO**

**NOES: NONE**

**ADOPTED**

CORPORATE 2. C. (i)

**CORPORATE:**

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

**RECOMMENDATION:** Staff recommends the Board adopt the revised Operating and Capital Budgets for the Niagara Frontier Transportation Authority (NFTA) and Niagara Frontier Transit Metro System, Inc. (Metro) for the Fiscal Year ending March 31, 2025.

**INFORMATION:** On December 14, 2023, the Board adopted the budgets for FY 2024-2025. Staff is presenting a revised balanced budget based on current information with the assumptions noted below.

Operating Assistance is decreasing \$17,159,936 due to \$18.9 million, or 9.0%, lower than budgeted New York State operating assistance, reflecting the Governor's executive budget for FYE 2025, \$1 million, or 100%, lower than budgeted NFIA Seneca proceeds based on the expiration of the long-term gaming compact on December 31, 2023, and decreases in sales tax (\$0.5 million, or 1.8%) and mortgage tax (\$0.2 million, or 2.0%) revenues based on recent trends. These decreases have been partially offset by FTA COVID-19 relief funds increasing \$2.4 million, or 4.1%, which are earmarked by Metro for ongoing erosion of passenger fares and mandated capital projects.

Operating expenses are decreasing \$6,390,669, or 2.3%, primarily the result of adjustments to personnel services, transit fuel/ power, and general business expenses.

Non-operating/capital items are decreasing \$10,769,267, or 11.7%, primarily due to a decrease in NFTA/Metro capital spending of \$14,540,617, or 17.9%, due to the loss of dedicated rail capital funding.

**“RESOLVED**, that the Revised Operating and Capital Budgets of the NFTA and Metro attached hereto for FYE ending March 31, 2025, be, and hereby are, adopted.”

**NFTA COMBINED  
KEY ITEM REPORT  
FYE 25 FINAL BUDGET VS. FYE 25 ORIGINAL BUDGET**

|                          | <b>FYE 24<br/>BUDGET</b> | <b>FYE 25<br/>ORIGINAL<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>     | <b>%</b>      |
|--------------------------|--------------------------|---------------------------------------|------------------------------------|---------------------|---------------|
| Operating Revenues       | 123,553,783              | 137,520,626                           | 137,520,626                        | 0                   | 0.0%          |
| Operating Assistance     | <u>226,530,922</u>       | <u>229,789,153</u>                    | <u>212,629,217</u>                 | <u>(17,159,936)</u> | <u>-7.5%</u>  |
| Total Oper Revs & Asst   | 350,084,705              | 367,309,779                           | 350,149,843                        | (17,159,936)        | -4.7%         |
| Personnel Services       | 188,942,701              | 196,156,321                           | 190,760,154                        | (5,396,167)         | -2.8%         |
| Other Operating Expenses | <u>69,686,810</u>        | <u>79,118,344</u>                     | <u>78,123,842</u>                  | <u>(994,502)</u>    | <u>-1.3%</u>  |
| Total Operating Expenses | 258,629,511              | 275,274,665                           | 268,883,996                        | (6,390,669)         | -2.3%         |
| Operating Income/(Loss)  | <u>91,455,194</u>        | <u>92,035,114</u>                     | <u>81,265,847</u>                  | <u>(10,769,267)</u> | <u>-11.7%</u> |
| Non-operating/Capital    | <u>(91,455,194)</u>      | <u>(92,035,114)</u>                   | <u>(81,265,847)</u>                | <u>10,769,267</u>   | <u>-11.7%</u> |
| Net Surplus/(Deficit)    | <u>0</u>                 | <u>0</u>                              | <u>0</u>                           | <u>0</u>            | <u>n/a</u>    |

**FYE 25 FINAL BUDGET VS. FYE 25 ORIGINAL BUDGET  
Net Surplus/(Deficit)**

|                              | <b>FYE 25<br/>ORIGINAL<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>  | <b>%</b>    |
|------------------------------|---------------------------------------|------------------------------------|------------------|-------------|
| BNIA                         | 6,336,763                             | 6,724,959                          | 388,196          | 6.1%        |
| NFIA                         | <u>(6,336,763)</u>                    | <u>(6,724,959)</u>                 | <u>(388,196)</u> | <u>6.1%</u> |
| Total Aviation               | <u>0</u>                              | <u>0</u>                           | <u>0</u>         | <u>n/a</u>  |
| Metro                        | 4,919,335                             | 5,063,052                          | 143,717          | 2.9%        |
| Transportation Centers       | <u>(4,919,335)</u>                    | <u>(5,063,052)</u>                 | <u>(143,717)</u> | <u>2.9%</u> |
| Total Surface Transportation | <u>0</u>                              | <u>0</u>                           | <u>0</u>         | <u>n/a</u>  |
| Property Development         | <u>0</u>                              | <u>0</u>                           | <u>0</u>         | <u>n/a</u>  |
| NFTA/Metro Combined          | 0                                     | 0                                  | 0                | n/a         |



**NFTA/METRO**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|  | <b>FY 22-23</b>           | <b>FY 23-24</b>           | <b>FY 24-25</b>           | <b>FY 24-25</b>           |                            |                     |
|--|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|---------------------|
|  | <b>ACTUAL</b>             | <b>BUDGET</b>             | <b>TENTATIVE</b>          | <b>FINAL</b>              | <b>VARIANCE</b>            | <b>%</b>            |
|  |                           |                           | <b>BUDGET</b>             | <b>BUDGET</b>             |                            |                     |
| <b>OPERATING REVENUES</b>                  |                           |                           |                           |                           |                            |                     |
| Passenger Fares                            | 25,639,810                | 24,188,822                | 27,800,000                | 27,800,000                | 0                          | 0.0%                |
| Airport Fees & Services                    | 20,470,081                | 29,625,375                | 31,326,218                | 31,326,218                | 0                          | 0.0%                |
| Rental Income                              | 19,798,221                | 24,957,601                | 26,643,583                | 26,643,583                | 0                          | 0.0%                |
| Concessions/Commissions                    | 31,242,098                | 38,626,257                | 42,432,824                | 42,432,824                | 0                          | 0.0%                |
| Resales & Rebillings                       | 1,856,725                 | 1,854,334                 | 1,772,500                 | 1,772,500                 | 0                          | 0.0%                |
| Other Operating Revenues                   | <u>4,458,385</u>          | <u>4,301,394</u>          | <u>7,545,501</u>          | <u>7,545,501</u>          | 0                          | 0.0%                |
| <b>TOTAL OPERATING REVENUES</b>            | <b>103,465,320</b>        | <b>123,553,783</b>        | <b>137,520,626</b>        | <b>137,520,626</b>        | <b>0</b>                   | <b>0.0%</b>         |
| <b>OPERATING ASSISTANCE</b>                |                           |                           |                           |                           |                            |                     |
| Local - 18b Match                          | 4,100,000                 | 4,100,000                 | 4,100,000                 | 4,100,000                 | 0                          | 0.0%                |
| Erie County Sales Tax                      | 26,840,496                | 27,286,304                | 28,241,325                | 27,741,325                | (500,000)                  | -1.8%               |
| Mortgage Tax                               | 13,826,191                | 13,067,029                | 10,319,099                | 10,116,764                | (202,335)                  | -2.0%               |
| Peace Bridge                               | 200,000                   | 200,000                   | 200,000                   | 200,000                   | 0                          | 0.0%                |
| State - 18b                                | 4,100,000                 | 4,100,000                 | 4,100,000                 | 4,100,000                 | 0                          | 0.0%                |
| State - MTOAF                              | 31,424,900                | 30,902,700                | 35,538,105                | 31,443,500                | (4,094,605)                | -11.5%              |
| State - DMTTF                              | 14,644,000                | 14,287,400                | 16,430,510                | 13,746,600                | (2,683,910)                | -16.3%              |
| State - Additional General Fund            | 17,247,100                | 23,715,200                | 33,131,155                | 33,027,100                | (104,055)                  | -0.3%               |
| State - Supplemental                       | 750,000                   | 0                         | 0                         | 0                         | 0                          | n/a                 |
| State - Rail Dedicated                     | 0                         | 0                         | 12,000,000                | 0                         | (12,000,000)               | -100.0%             |
| State - PM Match                           | 2,376,112                 | 2,423,634                 | 2,472,107                 | 2,472,107                 | 0                          | 0.0%                |
| Federal - Sec 5311                         | 79,000                    | 81,000                    | 83,430                    | 83,430                    | 0                          | 0.0%                |
| Federal - PM                               | 19,008,894                | 19,389,072                | 19,776,853                | 19,776,853                | 0                          | 0.0%                |
| Federal - FAA COVID Relief                 | 10,527,083                | 10,428,107                | 3,841,419                 | 3,841,419                 | 0                          | 0.0%                |
| Federal Operating Assistance               | 182,497                   | 285,440                   | 285,440                   | 285,440                   | 0                          | 0.0%                |
| Federal - K-9 Cops                         | 353,500                   | 353,500                   | 353,500                   | 353,500                   | 0                          | 0.0%                |
| Federal - DEA Expenditures                 | 11,404                    | 60,000                    | 60,000                    | 60,000                    | 0                          | 0.0%                |
| Federal - DEA OT Reimbursement             | 11,690                    | 17,202                    | 17,202                    | 17,202                    | 0                          | 0.0%                |
| Federal - FTA COVID Relief                 | <u>38,200,000</u>         | <u>75,834,334</u>         | <u>58,839,008</u>         | <u>61,263,977</u>         | <u>2,424,969</u>           | <u>4.1%</u>         |
| <b>TOTAL OPERATING ASSISTANCE</b>          | <b><u>183,882,867</u></b> | <b><u>226,530,922</u></b> | <b><u>229,789,153</u></b> | <b><u>212,629,217</u></b> | <b><u>(17,159,936)</u></b> | <b><u>-7.5%</u></b> |
| <b>TOTAL REVENUES &amp; OPERATING ASST</b> | <b>287,348,187</b>        | <b>350,084,705</b>        | <b>367,309,779</b>        | <b>350,149,843</b>        | <b>(17,159,936)</b>        | <b>-4.7%</b>        |

**NFTA/METRO**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>            | <b>FY 23-24</b>           | <b>FY 24-25</b>            | <b>FY 24-25</b>            |                           |                     |
|---|----------------------------|---------------------------|----------------------------|----------------------------|---------------------------|---------------------|
|   | <b>ACTUAL</b>              | <b>BUDGET</b>             | <b>TENTATIVE</b>           | <b>FINAL</b>               | <b>VARIANCE</b>           | <b>%</b>            |
|   |                            |                           | <b>BUDGET</b>              | <b>BUDGET</b>              |                           |                     |
| <b>OPERATING EXPENSES (Excl. Depr.)</b>     |                            |                           |                            |                            |                           |                     |
| Personnel Services                          | 154,900,818                | 188,942,701               | 196,156,321                | 190,760,154                | (5,396,167)               | -2.8%               |
| Maintenance & Repairs                       | 22,171,344                 | 26,150,057                | 32,368,221                 | 32,368,221                 | 0                         | 0.0%                |
| Transit Fuel/Power                          | 5,763,086                  | 6,991,727                 | 6,931,992                  | 5,931,992                  | (1,000,000)               | -14.4%              |
| Utilities                                   | 5,657,042                  | 6,798,896                 | 6,465,702                  | 6,465,702                  | 0                         | 0.0%                |
| Insurance & Injuries                        | 5,699,261                  | 6,704,583                 | 8,679,197                  | 8,679,197                  | 0                         | 0.0%                |
| Safety & Security                           | 15,644,584                 | 17,820,225                | 18,297,321                 | 18,297,321                 | 0                         | 0.0%                |
| Operations & Technology                     | 7,124,157                  | 8,638,863                 | 11,097,986                 | 11,097,986                 | 0                         | 0.0%                |
| General Business/Other                      | 33,389,959                 | 41,253,069                | 43,188,777                 | 42,605,437                 | (583,340)                 | -1.4%               |
| Administrative Cost Reallocation            | 0                          | 0                         | 0                          | 0                          | 0                         | n/a                 |
| Costs Transferred to Capital Projects       | (1,805,371)                | (2,098,653)               | (1,895,552)                | (1,895,552)                | 0                         | 0.0%                |
| Inter Division Reimbursement                | <u>(37,258,603)</u>        | <u>(42,571,959)</u>       | <u>(46,015,300)</u>        | <u>(45,426,462)</u>        | <u>588,838</u>            | <u>-1.3%</u>        |
| <b>TOTAL OPERATING EXPENSES</b>             | <b><u>211,286,277</u></b>  | <b><u>258,629,511</u></b> | <b><u>275,274,665</u></b>  | <b><u>268,883,996</u></b>  | <b><u>(6,390,669)</u></b> | <b><u>-2.3%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>              | <b>76,061,910</b>          | <b>91,455,194</b>         | <b>92,035,114</b>          | <b>81,265,847</b>          | <b>(10,769,267)</b>       | <b>-11.7%</b>       |
| <b>NON-OPERATING ITEMS</b>                  |                            |                           |                            |                            |                           |                     |
| Bond Debt Service                           | (17,375,750)               | (17,587,250)              | (12,224,750)               | (12,224,750)               | 0                         | 0.0%                |
| Debt Service - Noresco                      | (210,443)                  | 0                         | 0                          | 0                          | 0                         | n/a                 |
| Operating Expense Reserve & R&R Rsv         | 642,419                    | (437,189)                 | (504,516)                  | (504,516)                  | 0                         | 0.0%                |
| Interest/Other                              | (1,318)                    | 1,500,000                 | 2,250,000                  | 2,500,000                  | 250,000                   | 11.1%               |
| Operating Revenue Reserve - Passenger Fares | (25,332,879)               | 10,800,000                | 0                          | 0                          | 0                         | n/a                 |
| Operating Expense Reserve - Personnel       | 4,107,853                  | 0                         | 0                          | 0                          | 0                         | n/a                 |
| SIF Reserve Funding                         | (4,400,000)                | (3,900,000)               | (1,201,669)                | (4,066,335)                | (2,864,666)               | 238.4%              |
| Metro COVID Operating Reserve               | (11,078,321)               | 0                         | 0                          | 0                          | 0                         | n/a                 |
| Intercompany Transfer                       | 0                          | 0                         | 0                          | 0                          | 0                         | n/a                 |
| Investment in ADF (net)                     | 0                          | (1,249,530)               | (4,638,892)                | (6,370,577)                | (1,731,685)               | 37.3%               |
| Property Acquisition/Other                  | 225,000                    | 225,000                   | 225,000                    | 225,000                    | 0                         | 0.0%                |
| PFC   | 0                          | 0                         | 4,049,586                  | 4,049,586                  | 0                         | 0.0%                |
| Interest Income                             | 1,608,390                  | 400,000                   | 425,000                    | 2,000,000                  | 1,575,000                 | 370.6%              |
| Seneca Proceeds                             | <u>1,000,000</u>           | <u>750,000</u>            | <u>1,000,000</u>           | <u>0</u>                   | <u>(1,000,000)</u>        | <u>-100.0%</u>      |
| <b>TOTAL NON-OPERATING ITEMS</b>            | <b><u>(50,815,049)</u></b> | <b><u>(9,498,969)</u></b> | <b><u>(10,620,242)</u></b> | <b><u>(14,391,592)</u></b> | <b><u>(3,771,350)</u></b> | <b><u>35.5%</u></b> |
| <b>NET INCOME/(LOSS)</b>                    | <b>25,246,861</b>          | <b>81,956,225</b>         | <b>81,414,872</b>          | <b>66,874,255</b>          | <b>(14,540,617)</b>       | <b>-17.9%</b>       |
| <b>LESS: DIRECT CAPITAL</b>                 | <b>16,399,473</b>          | <b>81,956,225</b>         | <b>81,414,872</b>          | <b>66,874,255</b>          | <b>(14,540,617)</b>       | <b>-17.9%</b>       |
| <b>LESS: INDIRECT CAPITAL</b>               | <b>0</b>                   | <b>0</b>                  | <b>0</b>                   | <b>0</b>                   | <b>0</b>                  | <b>n/a</b>          |
| <b>NET SURPLUS/(DEFICIT)</b>                | <b><u>8,847,388</u></b>    | <b><u>0</u></b>           | <b><u>0</u></b>            | <b><u>0</u></b>            | <b><u>0</u></b>           | <b><u>n/a</u></b>   |

