



THE ERIE COUNTY LEGISLATURE

Session No. 16
OCTOBER 10, 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: Meeting No. 16

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

| | |
|--------|-------------------------------------------------------------------------------------------------------|
| BASKIN | Honoring and Recognizing the Grand Opening of Loud House Buffalo |
| DUPRE | Acknowledging and Recognizing Timothy Wells - Prostate Cancer Survivor |
| DUPRE | Acknowledging and Recognizing James McAdoy - Prostate Cancer Survivor |
| GREENE | Honoring Orchestra Teacher Randy Czosnyka on Universal Music Day |
| GREENE | Honoring Band Teacher Tom Marinaro on Universal Music Day |
| GREENE | Honoring Music Teacher Emily Holmberg on Universal Music Day |
| GREENE | In Recognition of Fire Prevention Week and Main-Transit Volunteer Fire Department |
| ODARO | Congratulating Raymond David on His Induction into the Erie County Fire Advisory Board Wall of Honor |
| TODARO | Congratulating Douglas Lahnen on His Induction into the Erie County Fire Advisory Board Wall of Honor |

| | |
|-----------------|----------------------------------------------------------------------------------------------------|
| TODARO | Congratulating James Koral on His Induction into the Erie County Fire Advisory Board Wall of Honor |
| LORIGO | Recognizing the Spring Brook Volunteer Fire Company On National First Responders Day |
| LORIGO | Recognizing the Springville Volunteer Fire Department On National First Responders Day |
| LORIGO | Recognizing the Jamison Road Volunteer Fire Company On National First Responders Day |
| LORIGO | Recognizing the Union Fire Company On National First Responders Day |
| LORIGO | Recognizing the Vigilant Fire Company On National First Responders Day |
| LORIGO | Recognizing Red Ribbon Week 2024 |
| LORIGO | Honoring Edwin A. Lehsten on His Induction to the Erie County Fireman's Wall of Honor |
| LORIGO | Honoring John A. Gullo on His Induction to the Erie County Fireman's Wall of Honor |
| MILLS | Celebrating the Grand Opening of Eden Veterinary Station |
| MILLS | Recognizing Deaf Awareness Week and the Remarkable Spirit of Ms. Linda Popple of North Collins |
| MILLS | In Recognition of Fire Prevention Week and the Lake Shore Volunteer Fire Department |
| MILLS | Recognizing the Angola Public Library's 100th Anniversary |
| BASKIN & MEYERS | Honoring and Recognizing Legislator Frank Todaro |
| BARGNESI | Celebrating and Honoring Raymond Patrick Powers - Erie County Wall of Honor |
| KOOSHOIAN | Celebrating and Honoring John W. Beaumont - Erie County Wall of Honor |

LOCAL LAWS:

| | | | |
|-------------------------|--------------------|------------------------------------------------------------------------------------|----------------------------|
| LL INTRO. 2-1 (2024) | LORIGO | The Tax Dollar Disclosure Act | Finance & Management |
| LL INTRO. 3-1 (2024) | LORIGO | The Meetings Transparency Act | Finance & Management |
| LL INTRO. 5-2 (2024) | BARGNESI | Amending the Erie County Charter in Relation to Term Lengths and Term Limits | Government Affairs |
| LL INTRO. 6-1 (2024) | BASKIN & MEYERS | The Erie County Language Access Act | Health & Human Services |

COMMITTEE REPORTS:

| | | | |
|---------------|-----------------------------------|--|--|
| Report No. 11 | FINANCE & MANAGEMENT COMMITTEE | | |
| Report No. 12 | ENERGY & ENVIRONMENT COMMITTEE | | |
| Report No. 3 | COMMUNITY ENRICHMENT COMMITTEE | | |
| Report No. 14 | PUBLIC SAFETY COMMITTEE | | |
| Report No. 11 | HEALTH & HUMAN SERVICES COMMITTEE | | |
| Report No. 3 | SMALL BUSINESS COMMITTEE | | |

LEGISLATOR RESOLUTIONS:

| | | |
|-------------|--------------------|-------------------------------------------------------------------------------------------------|
| INTRO. 17-1 | BASKIN & MEYERS | Adjusting from the Income Limits for an Erie County Senior Citizen Property Tax Exemption |
| INTRO. 17-2 | BASKIN | Re-Appropriation of Cultural Agency Funding |
| INTRO. 17-3 | LEGISLATURE | Appointment of Commissioners of Elections |

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

| | | |
|-------------|--------------------|----------------------------------------------------|
| COMM. 17D-3 | COUNTY ATTORNEY | Opinion as to Form Local Law Intro No. 6-1 2024 |
|-------------|--------------------|----------------------------------------------------|

COMMUNICATIONS FROM ELECTED OFFICIALS:

| | | | |
|--------------|------------------|------------------------------------------------------------------------------------------------------|-------------------------|
| COMM. 17E-1 | SHERIFF | Acceptance of Smart Reentry Grant | Public Safety |
| COMM. 17E-2 | SHERIFF | Acceptance of FY2024 Port Security Grant | Public Safety |
| COMM. 17E-3 | COUNTY EXECUTIVE | Appointments to the Erie County Charter Review Commission | Government Affairs |
| COMM. 17E-4 | COMPTROLLER | Response to Letter Concerning Deputy Comptroller for Audit | Finance & Management |
| COMM. 17E-5 | COMPTROLLER | Sales and Compensating Use Tax Report - June, July & August 2024 | Finance & Management |
| COMM. 17E-6 | SHERIFF | Ownership Transfer of K9 Ciro | Public Safety |
| COMM. 17E-7 | COMPTROLLER | Certificate of Determination - Buffalo Bills Stadium Project Bond | Finance & Management |
| COMM. 17E-8 | COUNTY EXECUTIVE | Appointments to the Youth Services Board | Health & Human Services |
| COMM. 17E-9 | COUNTY EXECUTIVE | ECSD No. 3 - Proposed Increase and Improvement of Facilities | Energy & Environment |
| COMM. 17E-10 | COUNTY EXECUTIVE | ECSD No. 3 - Engineering Term Contract Agreement (DD-3) | Energy & Environment |
| COMM. 17E-11 | COUNTY EXECUTIVE | ECSD No. 3 - Engineer Term Contract Agreement (GHD-4) | Energy & Environment |
| COMM. 17E-12 | COUNTY EXECUTIVE | ECSD Nos. 1 & 4 Construction Close Out - Rehabilitation of Borden Road | Energy & Environment |
| COMM. 17E-13 | COUNTY EXECUTIVE | Rehabilitation of Abbott and Willet Roads - Erie County Sewers Repairs | Energy & Environment |
| COMM. 17E-14 | COUNTY EXECUTIVE | Rehabilitation of Dodge Road - Contract for Engineering Design Services | Energy & Environment |
| COMM. 17E-15 | COUNTY EXECUTIVE | 2022 On-Call General Civil Engineering & Land Survey Services, Countywide Term Agreement Amendment 1 | Energy & Environment |

| | | | |
|--------------|----------------------------|--------------------------------------------------------------------------|-----------------------------------|
| COMM. 17E-16 | COUNTY EXECUTIVE | Rath Building Elevator Modernization Project - Contingency Fund Increase | Economic Development |
| COMM. 17E-17 | COUNTY EXECUTIVE | Authorization to Enter into Contract with Lightspeed Commerce Inc. | Economic Development |
| COMM. 17E-18 | COUNTY EXECUTIVE | Authorization to Enter into Contract with P&A Group | Economic Development |
| COMM. 17E-19 | COUNTY EXECUTIVE & SHERIFF | Creation of Shared Regional Medical Director Position | Immediate Consideration Requested |
| COMM. 17E-20 | COMPTROLLER | Department of Law Risk Retention Fund Spending - August 2024 | Finance & Management |

COMMUNICATIONS FROM THE DEPARTMENTS:

| | | | |
|-------------|----------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------|
| COMM. 17D-1 | DEPARTMENT OF SOCIAL SERVICES | COMM. 12E-34 Compliance Report - September 2024 | Health & Human Services |
| COMM. 17D-2 | BOARD OF ELECTIONS COMMISSIONERS | Acceptance of Grant Awards - 2024 General Election Grant, Electronic Poll Book Grant, Ballot By Mail Grant | Immediate Consideration Requested |

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

| | | | |
|-------------|----------------------------------|-----------------------------------------------------------------------------|-------------------------|
| COMM. 17M-1 | ERIE COUNTY REPUBLICAN COMMITTEE | 2024 Certificate of Recommendation for Republican Commissioner of Elections | RFP |
| COMM. 17M-2 | ERIE COUNTY DEMOCRATIC COMMITTEE | 2024 Certificate of Recommendation for Democratic Commissioner of Elections | RFP |
| COMM. 17M-3 | BOARD OF HEALTH CHAIRMAN | Notification of Board of Health Meeting | Health & Human Services |
| COMM. 17M-4 | BOARD OF ETHICS CHAIR | EC Board of Ethics - 2023 Annual Report of Activities | Government Affairs |

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

BASKIN

Honoring and Recognizing the Grand Opening of Loud House
Buffalo

24PROC. 17-1

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 27, 2024

EC LEG SEP 30 '24 AM 10:24

*Honoring and Recognizing the Grand Opening of
Loud House Buffalo*

WHEREAS, *Loud House Buffalo* is located at 1735 Hertel Avenue in Buffalo, New York;
and

WHEREAS, *Loud House Buffalo*, the newest dining destination in North Buffalo, will be led
by owners Christina Bishop and her fiancé Timothy Love; and

WHEREAS, *Loud House Buffalo* will feature breakfast and brunch choices that will provide
and deliver some authentic, bold, and savory flavors with the comforting warmth of good music and
beverages that will allow you to tailor your dining experience to your heart's content; and

WHEREAS, their unwavering commitment to excellence drives them to meticulously choose
ingredients of the utmost quality, ensuring that the menu consistently meets the highest standards; and

WHEREAS, Christina and Timothy have prepared themselves for this journey from their
experiences, tireless hours of preparation, and constant networking to ensure the success of *Loud
House Buffalo*; and

WHEREAS, Christina and Timothy have been working to take advantage of every available
opportunity for the purpose of continually advancing their business to the next level to build a solid
reputation for *Loud House Buffalo*.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and extend our
congratulations and best wishes to proprietors Christina and Timothy, Chef Dana Richie, Chef Taylor
Bishop and their entire team as they host the official grand opening of *Loud House Buffalo* in Buffalo
today, September 27, 2024; and be it further

RESOLVED, that this Honorable Body extends our appreciation to *Loud House Buffalo* for
the tremendous contributions and the impact they will have on the City of Buffalo as they will continue
to build their clientele throughout Erie County for many years to come.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

DUPRE

Acknowledging and Recognizing Timothy Wells - Prostate
Cancer Survivor

24PROC. 17-2

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 29, 2024

EC LEG SEP 27 '24 AM 11:19

Acknowledging and Recognizing Timothy Wells - Prostate Cancer Survivor

WHEREAS, through trials, tribulations and treatment, *Timothy Wells* continues to live life to the fullest and deserves praise as a prostate cancer survivor; and

WHEREAS, despite the enormous strides made over the last few decades in fighting and treating prostate cancer, challenges persist; and

WHEREAS, early detection and screening are critical to beating prostate cancer; and

WHEREAS, education regarding prostate cancer is critical to saving lives and preventing and protecting our families; and

WHEREAS, as we celebrate the unbelievable resilience of prostate cancer survivors and remember those lost to this disease, we also pray for comfort and strength for those individuals such as Timothy who continue to persevere and survive cancer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby wholeheartedly recognize and celebrate prostate cancer survivors such as *Timothy Wells* and wishes him the best of health today and continue to keep a positive mindset going forward.