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY**  
**FY 2024-25 TENTATIVE BUDGET AND CAPITAL PLAN**  
**VS.**  
**FY 2024-25 FINAL BUDGET AND CAPITAL PLAN**

| <b>BUSINESS CENTER</b>               | <b>FYE 24<br/>BUDGET</b> | <b>FYE 25<br/>TENTATIVE<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>     | <b>%</b>      |
|--------------------------------------|--------------------------|--|------------------------------------|---------------------|---------------|
| <b>SURFACE TRANSPORTATION GROUP</b>  |                          |  |                                    |                     |               |
| <b>METRO CONSOLIDATED</b>            |                          |  |                                    |                     |               |
| Operating Revenues & Assistance      | 240,720,165              | 254,244,602                            | 237,084,666                        | (17,159,936)        | -6.7%         |
| Operating Expenses                   | <u>183,466,218</u>       | <u>193,452,520</u>                     | <u>186,568,271</u>                 | <u>(6,884,249)</u>  | <u>-3.6%</u>  |
| Operating Income/(Loss)              | 57,253,946               | 60,792,082                             | 50,516,395                         | (10,275,687)        | -16.9%        |
| Non-operating Items:                 |                          |  |                                    |                     |               |
| Intercompany Transfer                | (763,345)                | 0                                      | 0                                  | 0                   | n/a           |
| Interest/Other                       | 1,500,000                | 2,250,000                              | 2,500,000                          | 250,000             | 11.1%         |
| Operating Rev Rsrv - Passenger Fares | 10,800,000               | 0                                      | 0                                  | 0                   | n/a           |
| SIF Reserve Funding                  | (918,897)                | (1,201,669)                            | (4,066,335)                        | (2,864,666)         | 238.4%        |
| Direct Capital                       | 60,120,842               | 54,158,902                             | 40,003,736                         | (14,155,166)        | -26.1%        |
| Indirect Capital                     | <u>2,668,362</u>         | <u>2,762,176</u>                       | <u>3,883,272</u>                   | <u>1,121,097</u>    | <u>40.6%</u>  |
| Total Capital                        | <u>62,789,204</u>        | <u>56,921,078</u>                      | <u>43,887,008</u>                  | <u>(13,034,069)</u> | <u>-22.9%</u> |
| Net Surplus/(Deficit)                | 5,082,500                | 4,919,335                              | 5,063,052                          | 143,717             | 2.9%          |

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY**  
**FY 2024-25 TENTATIVE BUDGET AND CAPITAL PLAN**  
**VS.**  
**FY 2024-25 FINAL BUDGET AND CAPITAL PLAN**

| <b>BUSINESS CENTER</b>               | <b>FYE 24<br/>BUDGET</b> | <b>FYE 25<br/>TENTATIVE<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>    | <b>%</b>      |
|--------------------------------------|--------------------------|--|------------------------------------|--------------------|---------------|
| <b>AVIATION BUSINESS GROUP</b>       |                          |  |                                    |                    |               |
| <b>BNIA</b>                          |                          |  |                                    |                    |               |
| Operating Revenues & Assistance      | 99,917,187               | 103,393,032                            | 103,393,032                        | 0                  | 0.0%          |
| Operating Expenses                   | <u>59,864,867</u>        | <u>65,057,071</u>                      | <u>65,367,529</u>                  | <u>310,458</u>     | <u>0.5%</u>   |
| Operating Income/(Loss)              | 40,052,320               | 38,335,961                             | 38,025,503                         | (310,458)          | -0.8%         |
| Non-operating Items:                 |                          |  |                                    |                    |               |
| Bond Debt Service                    | (17,587,250)             | (12,224,750)                           | (12,224,750)                       | 0                  | 0.0%          |
| Operating Expense Reserves/ADF       | (2,751,501)              | (7,100,747)                            | (9,484,256)                        | (2,383,509)        | 33.6%         |
| SIF Reserve Funding                  | (2,740,356)              | 0                                      | 0                                  | 0                  | n/a           |
| PFC                                  | 0                        | 4,049,586                              | 4,049,586                          | 0                  | 0.0%          |
| Interest Income                      | 400,000                  | 425,000                                | 2,000,000                          | 1,575,000          | 370.6%        |
| Direct Capital                       | 9,977,533                | 15,012,681                             | 12,638,730                         | (2,373,951)        | -15.8%        |
| Indirect Capital                     | <u>2,063,072</u>         | <u>2,135,606</u>                       | <u>3,002,394</u>                   | <u>866,788</u>     | <u>40.6%</u>  |
| Total Capital                        | <u>12,040,605</u>        | <u>17,148,287</u>                      | <u>15,641,124</u>                  | <u>(1,507,163)</u> | <u>-8.8%</u>  |
| Net Surplus/(Deficit)                | 5,332,608                | 6,336,763                              | 6,724,959                          | 388,196            | 6.1%          |
| <b>NFIA</b>                          |                          |  |                                    |                    |               |
| Operating Revenues & Assistance      | 1,869,997                | 1,796,946                              | 1,796,946                          | 0                  | 0.0%          |
| Operating Expenses                   | <u>6,514,083</u>         | <u>7,186,377</u>                       | <u>7,252,866</u>                   | <u>66,490</u>      | <u>0.9%</u>   |
| Operating Income/(Loss)              | (4,644,086)              | (5,389,431)                            | (5,455,920)                        | (66,490)           | 1.2%          |
| Non-operating Items:                 |                          |  |                                    |                    |               |
| SIF Reserve Funding                  | (181,591)                | 0                                      | 0                                  | 0                  | n/a           |
| Seneca Proceeds                      | 750,000                  | 1,000,000                              | 0                                  | (1,000,000)        | -100.0%       |
| Direct Capital                       | 786,150                  | 1,460,000                              | 583,911                            | (876,089)          | -60.0%        |
| Indirect Capital                     | <u>470,780</u>           | <u>487,332</u>                         | <u>685,128</u>                     | <u>197,796</u>     | <u>40.6%</u>  |
| Total Capital                        | <u>1,256,930</u>         | <u>1,947,332</u>                       | <u>1,269,039</u>                   | <u>(678,293)</u>   | <u>-34.8%</u> |
| Net Surplus/(Deficit)                | (5,332,608)              | (6,336,763)                            | (6,724,959)                        | (388,196)          | 6.1%          |
| <b>TOTAL AVIATION BUSINESS GROUP</b> |                          |  |                                    |                    |               |
| Operating Revenues                   | 101,787,184              | 105,189,978                            | 105,189,978                        | 0                  | 0.0%          |
| Operating Expenses                   | <u>66,378,950</u>        | <u>72,243,448</u>                      | <u>72,620,396</u>                  | <u>376,948</u>     | <u>0.5%</u>   |
| Operating Income/(Loss)              | 35,408,234               | 32,946,530                             | 32,569,582                         | (376,948)          | -1.1%         |
| Non-operating Items:                 |                          |  |                                    |                    |               |
| Bond Debt Service                    | (17,587,250)             | (12,224,750)                           | (12,224,750)                       | 0                  | 0.0%          |
| Operating Expense Reserves/ADF       | (2,751,501)              | (7,100,747)                            | (9,484,256)                        | (2,383,509)        | 33.6%         |
| SIF Reserve Funding                  | (2,921,947)              | 0                                      | 0                                  | 0                  | n/a           |
| PFC                                  | 0                        | 4,049,586                              | 4,049,586                          | 0                  | 0.0%          |
| Interest Income                      | 400,000                  | 425,000                                | 2,000,000                          | 1,575,000          | 370.6%        |
| Seneca Proceeds                      | 750,000                  | 1,000,000                              | 0                                  | (1,000,000)        | -100.0%       |
| Direct Capital                       | 10,763,683               | 16,472,681                             | 13,222,641                         | (3,250,040)        | -19.7%        |
| Indirect Capital                     | <u>2,533,853</u>         | <u>2,622,938</u>                       | <u>3,687,522</u>                   | <u>1,064,584</u>   | <u>40.6%</u>  |
| Total Capital                        | <u>13,297,536</u>        | <u>19,095,619</u>                      | <u>16,910,163</u>                  | <u>(2,185,456)</u> | <u>-11.4%</u> |
| Net Surplus/(Deficit)                | 0                        | 0                                      | 0                                  | 0                  | n/a           |

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY**  
**FY 2024-25 TENTATIVE BUDGET AND CAPITAL PLAN**  
**VS.**  
**FY 2024-25 FINAL BUDGET AND CAPITAL PLAN**

| <b>BUSINESS CENTER</b>                    | <b>FYE 24<br/>BUDGET</b> | <b>FYE 25<br/>TENTATIVE<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b> | <b>%</b>     |
|---|--------------------------|--|------------------------------------|-----------------|--------------|
| <b>FACILITIES &amp; PROPERTIES GROUP</b>  |                          |  |                                    |                 |              |
| <b>TRANSPORTATION CENTERS</b>             |                          |  |                                    |                 |              |
| Operating Revenues                        | 2,776,700                | 2,855,660                              | 2,855,660                          | 0               | 0.0%         |
| Operating Expenses                        | <u>4,272,676</u>         | <u>4,558,301</u>                       | <u>4,597,236</u>                   | <u>38,935</u>   | <u>0.9%</u>  |
| Operating Income/(Loss)                   | (1,495,976)              | (1,702,641)                            | (1,741,576)                        | (38,935)        | 2.3%         |
| Non-operating Items:                      |                          |  |                                    |                 |              |
| SIF Reserve Funding                       | (26,437)                 | 0                                      | 0                                  | 0               | n/a          |
| Intercompany Transfer                     | 763,345                  | 0                                      | 0                                  | 0               | n/a          |
| Direct Capital                            | 4,047,750                | 2,931,319                              | 2,920,275                          | (11,044)        | -0.4%        |
| Indirect Capital                          | <u>275,682</u>           | <u>285,375</u>                         | <u>401,201</u>                     | <u>115,826</u>  | <u>40.6%</u> |
| Total Capital                             | <u>4,323,432</u>         | <u>3,216,694</u>                       | <u>3,321,476</u>                   | <u>104,782</u>  | <u>3.3%</u>  |
| Net Surplus/(Deficit)                     | (5,082,500)              | (4,919,335)                            | (5,063,052)                        | (143,717)       | 2.9%         |
| <b>PROPERTY DEVELOPMENT</b>               |                          |  |                                    |                 |              |
| Operating Revenues                        | 4,084,514                | 4,303,397                              | 4,303,397                          | 0               | 0.0%         |
| Operating Expenses                        | <u>3,795,523</u>         | <u>4,304,254</u>                       | <u>4,381,952</u>                   | <u>77,698</u>   | <u>1.8%</u>  |
| Operating Income/(Loss)                   | 288,991                  | (857)                                  | (78,555)                           | (77,698)        | 9067.5%      |
| Non-operating Items:                      |                          |  |                                    |                 |              |
| SIF Reserve Funding                       | (32,719)                 | 0                                      | 0                                  | 0               | n/a          |
| Investment from Reserves                  | 1,064,782                | 1,957,339                              | 2,609,163                          | 651,824         | 33.3%        |
| Property Acquisition                      | 225,000                  | 225,000                                | 225,000                            | 0               | 0.0%         |
| Direct Capital                            | 965,000                  | 1,580,000                              | 1,910,000                          | 330,000         | 20.9%        |
| Indirect Capital                          | 581,053                  | 601,482                                | 845,608                            | <u>244,126</u>  | <u>40.6%</u> |
| Total Capital                             | <u>1,546,053</u>         | <u>2,181,482</u>                       | <u>2,755,608</u>                   | <u>574,126</u>  | <u>26.3%</u> |
| Net Surplus/(Deficit)                     | 0                        | 0                                      | 0                                  | 0               | n/a          |
| <b>TOTAL FACIL &amp; PROPERTIES GROUP</b> |                          |  |                                    |                 |              |
| Operating Revenues                        | 6,861,214                | 7,159,057                              | 7,159,057                          | 0               | 0.0%         |
| Operating Expenses                        | <u>8,068,199</u>         | <u>8,862,555</u>                       | <u>8,979,188</u>                   | <u>116,633</u>  | <u>1.3%</u>  |
| Operating Income/(Loss)                   | (1,206,985)              | (1,703,498)                            | (1,820,131)                        | (116,633)       | 6.8%         |
| Non-operating Items:                      |                          |  |                                    |                 |              |
| SIF Reserve Funding                       | (59,156)                 | 0                                      | 0                                  | 0               | n/a          |
| Investment from Reserves                  | 1,064,782                | 1,957,339                              | 2,609,163                          | 651,824         | 33.3%        |
| Intercompany Transfer                     | 763,345                  | 0                                      | 0                                  | 0               | n/a          |
| Property Acquisition                      | 225,000                  | 225,000                                | 225,000                            | 0               | 0.0%         |
| Direct Capital                            | 5,012,750                | 4,511,319                              | 4,830,275                          | 318,956         | 7.1%         |
| Indirect Capital                          | <u>856,736</u>           | <u>886,857</u>                         | <u>1,246,809</u>                   | <u>359,953</u>  | <u>40.6%</u> |
| Total Capital                             | <u>5,869,486</u>         | <u>5,398,176</u>                       | <u>6,077,084</u>                   | <u>678,909</u>  | <u>12.6%</u> |
| Net Surplus/(Deficit)                     | (5,082,500)              | (4,919,335)                            | (5,063,052)                        | (143,718)       | 2.9%         |

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY**  
**FY 2024-25 TENTATIVE BUDGET AND CAPITAL PLAN**  
**VS.**  
**FY 2024-25 FINAL BUDGET AND CAPITAL PLAN**

| <b>BUSINESS CENTER</b>               | <b>FYE 24<br/>BUDGET</b> | <b>FYE 25<br/>TENTATIVE<br/>BUDGET</b> | <b>FYE 25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>     | <b>%</b>      |
|--------------------------------------|--------------------------|--|------------------------------------|---------------------|---------------|
| <b>CENTRAL ADMINISTRATION</b>        |                          |  |                                    |                     |               |
| Operating Assistance                 | 716,142                  | 716,142                                | 716,142                            | 0                   | 0.0%          |
| Operating Expenses                   | <u>716,142</u>           | <u>716,142</u>                         | <u>716,142</u>                     | <u>0</u>            | <u>0.0%</u>   |
| Operating Income/(Loss)              | 0                        | 0                                      | 0                                  | 0                   | n/a           |
| Direct Capital                       | 6,058,950                | 6,271,970                              | 8,817,603                          | 2,545,633           | 40.6%         |
| Indirect Capital                     | <u>(6,058,950)</u>       | <u>(6,271,970)</u>                     | <u>(8,817,603)</u>                 | <u>(2,545,633)</u>  | <u>40.6%</u>  |
| Total Capital                        | <u>0</u>                 | <u>0</u>                               | <u>0</u>                           | <u>0</u>            | <u>n/a</u>    |
| Net Surplus/(Deficit)                | 0                        | 0                                      | 0                                  | 0                   | n/a           |
| <b>CONSOLIDATED</b>                  |                          |  |                                    |                     |               |
| Operating Revenues & Assistance      | 350,084,705              | 367,309,779                            | 350,149,843                        | (17,159,936)        | -4.7%         |
| Operating Expenses                   | <u>258,629,511</u>       | <u>275,274,665</u>                     | <u>268,883,996</u>                 | <u>(6,390,669)</u>  | <u>-2.3%</u>  |
| Operating Income/(Loss)              | 91,455,194               | 92,035,114                             | 81,265,847                         | (10,769,267)        | -11.7%        |
| Non-operating Items:                 |                          |  |                                    |                     |               |
| Bond Debt Service                    | (17,587,250)             | (12,224,750)                           | (12,224,750)                       | 0                   | 0.0%          |
| Interest/Other                       | 1,500,000                | 2,250,000                              | 2,500,000                          | 250,000             | 11.1%         |
| Operating Rev Rsrv - Passenger Fares | 10,800,000               | 0                                      | 0                                  | 0                   | n/a           |
| SIF Reserve Funding                  | (3,900,000)              | (1,201,669)                            | (4,066,335)                        | (2,864,666)         | 238.4%        |
| Intercompany Transfer - Metro        | (763,345)                | 0                                      | 0                                  | 0                   | n/a           |
| Operating Expense Reserves/ADF       | (1,686,719)              | (5,143,408)                            | (6,875,093)                        | (1,731,685)         | 33.7%         |
| Interest Income                      | 400,000                  | 425,000                                | 2,000,000                          | 1,575,000           | 370.6%        |
| Intercompany Transfer - Tr Ctrs      | 763,345                  | 0                                      | 0                                  | 0                   | n/a           |
| PFC                                  | 0                        | 4,049,586                              | 4,049,586                          | 0                   | 0.0%          |
| Seneca Proceeds                      | 750,000                  | 1,000,000                              | 0                                  | (1,000,000)         | -100.0%       |
| Property Acquisition                 | 225,000                  | 225,000                                | 225,000                            | 0                   | 0.0%          |
| Direct Capital                       | 81,956,225               | 81,414,872                             | 66,874,255                         | (14,540,617)        | -17.9%        |
| Indirect Capital                     | 0                        | 0                                      | 0                                  | 0                   | n/a           |
| Total Capital                        | <u>81,956,225</u>        | <u>81,414,872</u>                      | <u>66,874,255</u>                  | <u>(14,540,617)</u> | <u>-17.9%</u> |
| Net Surplus/(Deficit)                | 0                        | 0                                      | 0                                  | 0                   | n/a           |

NIAGARA FRONTIER TRANSPORTATION AUTHORITY  
(\$000's)

|                                       | METRO          | BNIA           | NFIA         | AIRPORT<br>BUSN<br>GROUP<br>SUBTOTAL | TRANSP<br>CTRS | PROP<br>DEV  | FACIL &<br>PROPERTY<br>GROUP<br>SUBTOTAL | CENTRAL<br>ADMIN | FYE25<br>CONSOL<br>TOTAL | FYE24<br>ADOPTED<br>BUDGET | VARIANCE        | %<br>VARIANCE |
|---------------------------------------|----------------|----------------|--------------|--------------------------------------|----------------|--------------|--|------------------|--------------------------|----------------------------|-----------------|---------------|
| <b>REVENUES &amp; ASSISTANCE</b>      |                |                |              |                                      |                |              |  |                  |                          |                            |                 |               |
| Operating Revenues                    |                |                |              |                                      |                |              |  |                  |                          |                            |                 |               |
| Airport Fees & Services               | 0              | 31,234         | 92           | 31,326                               | 0              | 0            | 0  | 0                | 31,326                   | 29,625                     | 1,701           | 5.7%          |
| Passenger Fares                       | 27,800         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 27,800                   | 24,189                     | 3,611           | 14.9%         |
| Rental Income                         | 0              | 19,269         | 302          | 19,571                               | 2,804          | 4,269        | 7,073                                    | 0                | 26,644                   | 24,958                     | 1,686           | 6.8%          |
| Concessions/Commissions               | 0              | 41,125         | 1,257        | 42,382                               | 51             | 0            | 51                                       | 0                | 42,433                   | 38,626                     | 3,807           | 9.9%          |
| Resales & Rebillings                  | 0              | 1,716          | 21           | 1,737                                | 1              | 34           | 35                                       | 0                | 1,773                    | 1,854                      | (82)            | -4.4%         |
| Other Operating Revenues              | <u>1,213</u>   | <u>6,202</u>   | <u>125</u>   | <u>6,332</u>                         | <u>0</u>       | <u>0</u>     | <u>0</u>                                 | <u>0</u>         | <u>7,546</u>             | <u>4,301</u>               | <u>3,244</u>    | <u>75.4%</u>  |
|                                       | 29,013         | 99,552         | 1,797        | 101,349                              | 2,856          | 4,303        | 7,159                                    | 0                | 137,521                  | 123,554                    | 13,967          | 11.3%         |
| <b>Operating Assistance</b>           |                |                |              |                                      |                |              |  |                  |                          |                            |                 |               |
| Local - 18b Match                     | 4,100          | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 4,100                    | 4,100                      | 0               | 0.0%          |
| Eric County Sales Tax                 | 27,741         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 27,741                   | 27,286                     | 455             | 1.7%          |
| Mortgage Tax                          | 10,117         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 10,117                   | 13,067                     | (2,950)         | -22.6%        |
| Peace Bridge                          | 200            | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 200                      | 200                        | 0               | 0.0%          |
| State - 18b                           | 4,100          | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 4,100                    | 4,100                      | 0               | 0.0%          |
| State - MTOAF                         | 31,444         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 31,444                   | 30,903                     | 541             | 1.8%          |
| State - DMTTF                         | 13,747         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 13,747                   | 14,287                     | (541)           | -3.8%         |
| State - Additional General Fund       | 33,027         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 33,027                   | 23,715                     | 9,312           | 39.3%         |
| State - PM Match                      | 2,472          | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 2,472                    | 2,424                      | 48              | 2.0%          |
| Federal - Sec 5311                    | 83             | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 83                       | 81                         | 2               | 3.0%          |
| Federal - PM                          | 19,777         | 0              | 0            | 0                                    | 0              | 0            | 0  | 0                | 19,777                   | 19,389                     | 388             | 2.0%          |
| Federal - FAA COVID Relief            | 0              | 3,841          | 0            | 3,841                                | 0              | 0            | 0  | 0                | 3,841                    | 10,428                     | (6,587)         | -63.2%        |
| Federal Operating Assistance          | 0              | 0              | 0            | 0                                    | 0              | 0            | 0  | 285              | 285                      | 285                        | 0               | 0.0%          |
| Federal - K-9 Cops                    | 0              | 0              | 0            | 0                                    | 0              | 0            | 0  | 354              | 354                      | 354                        | 0               | 0.0%          |
| Federal - DEA Expenditures            | 0              | 0              | 0            | 0                                    | 0              | 0            | 0  | 60               | 60                       | 60                         | 0               | 0.0%          |
| Federal - DEA OT Reimbursement        | 0              | 0              | 0            | 0                                    | 0              | 0            | 0  | 17               | 17                       | 17                         | 0               | 0.0%          |
| Federal - FTA COVID Relief            | <u>61,264</u>  | <u>0</u>       | <u>0</u>     | <u>0</u>                             | <u>0</u>       | <u>0</u>     | <u>0</u>                                 | <u>0</u>         | <u>61,264</u>            | <u>75,834</u>              | <u>(14,570)</u> | <u>-19.2%</u> |
| Total Operating Assistance            | <u>208,072</u> | <u>3,841</u>   | <u>0</u>     | <u>3,841</u>                         | <u>0</u>       | <u>0</u>     | <u>0</u>                                 | <u>716</u>       | <u>212,629</u>           | <u>226,531</u>             | <u>(13,902)</u> | <u>-6.1%</u>  |
| <b>TOTAL OPERATING REV &amp; ASST</b> | <b>237,085</b> | <b>103,393</b> | <b>1,797</b> | <b>105,190</b>                       | <b>2,856</b>   | <b>4,303</b> | <b>7,159</b>                             | <b>716</b>       | <b>350,150</b>           | <b>350,085</b>             | <b>65</b>       | <b>0.0%</b>   |