Hon. Lawrence J. Dupre
Erie County Legislator, 1st District

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

DUPRE

Acknowledging and Recognizing James McAdoy - Prostate
Cancer Survivor

24PROC. 17-3

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, SEPTEMBER 29, 2024

EC LEG SEP 27 '24 AM 11:16

Acknowledging and Recognizing James McAdoy - Prostate Cancer Survivor

WHEREAS, through trials, tribulations and treatment, *James McAdoy* continues to live life to the fullest and deserves praise as a prostate cancer survivor; and

WHEREAS, despite the enormous strides made over the last few decades in fighting and treating prostate cancer, challenges persist; and

WHEREAS, early detection and screening are critical to beating prostate cancer; and

WHEREAS, education regarding prostate cancer is critical to saving lives and preventing and protecting our families; and

WHEREAS, as we celebrate the unbelievable resilience of prostate cancer survivors and remember those lost to this disease, we also pray for comfort and strength for those individuals such as James who continue to persevere and survive cancer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby wholeheartedly recognize and celebrate prostate cancer survivors such as *James McAdoy* and wishes him the best of health today and continue to keep a positive mindset going forward.

Hon. Lawrence J. Dupre
Erie County Legislator, 1st District

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

GREENE

Honoring Orchestra Teacher Randy Czosnyka on Universal
Music Day

24PROC. 17-4

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Orchestra Teacher Randy Czosnyka on Universal Music Day

WHEREAS, music is a universal language that unites people across cultures, fostering joy, creativity, and emotional connection; and

WHEREAS, *Universal Music Day* is a celebration of the profound impact that music has on individuals and communities, promoting the appreciation of music in all its forms and encouraging participation in musical activities; and

WHEREAS, *Randy Czosnyka*, a dedicated orchestra teacher at Maple East Elementary School, has exemplified an unwavering commitment to inspiring students through the transformative power of music, nurturing young minds and cultivating a love of learning and self-expression; and

WHEREAS, through his passion for teaching, *Randy Czosnyka* has touched the lives of countless students, encouraging them to explore their musical talents, develop confidence, and discover the joy of artistic creation; and

WHEREAS, *Randy Czosnyka's* efforts have made a lasting impact on the Maple East Elementary School community, fostering a strong music education program that enriches the lives of students and enhances the cultural fabric of our society; and

WHEREAS, it is fitting to recognize the exceptional contributions of educators like *Randy Czosnyka*, who continue to elevate the importance of music education and its role in shaping well-rounded, creative, and empathetic individuals.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and commend *Randy Czosnyka* for his dedication to music education in celebration of *Universal Music Day* and express profound gratitude for his commitment to fostering a love of music among the youth of our community.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

SUBJECT

GREENE

Honoring Band Teacher Tom Marinaro on Universal Music
Day

24PROC. 17-5

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. OCTOBER 10, 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 10th day of October, 2024 A.D., a resolution was adopted, of which the following is a true copy:

Honoring Band Teacher Tom Marinaro on Universal Music Day

WHEREAS, music is a universal language that unites people across cultures, fostering joy, creativity, and emotional connection; and

WHEREAS, *Universal Music Day* is a celebration of the profound impact that music has on individuals and communities, promoting the appreciation of music in all its forms and encouraging participation in musical activities; and

WHEREAS, *Tom Marinaro*, a dedicated band teacher at Maple East Elementary School, has exemplified an unwavering commitment to inspiring students through the transformative power of music, nurturing young minds, and cultivating a love of learning and self-expression; and

WHEREAS, through his passion for teaching, *Tom Marinaro* has touched the lives of countless students, encouraging them to explore their musical talents, develop confidence, and discover the joy of artistic creation; and

WHEREAS, *Tom Marinaro's* efforts have made a lasting impact on the Maple East Elementary School community, fostering a strong music education program that enriches the lives of students and enhances the cultural fabric of our society; and

WHEREAS, it is fitting to recognize the exceptional contributions of educators like *Tom Marinaro*, who continue to elevate the importance of music education and its role in shaping well-rounded, creative, and empathetic individuals.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and commend *Tom Marinaro* for his dedication to music education in celebration of *Universal Music Day* and express profound gratitude for his commitment to fostering a love of music among the youth of our community.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

GREENE

Honoring Music Teacher Emily Holmberg on Universal Music Day

24PROC. 17-6

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Music Teacher Emily Holmberg on Universal Music Day

WHEREAS, music is a universal language that unites people across cultures, fostering joy, creativity, and emotional connection; and

WHEREAS, *Universal Music Day* is a celebration of the profound impact that music has on individuals and communities, promoting the appreciation of music in all its forms and encouraging participation in musical activities; and

WHEREAS, *Emily Holmberg*, a dedicated music teacher at Maple East Elementary School, has exemplified an unwavering commitment to inspiring students through the transformative power of music, nurturing young minds, and cultivating a love of learning and self-expression; and

WHEREAS, through his passion for teaching, *Emily Holmberg* has touched the lives of countless students, encouraging them to explore their musical talents, develop confidence, and discover the joy of artistic creation; and

WHEREAS, *Emily Holmberg's* efforts have made a lasting impact on the Maple East Elementary School community, fostering a strong music education program that enriches the lives of students and enhances the cultural fabric of our society; and

WHEREAS, it is fitting to recognize the exceptional contributions of educators like *Emily Holmberg*, who continue to elevate the importance of music education and its role in shaping well-rounded, creative, and empathetic individuals.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and commend *Emily Holmberg* for her dedication to music education in celebration of *Universal Music Day* and express profound gratitude for her commitment to fostering a love of music among the youth of our community.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

GREENE

In Recognition of Fire Prevention Week and Main-Transit
Volunteer Fire Department

24PROC. 17-7

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**In Recognition of Fire Prevention Week and
Main-Transit Volunteer Fire Department**

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

WHEREAS, **Fire Prevention Week** is observed each year during the week of October 9 in remembrance of the Great Chicago Fire of 1871, a devastating event that claimed over 250 lives, left 100,000 people without homes, and destroyed more than 17,400 buildings; and

WHEREAS, **Fire Prevention Week** serves to emphasize the importance of fire safety and the actions we can all take to prevent fires and protect our families; and

WHEREAS, the **Main-Transit Fire Department's** dedicated members diligently serve the community, demonstrating an unwavering commitment to ensuring the safety of all residents; and

WHEREAS, the **Main-Transit Fire Department** consistently goes above and beyond, actively engaging with the public by visiting schools and teaching fire safety, instilling the importance of fire prevention in our children; and

WHEREAS, the **Main-Transit Fire Department** and **Fire Prevention Week** both exemplify the highest ideals of service, safety, and education, working to build a community that is both informed and protected; and

WHEREAS, **Main-Transit Fire Department** firefighters dedicate their lives to protecting life and property, and through devotion and sacrifice, they volunteer and take extraordinary risks, not to benefit themselves but selflessly working to ensure their communities are as safe as possible.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Main-Transit Fire Department** for its extraordinary dedication, selfless service, and commitment to fire prevention efforts and encourages all residents to participate in **Fire Prevention Week** activities to protect their families and homes.

CHRISTOPHER D. GREENE
Erie County Legislator – 6th District

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

ODARO

Congratulating Raymond David on His Induction into the Erie
County Fire Advisory Board Wall of Honor

24PROC. 17-8

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Congratulating Raymond David on his induction into the Erie County Fire Advisory Board Wall of Honor

WHEREAS, every year, the Erie County Fire Advisory Board honors individuals whose dedication, leadership, and commitment to public safety have significantly impacted the fire service and the communities they serve; and

WHEREAS, **Raymond David** began his distinguished career on March 1, 1968, with the Twin District Volunteer Fire Company, where he quickly advanced through the ranks and served as Department Chief on several occasions, including the years 1977-1980, 1986-1987, and 1990; and

WHEREAS, **Raymond David** continues to be an invaluable member of the Twin District Fire Company, currently serving as Captain of the Fire Police and Department Chaplain roles, in which his vast experience and knowledge greatly benefit the department and its members; and

WHEREAS, **Raymond David** foresaw the increasing demand for Emergency Medical Services and became one of the first Medical Review Officers, a New York State EMT instructor, and was instrumental in acquiring some of the first extrication tools in Western New York, including the Hurst Jaws of Life; and

WHEREAS, **Raymond David** has been a visionary in developing future fire service leaders through the creation of the Explorer/Junior Firefighter program at Twin District, inspiring and guiding young individuals who have since become paid firefighters, department chiefs, and community leaders; and

WHEREAS, the induction of **Raymond David** onto the Erie County Fire Advisory Board Wall of Honor is a testament to his tireless commitment to the safety and well-being of Lancaster and Erie County citizens.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and congratulate **Raymond David** on his induction onto the Erie County Fire Advisory Board Wall of Honor and thank him for his lifelong dedication to our community.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

TODARO

Congratulating Douglas Lahnen on His Induction into the Erie
County Fire Advisory Board Wall of Honor

24PROC. 17-9

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Congratulating Douglas Lahren on his induction into the Erie County Fire Advisory Board Wall of Honor

WHEREAS, every year, the Erie County Fire Advisory Board honors individuals whose dedication, leadership, and commitment to public safety have significantly impacted the fire service and the communities they serve; and

WHEREAS, **Douglas Lahren** currently serves as Chief of the Lancaster Volunteer Fire Department, and as an appointed member of the Erie County Fire Advisory Board, offering his invaluable expertise and insights to benefit the broader fire service community of Western New York; and

WHEREAS, **Douglas Lahren** began his distinguished career in fire service on December 11, 1972, when he joined the Lancaster Village Citizens Hose Company, quickly becoming an exemplary member of the Lancaster Village Fire Department and earning the inaugural "John C. Lyon Memorial Rookie of the Year" award; and

WHEREAS, throughout his over five decades of service, **Douglas Lahren** has demonstrated exemplary leadership and implemented numerous programs such as the "Years of Service Awards," "Firefighter of the Year," and "Fireman of the Year" programs; and

WHEREAS, in January 1983, as the 3rd Assistant Chief, **Douglas Lahren** selflessly entered a burning residence, rescued a semi-conscious victim, and immediately assumed command of the scene, an act that underscores his bravery and unwavering dedication to protecting the lives of others; and