NIAGARA FRONTIER TRANSPORTATION AUTHORITY  
(\$000's)

|  | METRO          | BNIA            | NFIA           | AIRPORT<br>BUSN<br>GROUP<br>SUBTOTAL | TRANSP<br>CTRS | PROP<br>DEV  | FACIL &<br>PROPERTY<br>GROUP<br>SUBTOTAL | CENTRAL<br>ADMIN | FYE25<br>CONSOL<br>TOTAL | FYE24<br>ADOPTED<br>BUDGET | VARIANCE        | %<br>VARIANCE |
|--|----------------|-----------------|----------------|--------------------------------------|----------------|--------------|--|------------------|--------------------------|----------------------------|-----------------|---------------|
| <b>OPERATING EXPENSES (Excluding Depreciation)</b> |                |                 |                |                                      |                |              |  |                  |                          |                            |                 |               |
| Personnel Services                                 | 117,414        | 17,866          | 1,865          | 19,730                               | 1,641          | 384          | 2,025                                    | 51,590           | 190,760                  | 188,943                    | 1,817           | 1.0%          |
| Maintenance & Repairs                              | 12,857         | 16,766          | 1,428          | 18,194                               | 477            | 498          | 975                                      | 342              | 32,368                   | 26,150                     | 6,218           | 23.8%         |
| Transit Fuel/Power                                 | 5,932          | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 5,932                    | 6,992                      | (1,060)         | -15.2%        |
| Utilities  | 2,070          | 3,127           | 363            | 3,491                                | 359            | 452          | 811                                      | 94               | 6,466                    | 6,799                      | (333)           | -4.9%         |
| Insurance & Injuries                               | 6,292          | 1,337           | 489            | 1,827                                | 133            | 203          | 336                                      | 225              | 8,679                    | 6,705                      | 1,975           | 29.5%         |
| Safety & Security                                  | (88)           | 2,159           | 48             | 2,207                                | 0              | 0            | 0  | 252              | 2,371                    | 1,693                      | 678             | 40.0%         |
| Operations & Technology                            | 4,888          | 3,779           | 862            | 4,641                                | 505            | 1,064        | 1,369                                    | 0                | 11,098                   | 8,639                      | 2,459           | 28.5%         |
| General Business/Other                             | 22,592         | 7,079           | 486            | 7,565                                | 40             | 118          | 158                                      | 12,291           | 42,605                   | 41,253                     | 1,352           | 3.3%          |
| Administrative Cost Reallocation                   |                |                 |                |                                      |                |              |  |                  |                          |                            |                 |               |
| Administrative Cost                                | 7,637          | 5,905           | 1,347          | 7,252                                | 789            | 1,663        | 2,452                                    | (17,341)         | 0                        | 0                          | 0               | n/a           |
| Police Cost  | 7,225          | 7,625           | 364            | 7,988                                | 713            | 0            | 713                                      | 0                | 15,926                   | 16,127                     | (201)           | -1.2%         |
| Costs Transferred to Capital Projects              | 0              | (135)           | 0              | (135)                                | 0              | 0            | 0  | (1,761)          | (1,896)                  | (2,099)                    | 203             | -9.7%         |
| Inter Division Reimbursement                       | (250)          | (141)           | 0              | (141)                                | (60)           | 0            | (60)                                     | (44,976)         | (45,426)                 | (42,572)                   | (2,853)         | 6.7%          |
| <b>TOTAL OPERATING EXPENSES</b>                    | <b>186,568</b> | <b>65,368</b>   | <b>7,253</b>   | <b>72,620</b>                        | <b>4,597</b>   | <b>4,382</b> | <b>8,979</b>                             | <b>716</b>       | <b>269,884</b>           | <b>258,630</b>             | <b>10,254</b>   | <b>4.0%</b>   |
| <b>OPERATING INCOME/(LOSS)</b>                     | <b>50,516</b>  | <b>38,026</b>   | <b>(5,456)</b> | <b>32,570</b>                        | <b>(1,742)</b> | <b>(79)</b>  | <b>(1,820)</b>                           | <b>0</b>         | <b>81,266</b>            | <b>91,455</b>              | <b>(10,189)</b> | <b>-11.1%</b> |
| <b>NON-OPERATING ITEMS</b>                         |                |                 |                |                                      |                |              |  |                  |                          |                            |                 |               |
| Bond Debt Service                                  | 0              | (12,225)        | 0              | (12,225)                             | 0              | 0            | 0  | 0                | (12,225)                 | (17,587)                   | 5,363           | -30.5%        |
| Interest/Other                                     | 2,500          | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 2,500                    | 1,500                      | 1,000           | 66.7%         |
| Operating Revenue Reserve - Passenger Fares        | 0              | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 0                        | 10,800                     | (10,800)        | -100.0%       |
| SIF Reserve Funding                                | (4,066)        | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | (4,066)                  | (3,900)                    | (166)           | 4.3%          |
| Intercompany Transfer - Metro                      | 0              | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 0                        | (763)                      | 763             | -100.0%       |
| Operating Expense Reserve & R&R Rsv                | 0              | (505)           | 0              | (505)                                | 0              | 0            | 0  | 0                | (505)                    | (437)                      | (67)            | 15.4%         |
| Investment in ADF (net)                            | 0              | (8,980)         | 0              | (8,980)                              | 0              | 2,609        | 2,609                                    | 0                | (6,371)                  | (1,250)                    | (5,121)         | 409.8%        |
| Interest Income                                    | 0              | 2,000           | 0              | 2,000                                | 0              | 0            | 0  | 0                | 2,000                    | 400                        | 1,600           | 400.0%        |
| PFC  | 0              | 4,050           | 0              | 4,050                                | 0              | 0            | 0  | 0                | 4,050                    | 0                          | 4,050           | n/a           |
| Intercompany Transfer - Tr Cts                     | 0              | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 0                        | 763                        | (763)           | -100.0%       |
| Seneca Proceeds                                    | 0              | 0               | 0              | 0                                    | 0              | 0            | 0  | 0                | 0                        | 750                        | (750)           | -100.0%       |
| Property Acquisition                               | 0              | 0               | 0              | 0                                    | 0              | 225          | 225                                      | 0                | 225                      | 225                        | 0               | 0.0%          |
| <b>TOTAL NON-OPERATING ITEMS</b>                   | <b>(1,566)</b> | <b>(15,659)</b> | <b>0</b>       | <b>(15,659)</b>                      | <b>0</b>       | <b>2,834</b> | <b>2,834</b>                             | <b>0</b>         | <b>(14,392)</b>          | <b>(9,499)</b>             | <b>(4,893)</b>  | <b>51.5%</b>  |
| <b>NET INCOME/(LOSS)</b>                           | <b>48,950</b>  | <b>22,366</b>   | <b>(5,456)</b> | <b>16,910</b>                        | <b>(1,742)</b> | <b>2,756</b> | <b>1,014</b>                             | <b>0</b>         | <b>66,874</b>            | <b>81,956</b>              | <b>(15,082)</b> | <b>-18.4%</b> |
| <b>LESS: DIRECT CAPITAL</b>                        | <b>40,004</b>  | <b>12,639</b>   | <b>584</b>     | <b>13,223</b>                        | <b>2,920</b>   | <b>1,910</b> | <b>4,830</b>                             | <b>8,818</b>     | <b>66,874</b>            | <b>81,956</b>              | <b>(15,082)</b> | <b>-18.4%</b> |
| <b>LESS: INDIRECT CAPITAL</b>                      | <b>3,883</b>   | <b>3,002</b>    | <b>685</b>     | <b>3,688</b>                         | <b>401</b>     | <b>846</b>   | <b>1,247</b>                             | <b>(8,818)</b>   | <b>0</b>                 | <b>0</b>                   | <b>0</b>        | <b>n/a</b>    |
| <b>NET SURPLUS/(DEFICIT)</b>                       | <b>5,063</b>   | <b>6,725</b>    | <b>(6,725)</b> | <b>0</b>                             | <b>(5,063)</b> | <b>0</b>     | <b>(5,063)</b>                           | <b>0</b>         | <b>0</b>                 | <b>0</b>                   | <b>0</b>        | <b>n/a</b>    |



**METRO CONSOLIDATED**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|  | FY 22-23                   | FY 23-24                  | FY 24-25                  | FY 24-25                  |                            |                       |
|--|----------------------------|---------------------------|---------------------------|---------------------------|----------------------------|-----------------------|
|  | ACTUAL                     | BUDGET                    | TENTATIVE                 | FINAL                     | VARIANCE                   | %                     |
|  |                            |                           | BUDGET                    | BUDGET                    |                            |                       |
| <b>REVENUES &amp; ASSISTANCE</b>           |                            |                           |                           |                           |                            |                       |
| <b>Operating Revenues</b>                  |                            |                           |                           |                           |                            |                       |
| Passenger Fares                            | 25,639,810                 | 24,188,822                | 27,800,000                | 27,800,000                | 0                          | 0.0%                  |
| Other Operating Revenues                   | <u>1,213,010</u>           | <u>1,144,670</u>          | <u>1,213,010</u>          | <u>1,213,010</u>          | <u>0</u>                   | <u>0.0%</u>           |
| <b>Total Revenues</b>                      | <b>26,852,820</b>          | <b>25,333,492</b>         | <b>29,013,010</b>         | <b>29,013,010</b>         | <b>0</b>                   | <b>0.0%</b>           |
| <b>Operating Assistance</b>                |                            |                           |                           |                           |                            |                       |
| Local - 18b Match                          | 4,100,000                  | 4,100,000                 | 4,100,000                 | 4,100,000                 | 0                          | 0.0%                  |
| Erie County Sales Tax                      | 26,840,496                 | 27,286,304                | 28,241,325                | 27,741,325                | (500,000)                  | -1.8%                 |
| Mortgage Tax                               | 13,826,191                 | 13,067,029                | 10,319,099                | 10,116,764                | (202,335)                  | -2.0%                 |
| Peace Bridge                               | 200,000                    | 200,000                   | 200,000                   | 200,000                   | 0                          | 0.0%                  |
| State - 18b                                | 4,100,000                  | 4,100,000                 | 4,100,000                 | 4,100,000                 | 0                          | 0.0%                  |
| State - MTOAF                              | 31,424,900                 | 30,902,700                | 35,538,105                | 31,443,500                | (4,094,605)                | -11.5%                |
| State - DMTTF                              | 14,644,000                 | 14,287,400                | 16,430,510                | 13,746,600                | (2,683,910)                | -16.3%                |
| State - Additional General Fund            | 17,247,100                 | 23,715,200                | 33,131,155                | 33,027,100                | (104,055)                  | -0.3%                 |
| State - Supplemental                       | 750,000                    | 0                         | 0                         | 0                         | 0                          | n/a                   |
| State - Rail Dedicated                     | 0                          | 0                         | 12,000,000                | 0                         | (12,000,000)               | -100.0%               |
| State - PM Match                           | 2,376,112                  | 2,423,634                 | 2,472,107                 | 2,472,107                 | 0                          | 0.0%                  |
| Federal - Sec 5311                         | 79,000                     | 81,000                    | 83,430                    | 83,430                    | 0                          | 0.0%                  |
| Federal - PM                               | 19,008,894                 | 19,389,072                | 19,776,853                | 19,776,853                | 0                          | 0.0%                  |
| Federal - FTA COVID Relief                 | <u>38,200,000</u>          | <u>75,834,334</u>         | <u>58,839,008</u>         | <u>61,263,977</u>         | <u>2,424,969</u>           | <u>4.1%</u>           |
| <b>Total Operating Assistance</b>          | <b><u>172,796,693</u></b>  | <b><u>215,386,673</u></b> | <b><u>225,231,592</u></b> | <b><u>208,071,656</u></b> | <b><u>(17,159,936)</u></b> | <b><u>-7.6%</u></b>   |
| <b>TOTAL OPERATING REVENUES &amp; ASST</b> | <b>199,649,513</b>         | <b>240,720,165</b>        | <b>254,244,602</b>        | <b>237,084,666</b>        | <b>(17,159,936)</b>        | <b>-6.7%</b>          |
| <b>OPERATING EXPENSES (Excl. Depr.)</b>    |                            |                           |                           |                           |                            |                       |
| Personnel Services                         | 94,990,420                 | 119,325,374               | 123,086,623               | 117,414,354               | (5,672,269)                | -4.6%                 |
| Maintenance & Repairs                      | 9,628,438                  | 10,524,080                | 12,856,981                | 12,856,981                | 0                          | 0.0%                  |
| Transit Fuel/Power                         | 5,763,086                  | 6,991,727                 | 6,931,992                 | 5,931,992                 | (1,000,000)                | -14.4%                |
| Utilities                                  | 1,936,278                  | 2,178,750                 | 2,069,813                 | 2,069,813                 | 0                          | 0.0%                  |
| Insurance & Injuries                       | 4,332,610                  | 5,175,524                 | 6,291,925                 | 6,291,925                 | 0                          | 0.0%                  |
| Safety & Security                          | 6,280,836                  | 7,061,374                 | 7,136,853                 | 7,136,853                 | 0                          | 0.0%                  |
| Operations & Technology                    | 3,137,479                  | 3,804,555                 | 4,887,553                 | 4,887,553                 | 0                          | 0.0%                  |
| General Business/Other                     | 18,019,117                 | 22,098,890                | 23,180,478                | 22,591,638                | (588,840)                  | -2.5%                 |
| Administrative Cost Reallocation           | 5,397,898                  | 6,543,160                 | 7,260,308                 | 7,637,168                 | 376,860                    | 5.2%                  |
| Costs Transferred to Capital Projects      | (157)                      | 0                         | 0                         | 0                         | 0                          | n/a                   |
| Inter Division Reimbursement               | <u>(195,535)</u>           | <u>(237,216)</u>          | <u>(250,006)</u>          | <u>(250,006)</u>          | <u>0</u>                   | <u>0.0%</u>           |
| <b>TOTAL OPERATING EXPENSES</b>            | <b><u>149,290,470</u></b>  | <b><u>183,466,218</u></b> | <b><u>193,452,520</u></b> | <b><u>186,568,271</u></b> | <b><u>(6,884,249)</u></b>  | <b><u>-3.6%</u></b>   |
| <b>OPERATING INCOME/(LOSS)</b>             | <b>50,359,043</b>          | <b>57,253,946</b>         | <b>60,792,082</b>         | <b>50,516,395</b>         | <b>(10,275,687)</b>        | <b>-16.9%</b>         |
| <b>NON-OPERATING ITEMS</b>                 |                            |                           |                           |                           |                            |                       |
| Intercompany Transfer                      | (973,696)                  | (763,345)                 | 0                         | 0                         | 0                          | n/a                   |
| Interest/Other                             | 0                          | 1,500,000                 | 2,250,000                 | 2,500,000                 | 250,000                    | 11.1%                 |
| Operating Rev Rsrv - Passenger Fares       | (25,332,879)               | 10,800,000                | 0                         | 0                         | 0                          | n/a                   |
| Operating Expense Reserve - Personnel      | 4,107,853                  | 0                         | 0                         | 0                         | 0                          | n/a                   |
| SIF Reserve Funding                        | (4,400,000)                | (918,897)                 | (1,201,669)               | (4,066,335)               | (2,864,666)                | 238.4%                |
| COVID Operating Reserve                    | (11,078,321)               | 0                         | 0                         | 0                         | 0                          | n/a                   |
| Debt Service - Noresco                     | <u>(62,753)</u>            | <u>0</u>                  | <u>0</u>                  | <u>0</u>                  | <u>0</u>                   | <u>n/a</u>            |
| <b>TOTAL NON-OPERATING ITEMS</b>           | <b><u>(37,739,796)</u></b> | <b><u>10,617,758</u></b>  | <b><u>1,048,331</u></b>   | <b><u>(1,566,335)</u></b> | <b><u>(2,614,666)</u></b>  | <b><u>-249.4%</u></b> |
| <b>NET INCOME/(LOSS)</b>                   | <b><u>12,619,247</u></b>   | <b><u>67,871,704</u></b>  | <b><u>61,840,413</u></b>  | <b><u>48,950,060</u></b>  | <b><u>(12,890,352)</u></b> | <b><u>-20.8%</u></b>  |
| <b>LESS: DIRECT CAPITAL</b>                | 9,711,083                  | 60,120,842                | 54,158,902                | 40,003,736                | (14,155,166)               | -26.1%                |
| <b>LESS: INDIRECT CAPITAL</b>              | <u>1,874,518</u>           | <u>2,668,362</u>          | <u>2,762,176</u>          | <u>3,883,272</u>          | <u>1,121,097</u>           | <u>40.6%</u>          |
| <b>NET SURPLUS/(DEFICIT)</b>               | <b><u>1,033,646</u></b>    | <b><u>5,082,500</u></b>   | <b><u>4,919,335</u></b>   | <b><u>5,063,052</u></b>   | <b><u>143,717</u></b>      | <b><u>2.9%</u></b>    |

**BNIA**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|  | FY 22-23<br>ACTUAL         | FY 23-24<br>BUDGET         | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE                | %                   |
|--|----------------------------|----------------------------|---------------------------------|-----------------------------|-------------------------|---------------------|
| <b>REVENUES &amp; ASSISTANCE</b>           |                            |                            |                                 |                             |                         |                     |
| <b>Operating Revenues</b>                  |                            |                            |                                 |                             |                         |                     |
| Airport Fees & Services                    | 20,380,160                 | 29,520,303                 | 31,234,051                      | 31,234,051                  | 0                       | 0.0%                |
| Rental Income                              | 12,635,397                 | 17,835,793                 | 19,268,991                      | 19,268,991                  | 0                       | 0.0%                |
| Concessions/Commissions                    | 30,038,861                 | 37,312,458                 | 41,125,023                      | 41,125,023                  | 0                       | 0.0%                |
| Resales & Rebillings                       | 1,798,180                  | 1,788,802                  | 1,716,057                       | 1,716,057                   | 0                       | 0.0%                |
| Other Operating Revenues                   | <u>3,126,290</u>           | <u>3,031,724</u>           | <u>6,207,491</u>                | <u>6,207,491</u>            | <u>0</u>                | <u>0.0%</u>         |
| <b>Total Revenues</b>                      | <b>67,978,888</b>          | <b>89,489,080</b>          | <b>99,551,613</b>               | <b>99,551,613</b>           | <b>0</b>                | <b>0.0%</b>         |
| <b>Operating Assistance</b>                |                            |                            |                                 |                             |                         |                     |
| Federal - FAA COVID Relief                 | <u>10,527,083</u>          | <u>10,428,107</u>          | <u>3,841,419</u>                | <u>3,841,419</u>            | <u>0</u>                | <u>0.0%</u>         |
| <b>Total Operating Assistance</b>          | <b><u>10,527,083</u></b>   | <b><u>10,428,107</u></b>   | <b><u>3,841,419</u></b>         | <b><u>3,841,419</u></b>     | <b><u>0</u></b>         | <b><u>0.0%</u></b>  |
| <b>TOTAL OPERATING REVENUES &amp; ASST</b> | <b>78,505,971</b>          | <b>99,917,187</b>          | <b>103,393,032</b>              | <b>103,393,032</b>          | <b>0</b>                | <b>0.0%</b>         |
| <b>OPERATING EXPENSES (Excl. Depr.)</b>    |                            |                            |                                 |                             |                         |                     |
| Personnel Services                         | 15,187,058                 | 16,662,821                 | 17,846,765                      | 17,865,850                  | 19,085                  | 0.1%                |
| Maintenance & Repairs                      | 10,236,609                 | 13,034,614                 | 16,766,417                      | 16,766,417                  | 0                       | 0.0%                |
| Utilities                                  | 2,525,672                  | 3,327,930                  | 3,127,379                       | 3,127,379                   | 0                       | 0.0%                |
| Insurance & Injuries                       | 642,282                    | 870,132                    | 1,337,459                       | 1,337,459                   | 0                       | 0.0%                |
| Safety & Security                          | 8,206,344                  | 9,458,378                  | 9,783,814                       | 9,783,814                   | 0                       | 0.0%                |
| Operations & Technology                    | 2,425,775                  | 2,941,533                  | 3,778,864                       | 3,778,864                   | 0                       | 0.0%                |
| General Business/Other                     | 5,709,450                  | 8,623,379                  | 7,078,588                       | 7,078,588                   | 0                       | 0.0%                |
| Administrative Cost Reallocation           | 4,173,443                  | 5,058,915                  | 5,613,385                       | 5,904,758                   | 291,373                 | 5.2%                |
| Costs Transferred to Capital Projects      | (66,526)                   | (20,000)                   | (135,000)                       | (135,000)                   | 0                       | 0.0%                |
| Inter Division Reimbursement               | <u>(89,529)</u>            | <u>(92,835)</u>            | <u>(140,600)</u>                | <u>(140,600)</u>            | <u>0</u>                | <u>0.0%</u>         |
| <b>TOTAL OPERATING EXPENSES</b>            | <b><u>48,950,578</u></b>   | <b><u>59,864,867</u></b>   | <b><u>65,057,071</u></b>        | <b><u>65,367,529</u></b>    | <b><u>310,458</u></b>   | <b><u>0.5%</u></b>  |
| <b>OPERATING INCOME/(LOSS)</b>             | <b>29,555,393</b>          | <b>40,052,320</b>          | <b>38,335,961</b>               | <b>38,025,503</b>           | <b>(310,458)</b>        | <b>-0.8%</b>        |
| <b>NON-OPERATING ITEMS</b>                 |                            |                            |                                 |                             |                         |                     |
| Bond Debt Service                          | (17,375,750)               | (17,587,250)               | (12,224,750)                    | (12,224,750)                | 0                       | 0.0%                |
| Debt Service - Noresco                     | (12,687)                   | 0                          | 0                               | 0                           | 0                       | n/a                 |
| Operating Expense Rsv & R&R Rsv            | 642,419                    | (437,189)                  | (504,516)                       | (504,516)                   | 0                       | 0.0%                |
| SIF Reserve Funding                        | 0                          | (2,740,356)                | 0                               | 0                           | 0                       | n/a                 |
| PFC  | 0                          | 0                          | 4,049,586                       | 4,049,586                   | 0                       | 0.0%                |
| Investment in ADF                          | 0                          | (2,314,312)                | (6,596,231)                     | (8,979,740)                 | (2,383,509)             | 36.1%               |
| Interest Income                            | <u>1,608,390</u>           | <u>400,000</u>             | <u>425,000</u>                  | <u>2,000,000</u>            | <u>1,575,000</u>        | <u>370.6%</u>       |
| <b>TOTAL NON-OPERATING ITEMS</b>           | <b><u>(15,137,628)</u></b> | <b><u>(22,679,107)</u></b> | <b><u>(14,850,911)</u></b>      | <b><u>(15,659,420)</u></b>  | <b><u>(808,509)</u></b> | <b><u>5.4%</u></b>  |
| <b>NET INCOME/(LOSS)</b>                   | <b>14,417,765</b>          | <b>17,373,213</b>          | <b>23,485,050</b>               | <b>22,366,083</b>           | <b>(1,118,967)</b>      | <b>-4.8%</b>        |
| <b>LESS: DIRECT CAPITAL</b>                | <b>1,294,573</b>           | <b>9,977,533</b>           | <b>15,012,681</b>               | <b>12,638,730</b>           | <b>(2,373,951)</b>      | <b>-15.8%</b>       |
| <b>LESS: INDIRECT CAPITAL</b>              | <b><u>1,449,304</u></b>    | <b><u>2,063,072</u></b>    | <b><u>2,135,606</u></b>         | <b><u>3,002,394</u></b>     | <b><u>866,788</u></b>   | <b><u>40.6%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>               | <b><u>11,673,889</u></b>   | <b><u>5,332,608</u></b>    | <b><u>6,336,763</u></b>         | <b><u>6,724,959</u></b>     | <b><u>388,196</u></b>   | <b><u>6.1%</u></b>  |

**NFIA**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>           | <b>FY 23-24</b>           | <b>FY 24-25</b>           | <b>FY 24-25</b>           |                           |                       |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|-----------------------|
|   | <b>ACTUAL</b>             | <b>BUDGET</b>             | <b>TENTATIVE</b>          | <b>FINAL</b>              | <b>VARIANCE</b>           | <b>%</b>              |
|   |                           |                           | <b>BUDGET</b>             | <b>BUDGET</b>             |                           |                       |
| <b>OPERATING REVENUES</b>               |                           |                           |                           |                           |                           |                       |
| Airport Fees & Services                 | 89,921                    | 105,072                   | 92,167                    | 92,167                    | 0                         | 0.0%                  |
| Rental Income                           | 332,986                   | 352,634                   | 301,975                   | 301,975                   | 0                         | 0.0%                  |
| Concessions/Commissions                 | 1,184,260                 | 1,262,799                 | 1,256,801                 | 1,256,801                 | 0                         | 0.0%                  |
| Resales & Rebillings                    | 20,195                    | 24,492                    | 21,003                    | 21,003                    | 0                         | 0.0%                  |
| Other Operating Revenues                | <u>119,085</u>            | <u>125,000</u>            | <u>125,000</u>            | <u>125,000</u>            | <u>0</u>                  | <u>0.0%</u>           |
| <b>TOTAL OPERATING REVENUES</b>         | <b>1,746,447</b>          | <b>1,869,997</b>          | <b>1,796,946</b>          | <b>1,796,946</b>          | <b>0</b>                  | <b>0.0%</b>           |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                           |                           |                           |                       |
| Personnel Services                      | 1,746,442                 | 1,973,435                 | 1,864,535                 | 1,864,535                 | 0                         | 0.0%                  |
| Maintenance & Repairs                   | 1,007,467                 | 1,304,763                 | 1,428,029                 | 1,428,029                 | 0                         | 0.0%                  |
| Utilities                               | 295,106                   | 382,256                   | 363,144                   | 363,144                   | 0                         | 0.0%                  |
| Insurance & Injuries                    | 229,310                   | 230,150                   | 489,419                   | 489,419                   | 0                         | 0.0%                  |
| Safety & Security                       | 355,705                   | 368,146                   | 411,751                   | 411,751                   | 0                         | 0.0%                  |
| Operations & Technology                 | 553,547                   | 671,240                   | 862,314                   | 862,314                   | 0                         | 0.0%                  |
| General Business/Other                  | 337,048                   | 429,680                   | 486,245                   | 486,245                   | 0                         | 0.0%                  |
| Administrative Cost Reallocation        | 952,354                   | 1,154,413                 | 1,280,940                 | 1,347,429                 | 66,490                    | 5.2%                  |
| Costs Transferred to Capital Projects   | (24,526)                  | 0                         | 0                         | 0                         | 0                         | n/a                   |
| Inter Division Reimbursement            | <u>(1,493)</u>            | <u>0</u>                  | <u>0</u>                  | <u>0</u>                  | <u>0</u>                  | <u>n/a</u>            |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>5,450,960</u></b>   | <b><u>6,514,083</u></b>   | <b><u>7,186,377</u></b>   | <b><u>7,252,866</u></b>   | <b><u>66,490</u></b>      | <b><u>0.9%</u></b>    |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(3,704,513)</b>        | <b>(4,644,086)</b>        | <b>(5,389,431)</b>        | <b>(5,455,920)</b>        | <b>(66,490)</b>           | <b>1.2%</b>           |
| <b>NON-OPERATING ITEMS</b>              |                           |                           |                           |                           |                           |                       |
| Debt Service - Noresco                  | (1,193)                   | 0                         | 0                         | 0                         | 0                         | n/a                   |
| SIF Reserve Funding                     | 0                         | (181,591)                 | 0                         | 0                         | 0                         | n/a                   |
| Seneca Proceeds                         | <u>1,000,000</u>          | <u>750,000</u>            | <u>1,000,000</u>          | <u>0</u>                  | <u>(1,000,000)</u>        | <u>-100.0%</u>        |
| <b>TOTAL NON-OPERATING ITEMS</b>        | <b><u>998,807</u></b>     | <b><u>568,409</u></b>     | <b><u>1,000,000</u></b>   | <b><u>0</u></b>           | <b><u>(1,000,000)</u></b> | <b><u>-100.0%</u></b> |
| <b>NET INCOME/(LOSS)</b>                | <b>(2,705,706)</b>        | <b>(4,075,677)</b>        | <b>(4,389,431)</b>        | <b>(5,455,920)</b>        | <b>(1,066,490)</b>        | <b>24.3%</b>          |
| <b>LESS: DIRECT CAPITAL</b>             | <b>167,651</b>            | <b>786,150</b>            | <b>1,460,000</b>          | <b>583,911</b>            | <b>(876,089)</b>          | <b>-60.0%</b>         |
| <b>LESS: INDIRECT CAPITAL</b>           | <b><u>330,722</u></b>     | <b><u>470,780</u></b>     | <b><u>487,332</u></b>     | <b><u>685,128</u></b>     | <b><u>197,796</u></b>     | <b><u>40.6%</u></b>   |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(3,204,079)</u></b> | <b><u>(5,332,608)</u></b> | <b><u>(6,336,763)</u></b> | <b><u>(6,724,959)</u></b> | <b><u>(388,196)</u></b>   | <b><u>6.1%</u></b>    |