WHEREAS, the induction of **Douglas Lahren** onto the Erie County Fire Advisory Board Wall of Honor is a testament to his tireless commitment to the safety and well-being of the citizens of Lancaster and Erie County.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and congratulate **Douglas Lahren** on his induction onto the Erie County Fire Advisory Board Wall of Honor and thank him for his lifelong dedication to our community.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

TODARO

Congratulating James Koral on His Induction into the Erie
County Fire Advisory Board Wall of Honor

24PROC. 17-10

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Congratulating James Koral on His Induction into the Erie County Fire Advisory Board Wall of Honor

WHEREAS, every year, the Erie County Fire Advisory Board honors individuals whose dedication, leadership, and commitment to public safety have significantly impacted the fire service and the communities they serve; and

WHEREAS, **James Koral** began his career in emergency services in the early 1970s with the Sloan Active Hose Company, where his love for the fire service was first ignited, and soon after, he brought his talents to the Doyle Fire Company #2, rising through the ranks to become Chief of the Department at Doyle Fire Company #2 before moving to Lancaster; and

WHEREAS, in September 1995, **James Koral** joined the Twin District Fire Company, serving with distinction and again rising to the position of Chief for two terms, from 2002-2005 and 2010-2017, where after decades of service, Jim continues to remain active in the firehouse, generously sharing his knowledge and experience; and

WHEREAS, **James Koral** is a New York State Certified EMT Instructor, a New York State Instructor for Emergency Vehicle Operations Course and Pump Operations, and played a pivotal role in establishing the Erie County Hazardous Material Response Team and the Western New York Critical Stress Reduction Team; and

WHEREAS, **James Koral's** heroism shone brightest in December of 1985, when he rescued a victim from a house fire at 188 Standard Parkway, earning him the Gold Medal from the Town of Cheektowaga, the 100 Club of Buffalo's Annual Hero Award, and Firefighter of the Year from the Erie County Fire Chiefs' Mutual Aid Organization; and

WHEREAS, the induction of **James Koral** onto the Erie County Fire Advisory Board Wall of Honor is a testament to his tireless commitment to the safety and well-being of the citizens of Lancaster and Erie County.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and congratulate **James Koral** on his induction into the Erie County Fire Advisory Board Wall of Honor and thank him for his lifelong dedication to our community.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing the Spring Brook Volunteer Fire Company On
National First Responders Day

24PROC. 17-11

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing the Spring Brook Volunteer Fire Company
On National First Responders Day**

WHEREAS, “**National First Responders Day**” is recognized on October 28th to honor the men and women who dedicate their lives to helping others, acting immediately when an emergency is at hand to support their communities; and

WHEREAS, following the death of Police Officer Sean Collier, who was killed in action responding to the 2013 Boston Marathon bombing, his brother Andrew campaigned for the creation of a national day to honor all first responders, leading to the United States Senate designating October 28th as **National First Responders Day**; and

WHEREAS, the law enforcement officers, firefighters, emergency medical personnel, and dispatchers serve on the front lines each day, risking their safety to protect the lives of others as they respond to incidents ranging from natural disasters to medical crises, accidents, and criminal incidents; and

WHEREAS, according to the Department of Homeland Security, there are over 4.6 million career and volunteer first responders in the United States, each putting in service around the clock in what could be considered one of the most dangerous jobs in the country; and

WHEREAS, these courageous individuals are a critical part of the public safety network in our communities, many of whom are our neighbors, friends, and family members; and

WHEREAS, during **National First Responders Day**, we are grateful for the courage and sacrifice of the first responders across the nation and thank them for their service every single day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Spring Brook Volunteer Fire Department** on **National First Responders Day** for their dedication to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing the Springville Volunteer Fire Department On
National First Responders Day

24PROC. 17-12

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing the Springville Volunteer Fire Department
On National First Responders Day**

WHEREAS, “**National First Responders Day**” is recognized on October 28th to honor the men and women who dedicate their lives to helping others, acting immediately when an emergency is at hand to support their communities; and

WHEREAS, following the death of Police Officer Sean Collier, who was killed in action responding to the 2013 Boston Marathon bombing, his brother Andrew campaigned for the creation of a national day to honor all first responders, leading to the United States Senate designating October 28th as **National First Responders Day**; and

WHEREAS, law enforcement officers, firefighters, emergency medical personnel, and dispatchers serve on the front lines each day, risking their safety to protect the lives of others as they respond to incidents ranging from natural disasters to medical crises, accidents, and criminal incidents; and

WHEREAS, according to the Department of Homeland Security, there are over 4.6 million career and volunteer first responders in the United States, each putting in service around the clock in what could be considered one of the most dangerous jobs in the country; and

WHEREAS, these courageous individuals are a critical part of the public safety network in our communities, many of whom are our neighbors, friends, and family members; and

WHEREAS, during **National First Responders Day**, we are grateful for the courage and sacrifice of the first responders across the nation and thank them for their service every single day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Springville Volunteer Fire Department** on **National First Responders Day** for their dedication to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing the Jamison Road Volunteer Fire Company On
National First Responders Day

24PROC. 17-13

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Jamison Road Volunteer Fire Company
On National First Responders Day**

WHEREAS, “National First Responders Day” is recognized on October 28th to honor the men and women who dedicate their lives to helping others, acting immediately when an emergency is at hand to support their communities; and

WHEREAS, following the death of Police Officer Sean Collier, who was killed in action responding to the 2013 Boston Marathon bombing, his brother Andrew campaigned for the creation of a national day to honor all first responders, leading to the United States Senate designating October 28th as **National First Responders Day**; and

WHEREAS, law enforcement officers, firefighters, emergency medical personnel, and dispatchers serve on the front lines each day, risking their safety to protect the lives of others as they respond to incidents ranging from natural disasters to medical crises, accidents, and criminal incidents; and

WHEREAS, according to the Department of Homeland Security, there are over 4.6 million career and volunteer first responders in the United States, each putting in service around the clock in what could be considered one of the most dangerous jobs in the country; and

WHEREAS, these courageous individuals are a critical part of the public safety network in our communities, many of whom are our neighbors, friends, and family members; and

WHEREAS, during **National First Responders Day**, we are grateful for the courage and sacrifice of the first responders across the nation and thank them for their service every single day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Jamison Road Volunteer Fire Company** on **National First Responders Day** for their dedication to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing the Union Fire Company On National First
Responders Day

24PROC. 17-14

Attachments

EC LEG OCT 8 '24 AM 9:48

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Union Fire Company
On National First Responders Day**

WHEREAS, “National First Responders Day” is recognized on October 28th to honor the men and women who dedicate their lives to helping others, acting immediately when an emergency is at hand to support their communities; and

WHEREAS, following the death of Police Officer Sean Collier, who was killed in action responding to the 2013 Boston Marathon bombing, his brother Andrew campaigned for the creation of a national day to honor all first responders, leading to the United States Senate designating October 28th as **National First Responders Day**; and

WHEREAS, law enforcement officers, firefighters, emergency medical personnel, and dispatchers serve on the front lines each day, risking their safety to protect the lives of others as they respond to incidents ranging from natural disasters to medical crises, accidents, and criminal incidents; and

WHEREAS, according to the Department of Homeland Security, there are over 4.6 million career and volunteer first responders in the United States, each putting in service around the clock in what could be considered one of the most dangerous jobs in the country; and

WHEREAS, these courageous individuals are a critical part of the public safety network in our communities, many of whom are our neighbors, friends, and family members; and

WHEREAS, during **National First Responders Day**, we are grateful for the courage and sacrifice of the first responders across the nation and thank them for their service every single day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Union Fire Company** on **National First Responders Day** for their dedication to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing the Vigilant Fire Company On National First
Responders Day

24PROC. 17-15

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing the Vigilant Fire Company
On National First Responders Day**

WHEREAS, “National First Responders Day” is observed on October 28th to honor the men and women who dedicate their lives to helping others, acting immediately when an emergency is at hand to support their communities; and

WHEREAS, following the death of Police Officer Sean Collier, who was killed in action responding to the 2013 Boston Marathon bombing, his brother Andrew campaigned for the creation of a national day to honor all first responders, leading to the United States Senate designating October 28th as **National First Responders Day**; and

WHEREAS, law enforcement officers, firefighters, emergency medical personnel, and dispatchers serve on the front lines each day, risking their safety to protect the lives of others as they respond to incidents ranging from natural disasters to medical crises, accidents, and criminal incidents; and

WHEREAS, according to the Department of Homeland Security, there are over 4.6 million career and volunteer first responders in the United States, each putting in service around the clock in what could be considered one of the most dangerous jobs in the country; and

WHEREAS, these courageous individuals are a critical part of the public safety network in our communities, many of whom are our neighbors, friends, and family members; and

WHEREAS, during **National First Responders Day**, we are grateful for the courage and sacrifice of the first responders across the nation and thank them for their service every single day.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize the **Vigilant Fire Company** on **National First Responders Day** for their dedication to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Recognizing Red Ribbon Week 2024

24PROC. 17-16

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing Red Ribbon Week 2024

WHEREAS, **Red Ribbon Week**, the largest drug awareness campaign in the country, is observed annually from October 23rd to 28th to spread the word of the destructive effects of drug abuse and to promote a healthy, drug-free lifestyle for youths and families; and

WHEREAS, **Red Ribbon Week** was established by the National Family Partnership in 1985 in memory of Drug Enforcement Administration Agent Enrique Camarena, who lost his life in the fight against drug trafficking earlier that year; and

WHEREAS, substance abuse and opioid addiction have become an epidemic in Erie County and beyond, with reports of over one hundred and five thousand drug overdose deaths throughout the United States in 2023; and

WHEREAS, members of local organizations, including Horizon Health Services, Kids Escaping Drugs, and many others, work tirelessly every day to help recovering patients, support affected families, and disseminate important information on drug abuse, being the “boots on the ground” in combating this worldwide issue; and

WHEREAS, **Red Ribbon Week** is an opportunity for citizens to support drug prevention efforts, reinforce positive behaviors, and encourage a community-wide commitment to drug-free living for people of all ages.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize October 23 through October 28, 2024, as **Red Ribbon Week** in Erie County and affirms our commitment to developing effective solutions for substance abuse awareness and prevention in Erie County.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Honoring Edwin A. Lehsten on His Induction to the Erie
County Fireman's Wall of Honor

24PROC. 17-17

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring Edwin A. Lehsten on his Induction to the
Erie County Fireman's Wall of Honor**

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 contributions of local volunteer firefighters, as protectors of the community twenty-four hours a day; and

WHEREAS, **Edwin A. Lehsten** has been nominated by the Vigilant Fire Company, West Seneca Fire District #6, for the Erie County Fireman's Wall of Honor, where he will be inducted on October 24, 2024; and

WHEREAS, since joining the Vigilant Fire Company in 1979, **Edwin A. Lehsten** remains an active member, serving multiple roles during his forty-five years in the company, including Fire Company Secretary, as well as a member of the Fund Drive, Building, Steering, and By-laws Committees; and