**TRANSPORTATION CENTERS**

**2024/25 TENTATIVE BUDGET**

**VS**

**2024/25 FINAL BUDGET**

|   | <b>FY 22-23<br/>ACTUAL</b> | <b>FY 23-24<br/>BUDGET</b> | <b>FY 24-25<br/>TENTATIVE<br/>BUDGET</b> | <b>FY 24-25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>         | <b>%</b>           |
|---|----------------------------|----------------------------|--|--------------------------------------|-------------------------|--------------------|
| <b>OPERATING REVENUES</b>               |                            |                            |  |                                      |                         |                    |
| Rental Income                           | 2,685,220                  | 2,722,000                  | 2,803,660                                | 2,803,660                            | 0                       | 0.0%               |
| Concessions/Commissions                 | 18,977                     | 51,000                     | 51,000                                   | 51,000                               | 0                       | 0.0%               |
| Resales & Rebillings                    | 912                        | 3,700                      | 1,000                                    | 1,000                                | 0                       | 0.0%               |
| Other Operating Revenues                | <u>0</u>                   | <u>0</u>                   | <u>0</u>                                 | <u>0</u>                             | <u>0</u>                | <u>n/a</u>         |
| <b>TOTAL OPERATING REVENUES</b>         | <b>2,705,109</b>           | <b>2,776,700</b>           | <b>2,855,660</b>                         | <b>2,855,660</b>                     | <b>0</b>                | <b>0.0%</b>        |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                            |                            |  |                                      |                         |                    |
| Personnel Services                      | 1,359,845                  | 1,564,505                  | 1,641,463                                | 1,641,463                            | 0                       | 0.0%               |
| Maintenance & Repairs                   | 434,612                    | 493,600                    | 477,000                                  | 477,000                              | 0                       | 0.0%               |
| Utilities                               | 373,700                    | 359,900                    | 358,650                                  | 358,650                              | 0                       | 0.0%               |
| Insurance & Injuries                    | 65,076                     | 88,840                     | 133,245                                  | 133,245                              | 0                       | 0.0%               |
| Safety & Security                       | 619,256                    | 710,327                    | 712,903                                  | 712,903                              | 0                       | 0.0%               |
| Operations & Technology                 | 324,149                    | 393,068                    | 504,958                                  | 504,958                              | 0                       | 0.0%               |
| General Business/Other                  | 25,526                     | 46,428                     | 39,982                                   | 39,982                               | 0                       | 0.0%               |
| Administrative Cost Reallocation        | 557,685                    | 676,008                    | 750,100                                  | 789,035                              | 38,935                  | 5.2%               |
| Costs Transferred to Capital Projects   | 0                          | 0                          | 0  | 0                                    | 0                       | n/a                |
| Inter Division Reimbursement            | <u>(58,884)</u>            | <u>(60,000)</u>            | <u>(60,000)</u>                          | <u>(60,000)</u>                      | <u>0</u>                | <u>0.0%</u>        |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>3,700,965</u></b>    | <b><u>4,272,676</u></b>    | <b><u>4,558,301</u></b>                  | <b><u>4,597,236</u></b>              | <b><u>38,935</u></b>    | <b><u>0.9%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(995,856)</b>           | <b>(1,495,976)</b>         | <b>(1,702,641)</b>                       | <b>(1,741,576)</b>                   | <b>(38,935)</b>         | <b>2.3%</b>        |
| <b>NON-OPERATING ITEMS</b>              |                            |                            |  |                                      |                         |                    |
| Debt Service - Noresco                  | (104,485)                  | 0                          | 0  | 0                                    | 0                       | n/a                |
| SIF Reserve Funding                     | 0                          | (26,437)                   | 0  | 0                                    | 0                       | n/a                |
| Gain on Sale/Other                      | (1,318)                    | 0                          | 0  | 0                                    | 0                       | n/a                |
| Intercompany Transfer                   | <u>973,696</u>             | <u>763,345</u>             | <u>0</u>                                 | <u>0</u>                             | <u>0</u>                | <u>n/a</u>         |
| <b>TOTAL NON-OPERATING ITEMS</b>        | <b><u>867,893</u></b>      | <b><u>736,908</u></b>      | <b><u>0</u></b>                          | <b><u>0</u></b>                      | <b><u>0</u></b>         | <b><u>n/a</u></b>  |
| <b>NET INCOME/(LOSS)</b>                | <b>(127,962)</b>           | <b>(759,068)</b>           | <b>(1,702,641)</b>                       | <b>(1,741,576)</b>                   | <b>(38,935)</b>         | <b>2.3%</b>        |
| <b>LESS: DIRECT CAPITAL</b>             | 712,012                    | 4,047,750                  | 2,931,319                                | 2,920,275                            | (11,044)                | -0.4%              |
| <b>LESS: INDIRECT CAPITAL</b>           | <u>193,666</u>             | <u>275,682</u>             | <u>285,375</u>                           | <u>401,201</u>                       | <u>115,826</u>          | <u>40.6%</u>       |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(1,033,640)</u></b>  | <b><u>(5,082,500)</u></b>  | <b><u>(4,919,335)</u></b>                | <b><u>(5,063,052)</u></b>            | <b><u>(143,717)</u></b> | <b><u>2.9%</u></b> |

**PROPERTY DEVELOPMENT**

**2024/25 TENTATIVE BUDGET**

**VS**

**2024/25 FINAL BUDGET**

|   | <b>FY 22-23<br/>ACTUAL</b> | <b>FY 23-24<br/>BUDGET</b> | <b>FY 24-25<br/>TENTATIVE<br/>BUDGET</b> | <b>FY 24-25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>       | <b>%</b>            |
|---|----------------------------|----------------------------|--|--------------------------------------|-----------------------|---------------------|
| <b>OPERATING REVENUES</b>               |                            |                            |  |                                      |                       |                     |
| Rental Income                           | 4,144,618                  | 4,047,174                  | 4,268,957                                | 4,268,957                            | 0                     | 0.0%                |
| Resales & Rebillings                    | 37,438                     | 37,340                     | 34,440                                   | 34,440                               | 0                     | 0.0%                |
| Other Operating Revenues                | <u>0</u>                   | <u>0</u>                   | <u>0</u>                                 | <u>0</u>                             | <u>0</u>              | <u>n/a</u>          |
| <b>TOTAL OPERATING REVENUES</b>         | <b>4,182,056</b>           | <b>4,084,514</b>           | <b>4,303,397</b>                         | <b>4,303,397</b>                     | <b>0</b>              | <b>0.0%</b>         |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                            |                            |  |                                      |                       |                     |
| Personnel Services                      | 277,689                    | 367,781                    | 388,200                                  | 383,834                              | (4,366)               | -1.1%               |
| Maintenance & Repairs                   | 545,517                    | 463,000                    | 497,544                                  | 497,544                              | 0                     | 0.0%                |
| Utilities                               | 443,925                    | 457,550                    | 452,406                                  | 452,406                              | 0                     | 0.0%                |
| Insurance & Injuries                    | 98,778                     | 130,464                    | 202,502                                  | 202,502                              | 0                     | 0.0%                |
| Safety & Security                       | 0                          | 0                          | 0  | 0                                    | 0                     | n/a                 |
| Operations & Technology                 | 683,207                    | 828,467                    | 1,064,297                                | 1,064,297                            | 0                     | 0.0%                |
| General Business/Other                  | 109,670                    | 123,445                    | 118,325                                  | 118,325                              | 0                     | 0.0%                |
| Administrative Cost Reallocation        | 1,175,428                  | 1,424,816                  | 1,580,980                                | 1,663,044                            | 82,064                | 5.2%                |
| Costs Transferred to Capital Projects   | 0                          | 0                          | 0  | 0                                    | 0                     | n/a                 |
| Inter Division Reimbursement            | <u>0</u>                   | <u>0</u>                   | <u>0</u>                                 | <u>0</u>                             | <u>0</u>              | <u>n/a</u>          |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>3,334,214</u></b>    | <b><u>3,795,523</u></b>    | <b><u>4,304,254</u></b>                  | <b><u>4,381,952</u></b>              | <b><u>77,698</u></b>  | <b><u>1.8%</u></b>  |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>847,842</b>             | <b>288,991</b>             | <b>(857)</b>                             | <b>(78,555)</b>                      | <b>(77,698)</b>       | <b>9067.5%</b>      |
| <b>NON-OPERATING ITEMS</b>              |                            |                            |  |                                      |                       |                     |
| Debt Service - Noresco                  | (29,325)                   | 0                          | 0  | 0                                    | 0                     | n/a                 |
| SIF Reserve Funding                     | 0                          | (32,719)                   | 0  | 0                                    | 0                     | n/a                 |
| Investment from Reserves                | 0                          | 1,064,782                  | 1,957,339                                | 2,609,163                            | 651,824               | 33.3%               |
| Property Acquisition/Other              | <u>225,000</u>             | <u>225,000</u>             | <u>225,000</u>                           | <u>225,000</u>                       | <u>0</u>              | <u>0.0%</u>         |
| <b>TOTAL NON-OPERATING ITEMS</b>        | <b><u>195,675</u></b>      | <b><u>1,257,063</u></b>    | <b><u>2,182,339</u></b>                  | <b><u>2,834,163</u></b>              | <b><u>651,824</u></b> | <b><u>29.9%</u></b> |
| <b>NET INCOME/(LOSS)</b>                | <b>1,043,517</b>           | <b>1,546,053</b>           | <b>2,181,482</b>                         | <b>2,755,608</b>                     | <b>574,126</b>        | <b>26.3%</b>        |
| <b>LESS: DIRECT CAPITAL</b>             | <b>257,756</b>             | <b>965,000</b>             | <b>1,580,000</b>                         | <b>1,910,000</b>                     | <b>330,000</b>        | <b>20.9%</b>        |
| <b>LESS: INDIRECT CAPITAL</b>           | <b><u>408,189</u></b>      | <b><u>581,053</u></b>      | <b><u>601,482</u></b>                    | <b><u>845,608</u></b>                | <b><u>244,126</u></b> | <b><u>40.6%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>377,572</u></b>      | <b><u>0</u></b>            | <b><u>0</u></b>                          | <b><u>0</u></b>                      | <b><u>0</u></b>       | <b><u>n/a</u></b>   |