WHEREAS, **Edwin A. Lehsten** was one of four Vigilant members who volunteered to assist with operations at Ground Zero of the 9/11 disaster following the fall of the Twin Towers, later earning the coveted Ed Keller Award in 2005 for his outstanding service to the community and company; and

WHEREAS, **Edwin A. Lehsten** has been a staple of the Vigilant Fire Company as a source of knowledge and wisdom for his fellow members while serving his community in the Town of West Seneca.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Edwin A. Lehsten** on his induction to the Erie County Fireman's Wall of Honor and for forty-five years of service to the Vigilant Fire Company.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

LORIGO

Honoring John A. Gullo on His Induction to the Erie County
Fireman's Wall of Honor

24PROC. 17-18

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Honoring John A. Gullo on his Induction to the
Erie County Fireman's Wall of Honor**

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 contributions of local volunteer firefighters, as protectors of the community twenty-four hours a day; and

WHEREAS, **John A. Gullo** has been nominated by the Vigilant Fire Company, West Seneca Fire District #6, for the Erie County Fireman's Wall of Honor, where he will be inducted on October 24, 2024; and

WHEREAS, as a forty-year member and Past Chief of the Vigilant Fire Company, **John A. Gullo** has held a top responder position every single year of his career since obtaining his EMT certification in 1984 and is currently serving as Fire Commissioner; and

WHEREAS, **John A. Gullo** served nearly twenty years as a chief officer, sharing his knowledge and experience with his fellow members, earning numerous awards, including Responder of the Year from the National Homeland Security Association, Citizen of the Year from the West Seneca Chamber of Commerce, and received the Vigilant Fire Company Ed Keller Award for his outstanding service; and

WHEREAS, **John A. Gullo** has been a staple of the Vigilant Fire Company and his community as a cornerstone of West Seneca emergency management and using the fullest extent of his abilities to serve others.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **John A. Gullo** on his induction to the Erie County Fireman's Wall of Honor and for forty years of service to the Vigilant Fire Company.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

MILLS

Celebrating the Grand Opening of Eden Veterinary Station

24PROC. 17-19

Attachments

EC LEG OCT 8 '24 PM 9:48

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

**Celebrating the Grand Opening of
Eden Veterinary Station**

WHEREAS, The Erie County Legislature seeks to honor individuals and institutions in Erie County who enhance the quality of life in the community through their efforts by thinking big, taking risks, and working hard; and

WHEREAS, **Eden Veterinary Station** has officially opened its doors in the historic Eden train station, preserving a unique part of our local history while providing much-needed veterinary care to our community; and

WHEREAS, **Dr. Cassandra O'Connor** and **Dr. Pam O'Gorman**, the co-founders of **Eden Veterinary Station**, bring years of expertise and compassion to their work, focusing on the comprehensive wellness and emergency care of dogs, and cats; and

WHEREAS, **Dr. O'Gorman** continues the medical legacy started by her father-in-law, Dr. Kevin O'Gorman, who previously operated a medical clinic for humans in the same historic station, now repurposed to serve the health of animals; and

WHEREAS, the station, originally established in 1897 and now expanded to include a 1924 Pullman Sleeper Car for veterinary facilities, stands as a one-of-a-kind symbol of innovation and community spirit, combining history with a mission to improve the lives of pets and their families; and

WHEREAS, **Eden Veterinary Station** is dedicated to providing the highest standard of care and fostering the human-animal bond, thereby strengthening the community ties in Eden and beyond.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to celebrate the grand opening of **Eden Veterinary Station**, commend **Dr. O'Connor** and **Dr. O'Gorman** for their dedication, and wish them great success in their mission to care for the pets of Western New York.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

MILLS

Recognizing Deaf Awareness Week and the Remarkable Spirit
of Ms. Linda Popple of North Collins

24PROC. 17-20

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Deaf Awareness Week and the
Remarkable Spirit of Ms. Linda Popple of North Collins**

WHEREAS, **Deaf Awareness Week** began in 1951 during the first World Congress of the Deaf in Rome, Italy, as an opportunity for the global deaf community to unite, advocate for equality, and celebrate the unique culture, language, and achievements of deaf individuals; and

WHEREAS, this week, we recognize not only the challenges that the deaf community faces in communication, accessibility, and education but also the incredible strength, resilience, and contributions that enrich our society every day; and

WHEREAS, **Ms. Linda Popple**, a seventy-six-year-old resident of North Collins, New York, exemplifies these values through her spirited approach to life; and

WHEREAS, as a person who is deaf, **Ms. Popple** has overcome obstacles with grace and determination, demonstrating that her challenges do not define her but rather empower her to live with competence and independence; and

WHEREAS, **Ms. Popple's** spunk and tenacity serve as an inspiration to those around her, embodying the essence of **Deaf Awareness Week** by showcasing the strength of the human spirit and the importance of inclusivity and understanding; and

WHEREAS, **Ms. Popple** is being honored today for her resilience, her ability to communicate effectively with both the hearing and deaf communities, and the example she sets for living life fully and fearlessly.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to let this proclamation serve as a reminder of remarkable individuals like **Ms. Popple**, who remind us that every day is an opportunity to spread deaf awareness, celebrate diversity, and champion accessibility for all.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

MILLS

In Recognition of Fire Prevention Week and the Lake Shore
Volunteer Fire Department

24PROC. 17-21

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:

**In Recognition of Fire Prevention Week and the
Lake Shore Volunteer Fire Department**

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

WHEREAS, **Fire Prevention Week** is observed each year during the week of October 9 in remembrance of the Great Chicago Fire of 1871, a devastating event that claimed over 250 lives, left 100,000 people without homes, and destroyed more than 17,400 buildings; and

WHEREAS, **Fire Prevention Week** serves to emphasize the importance of fire safety and the actions we can all take to prevent fires and protect our families; and

WHEREAS, the **Lake Shore Volunteer Fire Department's** dedicated members diligently serve the community, demonstrating an unwavering commitment to ensuring the safety of all residents; and

WHEREAS, the **Lake Shore Volunteer Fire Department** consistently goes above and beyond, actively engaging with the public by visiting schools and teaching fire safety, instilling the importance of fire prevention in our children; and

WHEREAS, the **Lake Shore Volunteer Fire Department** and **Fire Prevention Week** exemplify the highest ideals of service, safety, and education, working together to build a community that is both informed and protected; and

WHEREAS, **Lake Shore Volunteer Fire Department** members dedicate their lives to protecting life and property, and through devotion and sacrifice, they volunteer and take extraordinary risks, not to benefit themselves but selflessly working to ensure their communities are as safe as possible.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Lake Shore Volunteer Fire Department** for its extraordinary dedication, selfless service, and commitment to fire prevention efforts, and encourages all residents to participate in **Fire Prevention Week** activities to protect their families and homes.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

MILLS Recognizing the Angola Public Library's 100th Anniversary

24PROC. 17-22 Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., OCTOBER 10, 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 10th day of October 2024 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the Angola Public Library's 100th Anniversary

WHEREAS, the **Angola Public Library** has been a cornerstone of knowledge, culture, and community engagement in the Village of Angola for the past 100 years; and

WHEREAS, the **Angola Public Library's** origins date back to the Angola Library Association, formed prior to 1880, with its first collection of books housed in a jewelry store at the corner of Main and Lake Streets; and

WHEREAS, the growth of the library was driven by passionate community members, including the Lotus Club, a group of women who helped develop a lending system that eventually led to the formation of the Angola Book Club; and

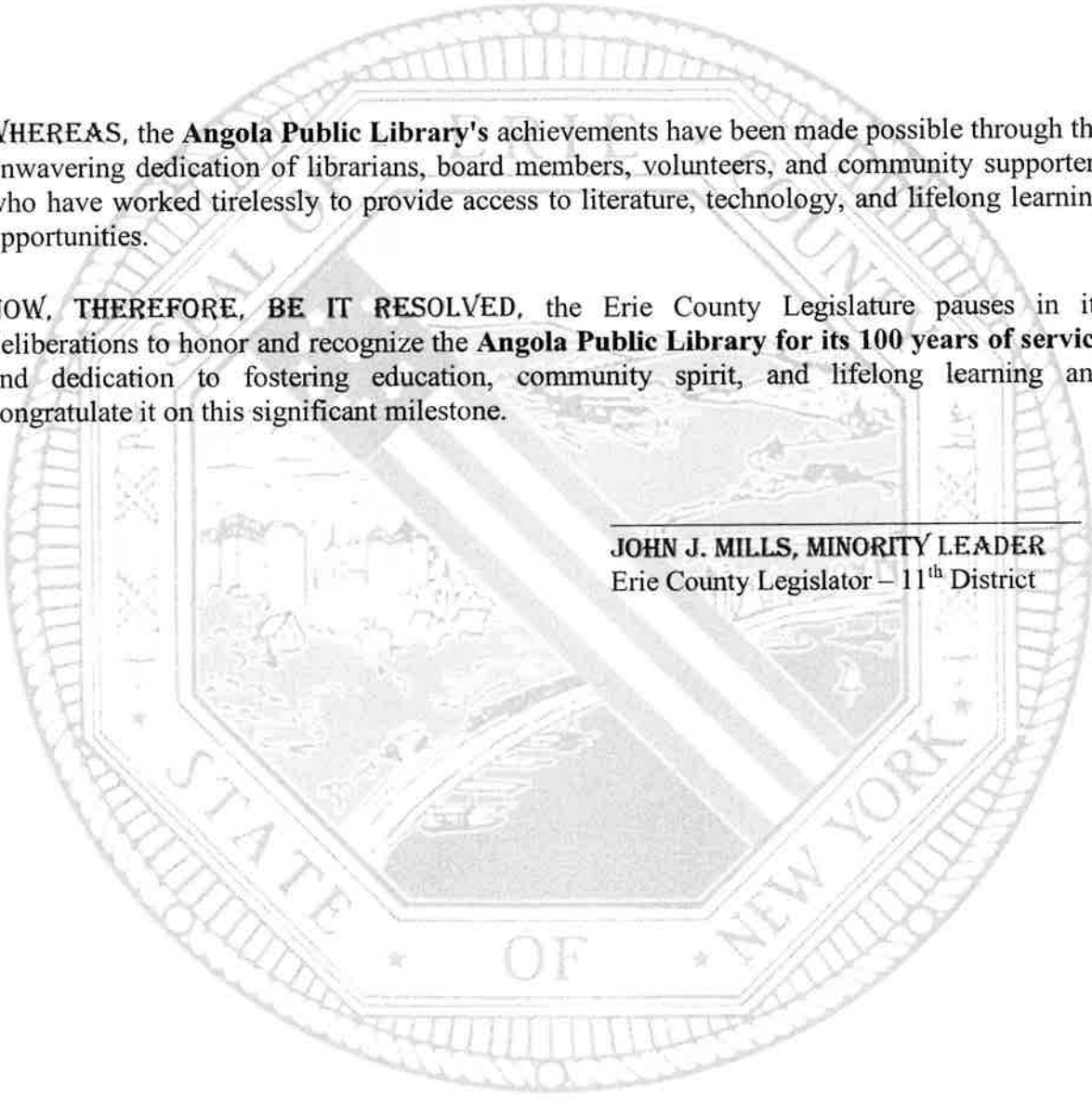
WHEREAS, in 1921, the Village of Angola provided a dedicated room in the Village Hall for the library, which by then housed over 1,500 volumes and circulated nearly 9,900 books per year, serving as a beacon of knowledge for residents; and

WHEREAS, in 1925, the library was granted a provisional charter by the State of New York, formally establishing the **Angola Public Library**, and in 1950, an absolute charter was granted, securing its place as a public institution dedicated to the community; and

WHEREAS, the **Angola Public Library** has evolved over the decades, with key milestones such as joining the Buffalo and Erie County Public Library System in 1947, moving to the Old Town Hall in 1949, and eventually relocating to its current home at 34 N. Main Street in 1971; and

WHEREAS, the **Angola Public Library** underwent significant growth and improvements, including the addition of an 1,100 square foot expansion in 1996, and transitioning to a computerized system in 1992, which enhanced its ability to serve the growing needs of the residents of Angola, Evans, Brant, Farnham; and

WHEREAS, the **Angola Public Library**, over the past century, has been supported by countless dedicated librarians, board members, and community volunteers who have given their time and energy to ensure its success; and



WHEREAS, the **Angola Public Library's** achievements have been made possible through the unwavering dedication of librarians, board members, volunteers, and community supporters who have worked tirelessly to provide access to literature, technology, and lifelong learning opportunities.