**EXECUTIVE - NFTA**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>           | <b>FY 23-24</b>           | <b>FY 24-25</b>           | <b>FY 24-25</b>           |                           |                      |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------|
|   | <b>ACTUAL</b>             | <b>BUDGET</b>             | <b>TENTATIVE</b>          | <b>FINAL</b>              | <b>VARIANCE</b>           | <b>%</b>             |
|   |                           |                           | <b>BUDGET</b>             | <b>BUDGET</b>             |                           |                      |
| <b>OPERATING ASSISTANCE</b>             |                           |                           |                           |                           |                           |                      |
| Federal Operating Assistance            | 182,497                   | 285,440                   | 285,440                   | 285,440                   | 0                         | 0.0%                 |
| Federal - K-9 Cops                      | 353,500                   | 353,500                   | 353,500                   | 353,500                   | 0                         | 0.0%                 |
| Federal - DEA Expenditures              | 11,404                    | 60,000                    | 60,000                    | 60,000                    | 0                         | 0.0%                 |
| Federal - DEA OT Reimbursement          | <u>11,690</u>             | <u>17,202</u>             | <u>17,202</u>             | <u>17,202</u>             | <u>0</u>                  | <u>0.0%</u>          |
| <b>TOTAL OPERATING ASSISTANCE</b>       | <b>559,091</b>            | <b>716,142</b>            | <b>716,142</b>            | <b>716,142</b>            | <b>0</b>                  | <b>0.0%</b>          |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                           |                           |                           |                      |
| Personnel Services                      | 14,780,481                | 17,604,042                | 17,368,929                | 18,939,026                | 1,570,097                 | 9.0%                 |
| Maintenance & Repairs                   | 263,100                   | 273,500                   | 284,500                   | 284,500                   | 0                         | 0.0%                 |
| Utilities                               | 29,918                    | 38,500                    | 38,500                    | 38,500                    | 0                         | 0.0%                 |
| Insurance & Injuries                    | 317,024                   | 209,356                   | 224,530                   | 224,530                   | 0                         | 0.0%                 |
| Safety & Security                       | 182,443                   | 222,000                   | 252,000                   | 252,000                   | 0                         | 0.0%                 |
| General Business/Other                  | 1,251,520                 | 887,436                   | 1,372,084                 | 1,374,154                 | 2,070                     | 0.2%                 |
| Costs Transferred to Capital Projects   | (28,904)                  | 0                         | 0                         | (40,830)                  | (40,830)                  | n/a                  |
| Inter Division Reimbursement            | <u>(14,700,051)</u>       | <u>(16,597,333)</u>       | <u>(17,002,916)</u>       | <u>(17,002,916)</u>       | <u>0</u>                  | <u>0.0%</u>          |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>2,095,531</u></b>   | <b><u>2,637,501</u></b>   | <b><u>2,537,627</u></b>   | <b><u>4,068,964</u></b>   | <b><u>1,531,337</u></b>   | <b><u>60.3%</u></b>  |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(1,536,440)</b>        | <b>(1,921,359)</b>        | <b>(1,821,485)</b>        | <b>(3,352,822)</b>        | <b>(1,531,337)</b>        | <b>84.1%</b>         |
| <b>LESS: DIRECT CAPITAL</b>             | <b>512,416</b>            | <b>644,350</b>            | <b>566,845</b>            | <b>1,674,958</b>          | <b>1,108,113</b>          | <b>195.5%</b>        |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(2,048,856)</u></b> | <b><u>(2,565,709)</u></b> | <b><u>(2,388,330)</u></b> | <b><u>(5,027,780)</u></b> | <b><u>(2,639,450)</u></b> | <b><u>110.5%</u></b> |

**EXECUTIVE - METRO**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>           | <b>FY 23-24</b>           | <b>FY 24-25</b>           | <b>FY 24-25</b>           |                 |                    |
|---|---------------------------|---------------------------|---------------------------|---------------------------|-----------------|--------------------|
|   | <b>ACTUAL</b>             | <b>BUDGET</b>             | <b>TENTATIVE</b>          | <b>FINAL</b>              | <b>VARIANCE</b> | <b>%</b>           |
|   |                           |                           | <b>BUDGET</b>             | <b>BUDGET</b>             |                 |                    |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                           |                           |                 |                    |
| Personnel Services                      | 183,418                   | 217,716                   | 236,004                   | 236,004                   | 0               | 0.0%               |
| Maintenance & Repairs                   | 0                         | 0                         | 0                         | 0                         | 0               | n/a                |
| Utilities                               | 1,013                     | 1,200                     | 1,200                     | 1,200                     | 0               | 0.0%               |
| Insurance & Injuries                    | 1,944,273                 | 2,401,500                 | 2,191,500                 | 2,191,500                 | 0               | 0.0%               |
| Safety & Security                       | 0                         | 0                         | 0                         | 0                         | 0               | n/a                |
| General Business/Other                  | 1,168,145                 | 1,398,611                 | 1,465,774                 | 1,465,774                 | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | 0                         | 0                         | 0                         | 0                         | 0               | n/a                |
| Inter Division Reimbursement            | <u>(218,646)</u>          | <u>(264,798)</u>          | <u>(278,311)</u>          | <u>(278,311)</u>          | <u>0</u>        | <u>0.0%</u>        |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>3,078,203</u></b>   | <b><u>3,754,229</u></b>   | <b><u>3,616,167</u></b>   | <b><u>3,616,167</u></b>   | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(3,078,203)</u></b> | <b><u>(3,754,229)</u></b> | <b><u>(3,616,167)</u></b> | <b><u>(3,616,167)</u></b> | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**EEO/DIVERSITY DEVELOPMENT****2024/25 TENTATIVE BUDGET****VS****2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>         | <b>FY 23-24</b>         | <b>FY 24-25</b>         | <b>FY 24-25</b>         |                 |                    |
|---|-------------------------|-------------------------|-------------------------|-------------------------|-----------------|--------------------|
|   | <b>ACTUAL</b>           | <b>BUDGET</b>           | <b>TENTATIVE</b>        | <b>FINAL</b>            | <b>VARIANCE</b> | <b>%</b>           |
|   |                         |                         | <b>BUDGET</b>           | <b>BUDGET</b>           |                 |                    |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                         |                         |                         |                         |                 |                    |
| Personnel Services                      | 361,698                 | 409,874                 | 425,787                 | 425,787                 | 0               | 0.0%               |
| Maintenance & Repairs                   | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| Utilities                               | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| Insurance & Injuries                    | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| Safety & Security                       | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| General Business/Other                  | 49,499                  | 19,650                  | 35,330                  | 35,330                  | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| Inter Division Reimbursement            | 0                       | 0                       | 0                       | 0                       | 0               | n/a                |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>411,197</u></b>   | <b><u>429,524</u></b>   | <b><u>461,117</u></b>   | <b><u>461,117</u></b>   | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(411,197)</b>        | <b>(429,524)</b>        | <b>(461,117)</b>        | <b>(461,117)</b>        | <b>0</b>        | <b>0.0%</b>        |
| <b>LESS: DIRECT CAPITAL</b>             | <b><u>0</u></b>         | <b><u>0</u></b>         | <b><u>0</u></b>         | <b><u>0</u></b>         | <b>0</b>        | <b><u>n/a</u></b>  |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(411,197)</u></b> | <b><u>(429,524)</u></b> | <b><u>(461,117)</u></b> | <b><u>(461,117)</u></b> | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**GENERAL COUNSEL**  
**2024/25 TENTATIVE BUDGET**  
**VS**  
**2024/25 FINAL BUDGET**

|   | <b>FY 22-23</b>           | <b>FY 23-24</b>           | <b>FY 24-25</b>           | <b>FY 24-25</b>           |                        |                    |
|---|---------------------------|---------------------------|---------------------------|---------------------------|------------------------|--------------------|
|   | <b>ACTUAL</b>             | <b>BUDGET</b>             | <b>TENTATIVE</b>          | <b>FINAL</b>              | <b>VARIANCE</b>        | <b>%</b>           |
|   |                           |                           | <b>BUDGET</b>             | <b>BUDGET</b>             |                        |                    |
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                           |                           |                        |                    |
| Personnel Services                      | 2,548,590                 | 3,125,542                 | 3,510,733                 | 3,523,670                 | 12,937                 | 0.4%               |
| Maintenance & Repairs                   | 597                       | 1,500                     | 750                       | 750                       | 0                      | 0.0%               |
| Utilities                               | 29,668                    | 29,000                    | 31,800                    | 31,800                    | 0                      | 0.0%               |
| Insurance & Injuries                    | 14,103                    | 0                         | 0                         | 0                         | 0                      | n/a                |
| Safety & Security                       | 0                         | 0                         | 0                         | 0                         | 0                      | n/a                |
| General Business/Other                  | 1,354,963                 | 1,432,075                 | 1,712,475                 | 1,712,475                 | 0                      | 0.0%               |
| Costs Transferred to Capital Projects   | 0                         | 0                         | 0                         | 0                         | 0                      | n/a                |
| Inter Division Reimbursement            | <u>(498,465)</u>          | <u>(626,505)</u>          | <u>(650,006)</u>          | <u>(650,006)</u>          | <u>0</u>               | <u>0.0%</u>        |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>3,449,456</u></b>   | <b><u>3,961,612</u></b>   | <b><u>4,605,752</u></b>   | <b><u>4,618,689</u></b>   | <b><u>12,937</u></b>   | <b><u>0.3%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(3,449,456)</b>        | <b>(3,961,612)</b>        | <b>(4,605,752)</b>        | <b>(4,618,689)</b>        | <b>(12,937)</b>        | <b>0.3%</b>        |
| <b>NON-OPERATING ITEMS</b>              |                           |                           |                           |                           |                        |                    |
| Debt Service - Noresco                  | <u>(1,683)</u>            | <u>0</u>                  | <u>0</u>                  | <u>0</u>                  | <u>0</u>               | <u>n/a</u>         |
| <b>TOTAL NON-OPERATING ITEMS</b>        | <b>(1,683)</b>            | <b>0</b>                  | <b>0</b>                  | <b>0</b>                  | <b>0</b>               | <b>n/a</b>         |
| <b>NET INCOME/(LOSS)</b>                | <b><u>(3,451,139)</u></b> | <b><u>(3,961,612)</u></b> | <b><u>(4,605,752)</u></b> | <b><u>(4,618,689)</u></b> | <b><u>(12,937)</u></b> | <b><u>0.3%</u></b> |
| <b>LESS: DIRECT CAPITAL</b>             | <b>0</b>                  | <b><u>135,000</u></b>     | <b><u>500,000</u></b>     | <b><u>500,000</u></b>     | <b>0</b>               | <b>0.0%</b>        |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(3,451,139)</u></b> | <b><u>(4,096,612)</u></b> | <b><u>(5,105,752)</u></b> | <b><u>(5,118,689)</u></b> | <b><u>(12,937)</u></b> | <b><u>0.3%</u></b> |



**ENGINEERING - NFTA**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL      | FY 23-24<br>BUDGET        | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE        | %                  |
|---|-------------------------|---------------------------|---------------------------------|-----------------------------|-----------------|--------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                         |                           |                                 |                             |                 |                    |
| Personnel Services                      | 4,145,990               | 5,395,600                 | 5,378,001                       | 5,378,001                   | 0               | 0.0%               |
| Maintenance & Repairs                   | 55,004                  | 55,000                    | 57,000                          | 57,000                      | 0               | 0.0%               |
| Utilities                               | 20,707                  | 21,910                    | 20,910                          | 20,910                      | 0               | 0.0%               |
| Insurance & Injuries                    | 78                      | 117                       | 117                             | 117                         | 0               | 0.0%               |
| Safety & Security                       | 0                       | 0                         | 0                               | 0                           | 0               | n/a                |
| General Business/Other                  | 59,277                  | 121,550                   | 149,550                         | 149,550                     | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | (1,648,326)             | (1,846,100)               | (1,719,722)                     | (1,719,722)                 | 0               | 0.0%               |
| Inter Division Reimbursement            | <u>(2,103,214)</u>      | <u>(2,693,001)</u>        | <u>(2,650,577)</u>              | <u>(2,650,577)</u>          | <u>0</u>        | <u>0.0%</u>        |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>529,516</u></b>   | <b><u>1,055,076</u></b>   | <b><u>1,235,279</u></b>         | <b><u>1,235,279</u></b>     | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(529,516)</b>        | <b>(1,055,076)</b>        | <b>(1,235,279)</b>              | <b>(1,235,279)</b>          | <b>0</b>        | <b>0.0%</b>        |
| <b>LESS: DIRECT CAPITAL</b>             | <b><u>29,571</u></b>    | <b><u>87,000</u></b>      | <b><u>55,125</u></b>            | <b><u>55,125</u></b>        | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(559,087)</u></b> | <b><u>(1,142,076)</u></b> | <b><u>(1,290,404)</u></b>       | <b><u>(1,290,404)</u></b>   | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**ENGINEERING - METRO**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL      | FY 23-24<br>BUDGET      | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE        | %                  |
|---|-------------------------|-------------------------|---------------------------------|-----------------------------|-----------------|--------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                         |                         |                                 |                             |                 |                    |
| Personnel Services                      | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Maintenance & Repairs                   | 18,577                  | 15,000                  | 20,000                          | 20,000                      | 0               | 0.0%               |
| Utilities                               | 20,911                  | 21,000                  | 21,000                          | 21,000                      | 0               | 0.0%               |
| Insurance & Injuries                    | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Safety & Security                       | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| General Business/Other                  | 505,306                 | 557,626                 | 606,692                         | 606,692                     | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Inter Division Reimbursement            | <u>0</u>                | <u>0</u>                | <u>0</u>                        | <u>0</u>                    | <u>0</u>        | <u>n/a</u>         |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>544,794</u></b>   | <b><u>593,626</u></b>   | <b><u>647,692</u></b>           | <b><u>647,692</u></b>       | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(544,794)</u></b> | <b><u>(593,626)</u></b> | <b><u>(647,692)</u></b>         | <b><u>(647,692)</u></b>     | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**OPERATIONS & INFORMATION TECHNOLOGY**