NOW, THEREFORE, **BE IT RESOLVED**, the Erie County Legislature pauses in its deliberations to honor and recognize the **Angola Public Library for its 100 years of service** and dedication to fostering education, community spirit, and lifelong learning and congratulate it on this significant milestone.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

BASKIN & MEYERS

Honoring and Recognizing Legislator Frank Todaro

Attachments

24PROC. 17-23

EC LEG OCT 8 '24 PM 10:00

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

Honoring and Recognizing Legislator Frank Todaro

WHEREAS, small businesses are the engine of our economy and the heart and soul of our communities; and

WHEREAS, *Frank Todaro* has gone above and beyond to serve residents throughout Erie County not only as a Legislator, but also as a successful and sincere business entrepreneur; and

WHEREAS, Mr. Todaro's work in our community began prior to graduating from high school; and

WHEREAS, after the passing of his father, Frank decided to step up and take over Queen City Collision, a business his father began in 1977; and

WHEREAS, Frank graduated from Harkness Career & Technical Center's Auto Collision Repair Program; and

WHEREAS, under Mr. Todaro and his leadership, he proceeded to grow his father's shop and within a 4-year span (1997 – 2001), the business grew four times the size in sales and employees; and

WHEREAS, Frank went on to merge with another auto body shop and became the youngest manager in company history; and

WHEREAS, he then worked with Carubba Collision from 2001-2009 and would proceed to take a leap of faith and establish his own business; and

WHEREAS, Frank acquired Schmidt's Autobody at 555 Pearl in 2011, then changed the name to Collision Masters; and

WHEREAS, due to establishing a very successful business and seeing an increase in clientele, Frank moved his business to 290 South Park and rehabbed the building - until he sold the business on September 6th; and

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

WHEREAS, in 2018, Mr. Todaro donated equipment to Ormsby Educational Center auto body program; and

WHEREAS, a year later, Frank donated car to family with a young child going through cancer treatment in partnership with Geico, P.U.N.T., West Herr Automotive Group, National Auto Body Council; and

WHEREAS, in 2022, Frank donated vehicle to a disabled veteran in partnership with USAA and Chevrolet; and

WHEREAS, Legislator Todaro gives the utmost praise and gratitude to his mother and wife, two individuals who have been extremely supportive of his endeavors, and he credits them with much of his success; and

WHEREAS, this Honorable Body desires to acknowledge and recognize individuals such as *Frank Todaro* who enhance, represent, and change our community by way of action.

NOW, THEREFORE, BE IT

RESOLVED, it is with great admiration that this Honorable Body acknowledges and honors *Frank Todaro* for his leadership, love, his selfless work, and devotion to serving our community as a hardworking successful businessman and for being such a blessing and role model.

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

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

BARGNESI

Celebrating and Honoring Raymond Patrick Powers - Erie
County Wall of Honor

24PROC. 17-24

Attachments

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

EC LEG OCT 8 '24 PM10

Celebrating and Honoring Raymond Patrick Powers - Erie County Wall of Honor
A Devoted Member and Leader of Kenilworth Fire Company #1

WHEREAS, *Raymond Patrick Powers* has served the people of the Town of Tonawanda for over five decades; and

WHEREAS, Mr. Powers began his career in emergency services with Kenilworth on January 13th, 1967 and was an active member of the department for 55 years until going life inactive on January 15th 2022; and

WHEREAS, *Raymond Patrick Powers* has shown exemplary leadership, teamwork abilities, and passion for service throughout his career with the Kenilworth Fire Company #1; and

WHEREAS; his leadership skills and work ethic led to him assuming a series of leadership roles in the Kenilworth Fire Company #1 such as Chief, Night Lieutenant, Second Assistant Chief, Night Captain and First Assistant Chief; and

WHEREAS, Mr. Powers also served many organizations including: Town of Tonawanda Fire Prevention Committee: Member 1974 – 1977, Town of Tonawanda Fire Prevention Committee: Co Chairman 1977 – 1997, Town of Tonawanda Fire Chiefs: President 1984 / 1985, New York State Convention in Scottville NY - Chairman and New York State Convention in Olean NY - Chairman; and

WHEREAS, In addition to the roles and committees above, Ray led multiple programs at Kenilworth including Fund Drive [Chairman 1980 / 1981], Bingo [Chairman 1980 / 1981], Bylaw Committee [1988], Annual Installation Dinner, and Family Picnics; and

WHEREAS, between the countless hours of training, meetings, and working to make improvements for not only his fellow members, but as well as the community of Kenilworth, in which he served: his passion for the fire service and membership never wavered; and

WHEREAS, Ray was a staple at Kenilworth always willing to do any task at hand whether it was during his time as an elected District Commissioner, Fireline Officer, Company Officer, Fire Prevention or Fire Police, Ray was always there to proudly wear the Kenilworth uniform and honorably serve his local community; and

WHEREAS, Raymond's unwavering commitment and passion for the service at the Kenilworth Fire Company #1 is a trait that we wish to teach all members; and

WHEREAS, this Honorable Body desires to acknowledge and recognize individuals such as Raymond for making a substantial difference in his community and benefiting the lives of thousands of children and their families.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby applauds and recognizes ***Raymond Patrick Powers*** for his extensive leadership and dedicated service protecting the people and property of Western New York; and be it further

RESOLVED, that this Honorable Body congratulates Mr. Powers for his volunteer work in various positions on a local, county-wide and regional level in the fire services, as we commend him on being named to the Erie County Fire Safety Wall of Honor.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

KOOSHOIAN

Celebrating and Honoring John W. Beaumont - Erie County
Wall of Honor

24PROC. 17-25

Attachments

EC LEG OCT 8 '24 pm10:17

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

Celebrating and Honoring John W. Beaumont - Erie County Wall of Honor
A Devoted Member and Leader of Kenmore Volunteer Fire Department

WHEREAS, John W. Beaumont has served the people of the Village of Kenmore for over five decades; and

WHEREAS, Mr. Beaumont's began his career in emergency services with Kenmore Volunteer Fire Department on October 22nd, 1969; and

WHEREAS, John Beaumont has shown exemplary leadership, teamwork abilities, and passion for service throughout his career with the Kenmore Volunteer Fire Department; and

WHEREAS, John continues to be an active member of the Kenmore Volunteer Fire Department; and

WHEREAS, John was a staple at Kenmore Volunteer Fire Department, always willing to do any task at hand whether it was during his time as Chief, Recording Secretary, First Aid Captain, Treasurer, Captain, 1st Assistant Chief, 2nd Assistant Chief, Warden and Day Captain; and

WHEREAS, John was always there to proudly wear the Kenmore Volunteer uniform and honorably serve his local community; and

WHEREAS, due to his hard work and dedication to service, John was awarded Fireman of the Year (two times – 1991, 2001); and

WHEREAS, John was a lineman at Niagara Mohawk Power and Mayor of the Village of Kenmore; and

WHEREAS, he has dedicated his life to the Kenmore Volunteer Fire company and to the citizens of the Village of Kenmore; and

WHEREAS, John also serves on the Board of Kenmore Mercy Hospital, President of the James & Fay Ryan Foundation, which provides funding and EMS equipment to the Town of Tonawanda Paramedics, Town of Tonawanda and Village of Kenmore Fire Companies; and

WHEREAS, between the countless hours of training, meetings, and working to make improvements for not only his fellow members, but as well as the Kenmore community, in which he served: his passion for the fire service and membership never wavered; and

WHEREAS, John's unwavering commitment and passion for the service at the Kenmore Volunteer Fire Department is a trait that we wish to teach all members; and

WHEREAS, this Honorable Body desires to acknowledge and recognize individuals such as John for making a substantial difference in his community and benefiting the lives of thousands of children and their families.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby applauds and recognizes ***John W. Beaumont*** for his extensive leadership and dedicated service protecting the people and property of Western New York; and be it further

RESOLVED, that this Honorable Body congratulates Mr. Beaumont for his volunteer work in various positions on a local, county-wide and regional level in the fire services, as we commend him on being named to the Erie County Fire Safety Wall of Honor.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------------------|--------|-------------------------------|
| LL INTRO. 2-1 (2024) | LORIGO | The Tax Dollar Disclosure Act |
|-------------------------|--------|-------------------------------|

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

LL INTRO. 2-1 (2024)

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE
LOCAL LAW INTRO. – NO. 2-1 - 2024
LOCAL LAW – NO. _____ - 2024

A LOCAL LAW requiring transparent, searchable databases for expenditures accessible and available to the public.

SECTION 1. Title

This law shall be entitled and known as “The Tax Dollar Disclosure Act.”

SECTION 2. Legislative Intent

The Erie County Legislature recognizes that taxpayers should have easy access to details on how the county is spending their tax dollars and what performance results are achieved for those expenditures. It is the intent of the Legislature, therefore, to direct the Erie County Comptroller to create and maintain a searchable budget database website detailing where, for what purpose, and what results are achieved for all taxpayer investments in county government.

SECTION 3. Definitions

AGENCY

A county department, division, office, bureau, board, commission, committee, or unit. This includes individual county agencies and programs, as well as those programs and activities that cross agency lines. “County agency” includes all elective offices in Erie County government.

AUDIT OR REPORT

Shall include any audit or report issued by the state, county, legislature, legislative committee, comptroller or executive body relating to the entity or recipient of funds or the budget program/activity or agency.

COMPTROLLER

The Erie County Comptroller.

ENTITY/AND OR RECIPIENTS

A. a corporation,

B. an association,

- C. a union,
- D. a limited liability company,
- E. a limited liability partnership,
- F. any other legal business entity including non-profits,
- G. grantees,
- H. contractors, and
- I. a county, city, or other local government entity.
- J. “Entity/and or recipients” does not include an individual recipient of public assistance.

FUNDING SOURCE

The account from which the expenditure is appropriated, inclusive of all budgeted accounts.

FUNDING ACTION OR EXPENDITURE

Shall include details on the type of spending (grant, contract, appropriations, etc.). This includes tax exemptions or credits. Where possible, a hyperlink to the actual expenditure document (in a format that is, at a minimum, as searchable as a searchable PDF format) shall be provided.

LEGISLATURE

The Erie County Legislature.

SEARCHABLE BUDGET DATABASE WEBSITE

A website that allows the public, at no cost, to:

- A. Search and aggregate information for the following:
 - 1. the name and principal location or residence of the entity/and or recipients of funds,
 - 2. the amount of funds expended,
 - 3. the funding or expending agency,
 - 4. the funding source of the revenue expended,
 - 5. the budget program/activity of the expenditure,

6. a descriptive purpose for the funding action or expenditure,
7. the expected performance outcome for the funding action or expenditure,
8. the past performance outcomes achieved for the funding action or expenditure,
9. any audit or report relating to the entity or recipient of funds or the budget program/activity or agency,
10. and any other relevant information specified by the Comptroller.

B. Programmatically search and access all data in a serialized machine-readable format (such as XML) via a web-services application programming interface.

SECTION 4. Searchable Budget Database Website Created

By October 1, 2024, the Comptroller shall develop and make publicly available a single, searchable budget database website including the required data for the most recent county budget. The website shall be given a unique and simplified website address. Each county agency that maintains a generally accessible Internet site or for which a generally accessible Internet site is maintained shall include a link on the front page of the agency's Internet site to the budget database website.

SECTION 5. Updates

The Comptroller shall provide guidance to agency heads to ensure compliance with this section. The searchable budget database website shall be updated as new data becomes available, if feasible, but no later than 30 days upon receipt of data from the agency.

The Comptroller shall ensure that all data added to the searchable budget database website remains accessible to the public for a minimum of six years.

SECTION 6. Compliance with the Act

The Comptroller shall not be considered in compliance with this act if the data required for the searchable budget database website is not available in a searchable and aggregate manner and/or the public is redirected to other government websites, unless each of those sites has information from all agencies and each category of information required can be searched electronically by field in a single search.

SECTION 7. Severability

If any part or provision of this chapter or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in

its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to other persons or circumstances. The County of Erie hereby declares that it would have passed this chapter or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 8. Repealer

All ordinances, local laws, and parts thereof inconsistent with this chapter are hereby repealed; provided, however, that such repeal shall not affect or impair any act done or right accruing, accrued, or acquired, or penalty, charge, liability, forfeiture, or punishment incurred or owing prior to the time such repeal takes effect, but the same may be enjoyed, asserted, collected, enforced, prosecuted, or inflicted as fully and to the same extent as if such repeal had not been effected. All actions and proceedings, civil or criminal, commenced under or by virtue of any provision of any County of Erie local law, ordinance or resolution so repealed, and pending immediately prior to the taking effect of such repeal, may be prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed.

SECTION 9. Effective Date

This Local Law shall take effect on October 1, 2024.

Sponsor: Legislator Lorigo

Co-Sponsors:

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------------------|--------|-------------------------------|
| LL INTRO. 3-1 (2024) | LORIGO | The Meetings Transparency Act |
|-------------------------|--------|-------------------------------|

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

LL INTRO. 3-1 (2024)

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE
LOCAL LAW INTRO. – NO. 3-1 - 2024
LOCAL LAW – NO. _____ - 2024

A LOCAL LAW requiring meetings of Erie County Boards and Advisory Committees to provide access to information to the public.

SECTION 1. Title

This law shall be entitled and known as “The Meetings Transparency Act.”

SECTION 2. Legislative Intent

The Erie County Legislature recognizes that taxpayers should have easy access to details discussed and acted upon at public meetings. The Erie County Legislature prepares an agenda which it posts prior to session, streams and has available for replay video of the meeting and posts the minutes of meeting for review. Readily available technology should be used to increase access to similar discussions and actions of commissions and boards.

SECTION 3. Definitions

BOARD

Any government board, commission, council, committee, advisory committee, panel or similar group that is created pursuant to the Erie County Charter, Code or Local Law.

SECTION 4. Meeting Minutes

Boards shall keep written minutes summarizing all official actions, discussions, public comments, and votes taken at each meeting.

Draft minutes shall be made available to the public within 10 business days after each meeting.

Minutes shall be officially approved at the board's next public meeting and a final version posted publicly online within 5 business days after approval. The minutes also must be submitted to the Clerk of the Legislature to be included in the official record.

SECTION 5. Notice and Agendas

Boards shall give public notice at least 7 calendar days prior to any regular meeting by prominently posting the date, time, location, and agenda on the general Erie County website, as well as the website of the Erie County Legislature.

For special or emergency meetings, notice should be provided as soon as is practicable.

Meeting agendas shall include a list of topics to be discussed, a list of invited speakers, and indicate if any votes or official actions are anticipated.

SECTION 6. Broadcast and Recording of Meetings

To the extent feasible, boards should also provide a live stream of meetings for public viewing. Erie County is required to make appropriate accommodation for each board to make this possible. If a live stream is not possible, meetings should at minimum be video recorded and the recording should be posted on the general Erie County website.

SECTION 7. Public Access to Records

Boards shall maintain information to be posted on Erie County's website providing access to board member information, past meeting minutes, agendas, recordings, reports, resolutions, and other official documents.

Upon public request, boards shall provide copies or electronic access to such records in a timely manner as allowable by public records laws.

SECTION 8. Public Comment

Boards should provide reasonable opportunities for public comment at each meeting.

Any restrictions on public comment shall be viewpoint-neutral and clearly stated in the board's policies.

SECTION 9. Compliance

Originating governmental bodies shall establish procedures to monitor and ensure compliance with this law.

SECTION 10. Severability

If any part or provision of this chapter or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to other persons or circumstances. The County of Erie hereby declares that it would have passed this chapter or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 11. Effective Date

This Local Law shall take effect on September 1, 2024.

Sponsor: Legislator Lorigo

Co-Sponsors:

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------------------|----------|---------------------------------------------------------------------------------|
| LL INTRO. 5-2 (2024) | BARGNESI | Amending the Erie County Charter in Relation to Term Lengths and Term Limits |
|-------------------------|----------|---------------------------------------------------------------------------------|

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

LL INTRO. 5-2 (2024)

COUNTY OF ERIE

EC LEG JUL 22 '24 PM 12:19

LOCAL LAW INTRO. NO. 5-2-2024

LOCAL LAW NO. ____-2024

A Local Law amending Local Law 1-1959, constituting the Erie County Charter, as amended, in relation to the amending of Section 202.2 for the purpose of setting the terms of legislative office to four (4) years and limiting the number of terms for that can be held to three (3) four-year terms for all elected officials.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. LEGISLATIVE INTENT

The intent of this legislation is to amend the terms of office for the Erie County of Legislature to a term of four (4) years and to limit the number of terms for all elected officials that can be served to three (3) four-year terms.

Section 2. CHANGING THE TERM OF LEGISLATIVE OFFICE AND LIMITING THE NUMBER OF TERMS FOR ALL ELECTED OFFICIALS

Erie County Local Law number one of nineteen hundred fifty-nine, as amended, constituting the Erie County Charter, is hereby amended as follows:

Article 2, Section 202.2. Election and terms of office. County legislators shall first be elected at the general election in the year nineteen hundred sixty-seven and shall assume office on January first, nineteen hundred sixty-eight. All elected County legislators shall hold their respective offices for a term of two years; provided, that legislators elected in the year two thousand twenty-six and in subsequent years shall hold their offices for four years. No person shall be eligible to be elected to or serve as County legislator if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof.

Article 3, Section 301. The County Executive; election; term; qualifications. The executive branch of County government shall be administered by the County Executive who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election and shall be for four years, except that the term of the County Executive elected in nineteen hundred sixty shall be for three years. No person shall be eligible to be elected to or serve as County Executive if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or

her office and shall hold no other public office, except as provided in section three hundred seven hereof.

Article 18, Section 1801. Election; Comptroller's Act repealed. There shall be a County Comptroller who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election and shall be for four years. No person shall be eligible to be elected to or serve as County Comptroller if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office. The Erie County Comptroller's Act, being chapter four hundred twenty three of the laws of nineteen hundred thirty-nine as amended, is hereby repealed, as of January first, nineteen hundred sixty-one.

Article 19, Section 1901. Election. There shall be a County Clerk who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election, and shall be for four years except as otherwise provided in this Charter. No person shall be eligible to be elected to or serve as County Clerk if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office.

Article 20, Section 2001. Election. There shall be a District Attorney who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election, and shall be for four years except as otherwise provided in this Charter. No person shall be eligible to be elected to or serve as District Attorney if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office.

Article 21, Section 2101. Election. There shall be a Sheriff who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election and shall be for four years except as otherwise provided in this Charter. No person shall be eligible to be elected to or serve as Sheriff if that person had previously held such office for three or more four-year terms. For the purpose of establishing the term limit, term of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of

the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office.

Section 3. EFFECTIVE DATE

This Local Law shall take effect the first day of the first fiscal year after receiving an affirmative vote of a majority of the qualified electors of the County of Erie in a manner consistent with the provisions of New York State Municipal Home Rule Law Article 3 and upon its subsequent filing with the New York Secretary of State.

Section 4. SEVERABILITY

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

Sponsor:

John J. Bargnesi

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------------------|-----------------|-------------------------------------|
| LL INTRO. 6-1 (2024) | BASKIN & MEYERS | The Erie County Language Access Act |
|-------------------------|-----------------|-------------------------------------|

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

LL INTRO. 6-1

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 6-1 -2024

LOCAL LAW NO. _____-2024

THE ERIE COUNTY LANGUAGE ACCESS ACT

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

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

Section 1. Legislative Intent and Findings

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

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

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

Section 2. Definitions

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

- A. *County Agency*: Any agency, department, division or office of Erie County government which provides programs and/or services to the public or programs and/or services made available to individuals in the custody of the Erie County Sheriff.
- B. *Designated Countywide Languages*: The top six limited English proficiency languages spoken by the population of Erie County as determined by the Language Access Advisory Board for the purpose of translation for a Locally Covered Entity.