**2024/25 TENTATIVE BUDGET**

**VS**

**2024/25 FINAL BUDGET**

|   | <b>FY 22-23<br/>ACTUAL</b> | <b>FY 23-24<br/>BUDGET</b> | <b>FY 24-25<br/>TENTATIVE<br/>BUDGET</b> | <b>FY 24-25<br/>FINAL<br/>BUDGET</b> | <b>VARIANCE</b>           | <b>%</b>            |
|---|----------------------------|----------------------------|--|--------------------------------------|---------------------------|---------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                            |                            |  |                                      |                           |                     |
| Personnel Services                      | 2,671,438                  | 3,766,191                  | 5,078,935                                | 5,088,886                            | 9,951                     | 0.2%                |
| Maintenance & Repairs                   | 0                          | 0                          | 0  | 0                                    | 0                         | n/a                 |
| Utilities                               | 749                        | 1,100                      | 1,100                                    | 1,100                                | 0                         | 0.0%                |
| Insurance & Injuries                    | 0                          | 0                          | 0  | 0                                    | 0                         | n/a                 |
| Safety & Security                       | 0                          | 0                          | 0  | 0                                    | 0                         | n/a                 |
| General Business/Other                  | 5,828,839                  | 6,756,500                  | 8,231,300                                | 8,231,300                            | 0                         | 0.0%                |
| Costs Transferred to Capital Projects   | 0                          | 0                          | 0  | 0                                    | 0                         | n/a                 |
| Inter Division Reimbursement            | <u>(7,616,502)</u>         | <u>(9,292,819)</u>         | <u>(11,754,993)</u>                      | <u>(11,754,993)</u>                  | <u>0</u>                  | <u>0.0%</u>         |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>884,524</u></b>      | <b><u>1,230,972</u></b>    | <b><u>1,556,342</u></b>                  | <b><u>1,566,293</u></b>              | <b><u>9,951</u></b>       | <b><u>0.6%</u></b>  |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(884,524)</b>           | <b>(1,230,972)</b>         | <b>(1,556,342)</b>                       | <b>(1,566,293)</b>                   | <b>(9,951)</b>            | <b>0.6%</b>         |
| <b>LESS: DIRECT CAPITAL</b>             | <b><u>3,705,411</u></b>    | <b><u>5,117,000</u></b>    | <b><u>5,100,000</u></b>                  | <b><u>6,448,000</u></b>              | <b><u>1,348,000</u></b>   | <b><u>26.4%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(4,589,935)</u></b>  | <b><u>(6,347,972)</u></b>  | <b><u>(6,656,342)</u></b>                | <b><u>(8,014,293)</u></b>            | <b><u>(1,357,951)</u></b> | <b><u>20.4%</u></b> |

**PUBLIC AFFAIRS - NFTA**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL        | FY 23-24<br>BUDGET        | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE                | %                    |
|---|---------------------------|---------------------------|---------------------------------|-----------------------------|-------------------------|----------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                                 |                             |                         |                      |
| Personnel Services                      | 1,242,982                 | 1,417,581                 | 1,532,489                       | 1,544,294                   | 11,805                  | 0.8%                 |
| Maintenance & Repairs                   | 0                         | 0                         | 0                               | 0                           | 0                       | n/a                  |
| Utilities                               | 1,319                     | 2,000                     | 2,000                           | 2,000                       | 0                       | 0.0%                 |
| Insurance & Injuries                    | 0                         | 0                         | 0                               | 0                           | 0                       | n/a                  |
| Safety & Security                       | 0                         | 0                         | 0                               | 0                           | 0                       | n/a                  |
| General Business/Other                  | 40,891                    | 84,386                    | 114,550                         | 120,050                     | 5,500                   | 4.8%                 |
| Costs Transferred to Capital Projects   | 0                         | 0                         | 0                               | 0                           | 0                       | n/a                  |
| Inter Division Reimbursement            | (1,573)                   | 0                         | (1,500)                         | (1,500)                     | 0                       | 0.0%                 |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>1,283,619</u></b>   | <b><u>1,503,967</u></b>   | <b><u>1,647,539</u></b>         | <b><u>1,664,844</u></b>     | <b><u>17,305</u></b>    | <b><u>1.1%</u></b>   |
| <b>OPERATING INCOME/(LOSS)</b>          | <b><u>(1,283,619)</u></b> | <b><u>(1,503,967)</u></b> | <b><u>(1,647,539)</u></b>       | <b><u>(1,664,844)</u></b>   | <b><u>(17,305)</u></b>  | <b><u>1.1%</u></b>   |
| <b>LESS: DIRECT CAPITAL</b>             | <b><u>9,000</u></b>       | <b><u>75,600</u></b>      | <b><u>50,000</u></b>            | <b><u>139,520</u></b>       | <b><u>89,520</u></b>    | <b><u>179.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(1,292,619)</u></b> | <b><u>(1,579,567)</u></b> | <b><u>(1,697,539)</u></b>       | <b><u>(1,804,364)</u></b>   | <b><u>(106,825)</u></b> | <b><u>6.3%</u></b>   |

**PUBLIC AFFAIRS - METRO**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL      | FY 23-24<br>BUDGET      | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE        | %                  |
|---|-------------------------|-------------------------|---------------------------------|-----------------------------|-----------------|--------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                         |                         |                                 |                             |                 |                    |
| Personnel Services                      | 134,186                 | 142,593                 | 152,938                         | 152,938                     | 0               | 0.0%               |
| Maintenance & Repairs                   | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Utilities                               | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Insurance & Injuries                    | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Safety & Security                       | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| General Business/Other                  | 19,796                  | 20,000                  | 22,500                          | 22,500                      | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Inter Division Reimbursement            | (16,165)                | (27,386)                | (29,569)                        | (29,569)                    | 0               | 0.0%               |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>137,817</u></b>   | <b><u>135,207</u></b>   | <b><u>145,869</u></b>           | <b><u>145,869</u></b>       | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(137,817)</u></b> | <b><u>(135,207)</u></b> | <b><u>(145,869)</u></b>         | <b><u>(145,869)</u></b>     | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**HUMAN RESOURCES - NFTA**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL        | FY 23-24<br>BUDGET        | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE            | %                  |
|---|---------------------------|---------------------------|---------------------------------|-----------------------------|---------------------|--------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                           |                           |                                 |                             |                     |                    |
| Personnel Services                      | 1,234,465                 | 1,498,324                 | 1,542,901                       | 1,542,254                   | (647)               | 0.0%               |
| Maintenance & Repairs                   | 0                         | 0                         | 0                               | 0                           | 0                   | n/a                |
| Utilities                               | 0                         | 0                         | 0                               | 0                           | 0                   | n/a                |
| Insurance & Injuries                    | 0                         | 0                         | 0                               | 0                           | 0                   | n/a                |
| Safety & Security                       | 0                         | 0                         | 0                               | 0                           | 0                   | n/a                |
| General Business/Other                  | 490,418                   | 450,000                   | 558,600                         | 558,600                     | 0                   | 0.0%               |
| Costs Transferred to Capital Projects   | 0                         | 0                         | 0                               | 0                           | 0                   | n/a                |
| Inter Division Reimbursement            | <u>(199,956)</u>          | <u>(189,871)</u>          | <u>(194,714)</u>                | <u>(194,196)</u>            | 518                 | -0.3%              |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>1,524,927</u></b>   | <b><u>1,758,453</u></b>   | <b><u>1,906,787</u></b>         | <b><u>1,906,658</u></b>     | <b><u>(129)</u></b> | <b><u>0.0%</u></b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b><u>(1,524,927)</u></b> | <b><u>(1,758,453)</u></b> | <b><u>(1,906,787)</u></b>       | <b><u>(1,906,658)</u></b>   | <b><u>129</u></b>   | <b><u>0.0%</u></b> |
| <b>LESS: DIRECT CAPITAL</b>             | <b><u>0</u></b>           | <b><u>0</u></b>           | <b><u>0</u></b>                 | <b><u>0</u></b>             | <b><u>0</u></b>     | <b><u>n/a</u></b>  |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(1,524,927)</u></b> | <b><u>(1,758,453)</u></b> | <b><u>(1,906,787)</u></b>       | <b><u>(1,906,658)</u></b>   | <b><u>129</u></b>   | <b><u>0.0%</u></b> |

**HUMAN RESOURCES - METRO**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL      | FY 23-24<br>BUDGET      | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE        | %                  |
|---|-------------------------|-------------------------|---------------------------------|-----------------------------|-----------------|--------------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                         |                         |                                 |                             |                 |                    |
| Personnel Services                      | 136                     | 0                       | 0                               | 0                           | 0               | n/a                |
| Maintenance & Repairs                   | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Utilities                               | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Insurance & Injuries                    | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Safety & Security                       | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| General Business/Other                  | 417,331                 | 275,171                 | 265,714                         | 265,714                     | 0               | 0.0%               |
| Costs Transferred to Capital Projects   | 0                       | 0                       | 0                               | 0                           | 0               | n/a                |
| Inter Division Reimbursement            | <u>(69,703)</u>         | <u>(46,779)</u>         | <u>(45,011)</u>                 | <u>(45,011)</u>             | 0               | 0.0%               |
| <b>TOTAL OPERATING EXPENSES</b>         | <b><u>347,764</u></b>   | <b><u>228,392</u></b>   | <b><u>220,703</u></b>           | <b><u>220,703</u></b>       | <b><u>0</u></b> | <b><u>0.0%</u></b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b><u>(347,764)</u></b> | <b><u>(228,392)</u></b> | <b><u>(220,703)</u></b>         | <b><u>(220,703)</u></b>     | <b><u>0</u></b> | <b><u>0.0%</u></b> |

**FINANCE & ADMINISTRATION - NFTA**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL | FY 23-24<br>BUDGET | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE         | %             |
|---|--------------------|--------------------|---------------------------------|-----------------------------|------------------|---------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                    |                    |                                 |                             |                  |               |
| Personnel Services                      | 2,561,760          | 3,434,421          | 3,579,887                       | 2,825,447                   | (754,440)        | -21.1%        |
| Maintenance & Repairs                   | 0                  | 0                  | 0                               | 0                           | 0                | n/a           |
| Utilities                               | 0                  | 0                  | 0                               | 0                           | 0                | n/a           |
| Insurance & Injuries                    | 0                  | 0                  | 0                               | 0                           | 0                | n/a           |
| Safety & Security                       | 0                  | 0                  | 0                               | 0                           | 0                | n/a           |
| General Business/Other                  | 113,741            | 179,650            | 111,270                         | 109,200                     | (2,070)          | -1.9%         |
| Costs Transferred to Capital Projects   | (36,932)           | (232,553)          | (40,830)                        | 0                           | 40,830           | -100.0%       |
| Inter Division Reimbursement            | (1,441)            | (385,169)          | (398,915)                       | (398,915)                   | 0                | 0.0%          |
| <b>TOTAL OPERATING EXPENSES</b>         | <b>2,637,128</b>   | <b>2,996,349</b>   | <b>3,251,412</b>                | <b>2,535,732</b>            | <b>(715,680)</b> | <b>-22.0%</b> |
| <b>OPERATING INCOME/(LOSS)</b>          | <b>(2,637,128)</b> | <b>(2,996,349)</b> | <b>(3,251,412)</b>              | <b>(2,535,732)</b>          | <b>715,680</b>   | <b>-22.0%</b> |
| <b>LESS: DIRECT CAPITAL</b>             | <b>0</b>           | <b>0</b>           | <b>0</b>                        | <b>0</b>                    | <b>0</b>         | <b>n/a</b>    |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b>(2,637,128)</b> | <b>(2,996,349)</b> | <b>(3,251,412)</b>              | <b>(2,535,732)</b>          | <b>715,680</b>   | <b>-22.0%</b> |

**FINANCE & ADMINISTRATION - METRO**

2024/25 TENTATIVE BUDGET

VS

2024/25 FINAL BUDGET

|   | FY 22-23<br>ACTUAL | FY 23-24<br>BUDGET | FY 24-25<br>TENTATIVE<br>BUDGET | FY 24-25<br>FINAL<br>BUDGET | VARIANCE | %           |
|---|--------------------|--------------------|---------------------------------|-----------------------------|----------|-------------|
| <b>OPERATING EXPENSES (Excl. Depr.)</b> |                    |                    |                                 |                             |          |             |
| Personnel Services                      | 1,050,248          | 1,688,993          | 1,631,857                       | 1,631,857                   | 0        | 0.0%        |
| Maintenance & Repairs                   | 0                  | 0                  | 0                               | 0                           | 0        | n/a         |
| Utilities                               | 29,584             | 22,500             | 24,700                          | 24,700                      | 0        | 0.0%        |
| Insurance & Injuries                    | 0                  | 0                  | 0                               | 0                           | 0        | n/a         |
| Safety & Security                       | 0                  | 0                  | 0                               | 0                           | 0        | n/a         |
| General Business/Other                  | 1,030,171          | 1,158,369          | 1,230,915                       | 1,230,915                   | 0        | 0.0%        |
| Costs Transferred to Capital Projects   | 0                  | 0                  | 0                               | 0                           | 0        | n/a         |
| Inter Division Reimbursement            | (300,268)          | (479,139)          | (515,673)                       | (515,673)                   | 0        | 0.0%        |
| <b>TOTAL OPERATING EXPENSES</b>         | <b>1,809,735</b>   | <b>2,390,723</b>   | <b>2,371,799</b>                | <b>2,371,799</b>            | <b>0</b> | <b>0.0%</b> |
| <b>NET SURPLUS/(DEFICIT)</b>            | <b>(1,809,735)</b> | <b>(2,390,723)</b> | <b>(2,371,799)</b>              | <b>(2,371,799)</b>          | <b>0</b> | <b>0.0%</b> |

Erie County Legislature  
Meeting Date: 04/11/2024

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SUBJECT

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|            |       |  |
|------------|-------|--|
| COMM. 7M-6 | ECMCC | ECMCC 2023 Annual Report - Placeholder |
|------------|-------|--|

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|              |             |
|--------------|-------------|
| 24COMM. 7M-6 | Attachments |
|--------------|-------------|

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**ERIE COUNTY MEDICAL CENTER CORPORATION**

**TRANSMITTAL**

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TO: Robert M. Graber  
Erie County Legislature Clerk

FROM: Erie County Medical Center Corporation

DATE: March 28, 2024

As required by New York State Public Authorities Law §3642(1); Public Authorities Law §2800, enclosed please find Erie County Medical Center Corporation's 2023 Annual Report.