- C. *Direct Public Services*: Services administered by a County Agency directly to program beneficiaries and/or participants, including any services administered by an agency directly to individuals in the custody of the Erie County Sheriff.
- D. *Head of a County Agency*: The highest-ranking public officer in the County Agency with administrative authority over the provision of programs and/or services, or their designee.
- E. *Interpretation*: An oral (spoken) or signed communication of a message from one language to another, in real time by a qualified human interpreter competent in both languages, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning.
- F. *Language Access Services*: The service of interpretation, translation, or other communication method to a person with Limited English Proficiency.
- G. *Limited English Proficiency*: Persons for whom English is not their primary language and have difficulty communicating effectively in English.
- H. *Locally Covered Entity*: A County Agency, as defined in this section, in which the Head of the County Agency has declared that the agency is not covered by State or Federal language access requirements.
- I. *State or Federally Covered Entity*: A County Agency, as defined in this section, that is subject to State or Federal language access requirements because it is a recipient of State or Federal funds either directly or as a passthrough; or, it is subject to State or Federal laws that requires the provision of language access.
- J. *Translation*: The written rendition of a text in one language to a written text in another language, completed by a human translator competent in both languages.
- K. *Unforeseeable Life-Threatening Emergency*: An emergency that threatens the life of a client, which is not commonly included in the scope of the County Agency's normal provision of Direct Public Services.
- L. *Vital Documents*: Those documents most commonly distributed to the public and individuals that contain or elicit important and necessary information regarding the provision of Direct Public Services, as determined by the Head of the County Agency.

Section 3. Applicability

- A. For the purpose of this Local Law the Head of each County Agency shall declare if their agency is either a State or Federally Covered Entity or a Locally Covered Entity.

- B. County Agencies that are declared to be a State or Federally Covered Entity shall not be subject to Section 6 of this act.
- C. County Agencies that are declared to be a Locally Covered Entity shall be subject to the requirements all sections of this Local Law.
- D. All requirements applicable to Locally Covered Entity under Section 6 of this act shall also be applicable to any contractor hired to perform Direct Public Services in the place of the County Agency.

Section 4. Compliance Documentation and Reporting

- A. Each County Agency shall be responsible for the creation and maintenance of compliance documentation as set forth in this Section, including:
 - 1. A written declaration by the Head of each County Agency shall be made to the Language Access Advisory Board by the last day in November for the next fiscal year. This written declaration shall include:
 - a. All direct public services covered by the declaration.
 - b. The applicability declaration category selected by the Head of the County Agency from Section 2(A) above.
 - c. A brief explanation of the laws and regulations that are applicable to the County Agency.
 - d. Specific Dates of the biennial review cycle to be used by the County Agency.
 - 2. A written Annual Report on Language Access shall be made to the Language Access Advisory Board by the last day in January each year providing data on the year prior. This Annual Report shall include:
 - a. Data on the types of services provided and the language in which they were provided, including geographic and demographic data if available.
 - b. Estimates of the number of individuals served for each language.
 - 3. A written Language Access Plan shall be submitted to the Language Access Advisory Board by the last day in November each year. This written plan shall include at minimum:

- a. A needs assessment considering the following factors:
 - i. the number or proportion of LEP persons in the eligible service population;
 - ii. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;
 - iii. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and
 - iv. the resources available to the agency and the costs of providing various types of language services.
 - v. The languages commonly encountered and served by the County Agency.
 - b. The designation of a language access coordinator by name, title, and contact information;
 - c. A list of language access services and resources, communications aids and accommodations for the disabled provided by the County Agency and a brief description of how they are provided;
 - d. A description of the uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;
 - e. A description of the process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.
- B. Each County Agency shall conduct reviews of their Language Access Plans on a biennial basis as set by the Head of the County Agency.
- C. Each County Agency shall publish in a prominent place on the County's website:

1. The Language Access Plan of the county agency.
 2. The name, title and contact information of the language access coordinator.
 3. Translated notices in multiple languages informing the public that language access services are available free of charge, where programmatically applicable.
- D. Any additional documentation required by future resolutions of the Erie County Legislature, unless barred by laws restricting the disclosure of that information.

Section 5. Language Access Requirements for a State or Federally Covered Entity

- A. Each County Agency that declares itself a State or Federally Covered Entity under Section 3 above shall follow the applicable requirements and standards set forth in State and Federal Law
- B. A County Agency that declares itself a State or Federally Covered Entity under Section 3 above and complies with the requirements of Section 4 by submitting a written declaration, language access plan, and annual report, shall not be subject to Section 6 of this act.
1. In its written declaration under Section 4(A)(1)(b), the County Agency should reference the State or Federal Law that covers the County Agency's language access requirements.
- C. 365 days after this law is filed with the Secretary of State, a State or Federally Covered Entity under this act shall be required to meet a minimum service standard of providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material. Priority shall be given to providing in-person interpreters where programmatically possible.

Section 6. Language Access Requirements for a Locally Covered Entity

- A. Each County Agency that declares itself a Locally Covered Entity under Section 3 above shall provide language access services for all direct public services it administers.
- B. Language Access Services shall include, but not be limited to:

1. Providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material. This interpretation services requirement shall commence 365 days after this law is filed with the Secretary of State.
2. Identifying and translating vital documents provided to the public, including but not limited to, forms, program signage and instructions provided to or completed by program participants and beneficiaries in each designated countywide language:
 - a. Existing vital documents must be translated within 365 days of the publication date of the Designated Countywide Languages to each County Agency. A County Agency will translate existing vital documents into any newly designated languages within 365 days of the publication date of the Designated Countywide Languages to each County Agency.
 - b. New vital documents, produced after the publication date of the Designated Countywide Languages to each County Agency, must be translated as soon as is practicable but no later than 120 days after the English version is released to the public
 - c. Emergency communications must be translated immediately, or no more than 5 days following the release of the English version.
3. Translation of pre-recorded informational messages on agency phone lines that provide vital public information in English, including emergency alerts and public service announcements.
4. Posting of multilingual signage in conspicuous locations about the availability of free interpretation services. Where practicable, the same information should be communicated via pre-recorded announcements in each designated countywide language on the public address system in public waiting areas.
5. Accommodations for communication access for disabled members of the public shall be available upon request including, but not limited to:
 - a. American Sign Language Interpretation via an on-site interpreter or Video Remote Interpreter (VRI).

- b. Communication Access Realtime Translation for individuals who are deaf, hard of hearing or have hearing loss.
 - c. All other communications access accommodations as required by the application of the Americans with Disabilities Act.
- C. Language Access Services provided by the County Agency must meet or exceed the following quality standards:
 - 1. Translation or interpretation via online applications, artificial intelligence, or machine interpretation software shall only be used after a County Agency has attempted to secure qualified translators or interpreters via booking on-site personnel, human reviewed translation processes, or telephone or video call services.
 - 2. Family members, other clients, and any other member of the public who is not a qualified interpreter, shall not be used for interpretation with respect to the provision of services or benefits, except in the case of an unforeseeable life-threatening emergency.
 - 3. Minors shall not be used for interpretation with respect to the provision of services or benefits, except in the case of an unforeseeable life-threatening emergency.
 - 4. All language access services must be provided by qualified human interpreters and translators competent in both languages, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning.
 - 5. All language access services must be provided at no cost to the person seeking services from the County Agency.

Section 7. Amending Article 17 of the Erie County Charter

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

Section 1708. Language Access Advisory Board. There shall be a Language Access Advisory Board to advise on matters relating to LEP individuals and language access. The Board shall consist of eleven (11) members including:

- 1. County Executive, or their designee;

2. County Clerk, or their designee;
3. County Comptroller, or their designee;
4. District Attorney, or their designee;
5. Sheriff, or their designee;
6. Six community members appointed by the County Executive. All six community member appointments will be subject to confirmation by the County Legislature.

Community Members. Community members appointed to the board shall be reflective of the diversity of the County's limited English proficient communities, disability communities in need of communications access, representatives from community organizations and faith-based organizations serving either LEP or disabled communities in need of communications access.

Board Membership for Six Community Member Seats. These members of the Board shall be appointed for a term of three years. No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The Board shall annually designate one member to serve as Board chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership. Board seats occupied by an Elected Official, or their designee, are not subject to term limits.

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

The Board shall:

1. Designate the top six languages LEP individuals speak in Erie County as the Countywide Languages for translation and issue notices to all County Agencies by the last day in February on a biennial basis. This process shall consider a wide variety of data sources, including but not limited to data collected by the U.S Census and American Community Survey, public schools, local interpreting agencies, federal refugee resettlement programs and County Agencies to determine which language groups are most in need of language services.
2. Advise County Agencies in developing and implementing their Language Access Plan.

3. Review Agency Language Access Plans and provide written evaluation of the implementation of those plans.
4. Create a mechanism to interact with public regarding proper language access plan implementation.
5. Collect and review annual reports from County Agency language access coordinators.
6. Submit a comprehensive annual report based on County Agency compliance submissions, publish findings on the data collected and additional policy recommendations to the Erie County Legislature no later than the last day in June each year.

Section 8. Right to Privacy

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

Section 9. Effective Date

- A. This Local Law shall take effect 180 days after it is filed with the Secretary of State.

Section 10. Severability

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

Sponsors:

April N.M. Baskin

Timothy Meyers

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 11 FINANCE & MANAGEMENT COMMITTEE

Report No. 11 Attachments

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GILMOUR.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 7E-6 (2024)
COUNTY CLERK: “Clerk’s Office Supplemental Response to Mortgage Tax Audit”
(Chair’s Ruling)

b. COMM. 16E-7 (2024)
COUNTY CLERK: “External Audit of the Erie County Clerk’s Office”
(Chair’s Ruling)

c. COMM. 16E-8 (2024)
COMPTROLLER: “Notification of Forthcoming 2024 Series B Bond Sale”
(Chair’s Ruling)

d. COMM. 16E-9 (2024)
COMPTROLLER: “Erie County's NYSDOT Single Audit Report”
(Chair’s Ruling)

e. COMM. 16E-10 (2024)
COMPTROLLER: “External Auditor's Management Letter for 2023”
(Chair’s Ruling)

f. COMM. 16E-11 (2024)
COMPTROLLER: “Erie County's Federal Financial Assistance Audit Report for 2023”
(Chair’s Ruling)

g. COMM. 16E-13 (2024)
COMPTROLLER: “Fiscal Comments Concerning Erie County”
(Chair’s Ruling)

h. COMM. 16D-1 (2024)
DIRECTOR OF BUDGET & MANAGEMENT: “July 2024 Budget Monitoring Report”
(Chair’s Ruling)

- i. COMM. 16D-2 (2024)
DEPUTY COMPTROLLER FOR AUDIT & CONTROL: “EC Comptroller's Office Audit of County Owned Vehicles - Notification of Expanded Scope”
(Chair’s Ruling)

j. COMM. 16D-3 (2024)
COUNTY ATTORNEY: “Update on Effort to Hire Accounting Firm for Independent Audit of Clerk's Account”
(Chair’s Ruling)

k. COMM. 16M-3 (2024)
THE KNOER GROUP: “Response to Monitoring Report - Explore & More The Ralph C. Wilson Jr. Children's Museum”
(Chair’s Ruling)
2. COMM. 15E-11 (2024)
COUNTY CLERK
WHEREAS, the Erie County Clerk is responsible for recording, filing, and maintaining a central repository of legal documents, court filings, and records affecting property titles, including land and real estate transactions, in its Registrar Division; and

WHEREAS, NewVision Systems Corporation ("NewVision") has been the provider of recordkeeping software services in the Erie County Clerk's Office since 2004; and

WHEREAS, the Erie County Comptroller released an audit in June 2023 of the Erie County Clerk's Office, Registrar Division Operating Budget Revenues (23COMM. 14E-28); and

WHEREAS, the Erie County Comptroller found in the June 2023 Audit that numerous "errors were detected in NewVision system reports that could not be explained", and advised the Erie County Clerk's Office to "assess NewVision and the system's ability to meet the specific needs of the Clerk's Office in providing adequate and reliable financial reporting"; and

WHEREAS, it was noted in the June 2023 Audit that "NewVision does not interface with the County's accounting software system (SAP), and the company which administers NewVision, Catalis, LLC, has not created a translation tool which would facilitate the transfer of financial data from NewVision to SAP"; and

WHEREAS, the Erie County Comptroller further recommended in the June 2023 Audit that, if the current software system could not be updated to ensure accurate financial information, the system should be replaced with "a system capable of providing financial data consistent with the Clerk's obligations under§ 1904 of the Erie County Administrative Code"; and

WHEREAS, the current software provider acknowledged the presence of "system error" and "visual bugs" in its response to the findings by the Erie County Comptroller's Office published by the Erie County Clerk's Office in September 2023 (23COMM. 18E-1); and

WHEREAS, following the June 2023 Audit, the Erie County Clerk's Office met with an adjacent county clerk's office and potential software vendors to discuss both improvements to the existing software and the feasibility of acquiring new software; and

WHEREAS, the Erie County Comptroller released an audit in February 2024 of the Erie County Clerk's Office, Registrar Division Mortgage Tax Collection and Distribution (24COMM. 4E-6); and

WHEREAS, the Erie County Comptroller again found issues with the current recordkeeping software, noting that "reports generated by the Clerk's NewVision Cashiering System are routinely inconsistent and show discrepancies in the financial information being reported"; and

WHEREAS, the Erie County Clerk's Office is grateful to the Erie County Comptroller's Office for the long-overdue audits that highlighted the need for new software; and

WHEREAS, it is incontrovertible that the current recordkeeping software no longer meets the myriad needs of the Erie County Clerk's Office nor the taxpayers of Erie County; and

WHEREAS, the current recordkeeping software is set to be phased out in the next 2-3 years, making a transition to new software not only essential to perform the duties of the Erie County Clerk's Office but unavoidable; and

WHEREAS, transitioning all of the recordkeeping duties from one system to another could take as long as eight months to one year; and

WHEREAS, the Erie County Clerk's Office advised this Honorable Body of the need and potential costs of new software via correspondence filed March 4, 2024 (24Comm. 5E-35); and

WHEREAS, the Erie County Clerk's Office consulted with the Division of Information and Support Services ("DISS") on drafting a Request for Proposals ("RFP") for new software, and obtained approval from DISS on the content for such an RFP; and

WHEREAS, on April 10, 2024, the Erie County Clerk's Office issued RFP #2024-023VF seeking proposers for recordkeeping software services, published online through the Erie County Division of Purchase and posted on other government bidding sites; and

WHEREAS, a selection committee, including a member of DISS, received, reviewed, and scored the two (2) proposals that were submitted in response to the RFP and unanimously determined that Tyler Technologies, Inc. submitted the best proposal and that their organization was the most technically qualified and best-positioned to perform the services requested; and

WHEREAS, the software provided by Tyler Technologies is expected to increase the efficiency and productivity of the Clerk's Office with integrated solutions such as eRecording, Bi- directional support with the Unified Court System, Intelligent OCR indexing, self-serving public access, and POS payment processing, in addition to featuring robust financial reporting, fee management, and automated data extracts that make it possible for the Clerk's Office to achieve GAAP compliance; and

WHEREAS, the Erie County Clerk's Office held a meeting with representatives of Tyler Technologies and representatives of the Erie County Legislature and the Erie County Comptroller on July 24, 2024 to further discuss the software integration process; and

WHEREAS, the Administration and the Erie County Comptroller's Office have communicated their support of this new software system and Resolution; and

WHEREAS, the Division of Budget & Management confirmed sufficient funding exists to cover the \$600,000 initial payment (inclusive of a one-time service fee, one -time hardware fee, estimated on-site training expenses and an annual software-as-as-service fee) within the Clerk's Office Registrar Division's 2024 Budget (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees; and

WHEREAS, the Erie County Clerk's Office has reported a significant surplus of funds every year since 2018, with the most recent surplus in 2023 totaling approximately \$2,387,636.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the recognition of \$600,000 in previously unbudgeted interest earnings revenue in Countywide Budget Accounts - Comptroller (Fund 110, Funds Center 17000) Account 445030 - Interest & Earnings General Investments Revenue and the appropriation of a like amount of funding into the Clerk's Office Registrar Division (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees as follows:

| | |
|------------------------------------------------|------------------|
| 2024 Budget | |
| Fund 110, Funds Center 17000 | |
| Countywide Budget Accounts - Comptroller | |
| REVENUES | CHANGE |
| 445030 Interest & Earnings General Investments | <u>\$600,000</u> |
| TOTAL | <u>\$600,000</u> |

| | |
|------------------------------------------------|------------------|
| 2024 Budget | |
| Fund 110, Funds Center 11310 | |
| Clerk's Office Registrar Division | |
| APPROPRIATIONS | CHANGE |
| 516020 Professional Services, Contracts & Fees | <u>\$600,000</u> |
| TOTAL | <u>\$600,000</u> |

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into a five-year contract with Tyler Technologies, Inc. in an amount not to exceed \$2,005,811.00 for the purposes of transitioning to and maintaining a recordkeeping software system at the Erie County Clerk's Office; and be it further

RESOLVED, that sufficient funding exists to cover the approximate \$600,000 initial payment (inclusive of a one-time service fee, one-time hardware fee, estimated on-site training expenses and an annual software-as-a-service fee) within the Clerk's Office Registrar Division's 2024 Budget (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees; and be it further

RESOLVED, that sufficient funding will be included in subsequent operating budgets to cover the remaining annual payments; 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 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.
(4-0)

MICHAEL H. KOOSHOIAN
CHAIR

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 12 ENERGY & ENVIRONMENT COMMITTEE

Attachments

Report No. 12

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 16E-14 (2024)
 COUNTY EXECUTIVE: “ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-A)”
 (Chair’s Ruling)

b. COMM. 16E-15 (2024)
 COUNTY EXECUTIVE: “ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-D)”
 (Chair’s Ruling)

c. COMM. 16E-16 (2024)
 COUNTY EXECUTIVE: “ECSD Nos. 1,4, & 5 - Construction Inspection Term Contract Agreement”
 (Chair’s Ruling)

d. COMM. 16M-1 (2024)
 NYS DEC: “Notification of Review of EC Agricultural District No. 15”
 (Chair’s Ruling)
2. COMM. 16E-18 (2024)
 COUNTY EXECUTIVE
 WHEREAS, the County of Erie (County) and the Village of Blasdell (Village) entered into agreements effective June 1, 2003 for the County to take over the sanitary sewer system of the Village as an extension of Erie County Sewer District (ECSD) No. 3; and

 WHEREAS, the Village executed a Quit Claim Deed on November 3, 2004, granting the County ownership of 1.35 acres, and a permanent easement over the remainder 2.25 acres of the Blasdell Sewage Treatment Plant (STP) site, filed under Liber 11090, Page 6613, in the Erie County Clerk’s Office; and

 WHEREAS, the Village’s purpose in maintaining ownership of the area under permanent easement was for their use of the existing four-bay vehicle garage on the site; and

WHEREAS, under the Rush Creek Interceptor project the Blasdell STP was taken out of service and all sanitary sewer flows from the Village were redirected to the Southtowns Advanced Wastewater Treatment Facility as part of the Rush Creek Interceptor project; and

WHEREAS, the treatment structures at the former Blasdell STP site were subsequently demolished and the site was cleared as part of the Blasdell Sewage Treatment Plant Decommissioning Project; and

WHEREAS, the Division of Sewerage Management desires to construct a new Collection System Maintenance Facility (the Facility) on the former Blasdell STP site; and

WHEREAS, to maximize the effectiveness of the Facility, the County has requested ownership the existing vehicle garage on the former Blasdell STP site and a change to the metes and bounds of the property that would result in a net increase of approximately 0.15 acres for the County’s use; and

WHEREAS, the Village desires a new two-bay vehicle garage on an adjacent parcel in exchange for the County’s requests; and

WHEREAS, the Division of Sewerage Management recommends entering into a real estate agreement with the Village to facilitate the property transfer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or the Deputy County Executive to execute a real estate agreement with the Village of Blasdell to facilitate the transfer of land and/or garage facilities in the vicinity of the former Blasdell STP, subject to approval as to form by the County Attorney’s office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that said agreement shall note future authorization from this Honorable Body will be required for funds to construct the Facility and/or the new vehicle garage for the Village; and be it further

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

3. **COMM. 16E-19 (2024)**
 COUNTY EXECUTIVE
 WHEREAS, zoning is a municipal law which governs how pieces of land may or may not be developed within a municipal division of government; and

 WHEREAS, every Town, Village and City in Erie County possesses a zoning code; and

 WHEREAS, New York State’s zoning enabling statutes require that zoning laws be adopted in accordance with a comprehensive plan; and

 WHEREAS, updated zoning codes in accordance with updated Comprehensive Plans are necessary to reflect the current conditions and legal standards, and the community’s desired development; and

 WHEREAS, Erie County desires to aid the Towns of Grand Island, Newstead, Orchard Park, and Wales, the Villages of Kenmore and Orchard Park, and the City of Tonawanda in the updating of municipal planning documents.

 NOW, THEREFORE, BE IT

 RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Grand Island in the amount of \$20,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Newstead in the amount of \$27,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Orchard Park in the amount of \$35,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Wales in the amount of \$20,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Village of Kenmore in the amount of \$50,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Village of Orchard Park in the amount of \$40,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the City of Tonawanda in the amount of \$10,000, for the purpose of administration of planning document updates; and be it further

 RESOLVED, that the source of funds for the allocations shall be the Capital Account entitled “Municipal Planning Grant Program” (A.23061); and be it further

 RESOLVED, that authorization is hereby given to the Division of Budget and Management to implement any budget adjustments as required to comply with funding requirements; and be it further

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

4. **COMM. 16E-25 (2024)**
 COUNTY EXECUTIVE
 WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) is currently in the process of restoring the Wendt Beach Mansion and Stables along with seeking a partner to operate and maintain both the Wendt Beach Mansion and Stables; and

 WHEREAS, the existing capacity and condition of the existing sanitary sewer serving the Wendt Beach property is in need of repair to support the restoration of the Mansion and Stables; and

 WHEREAS, the number and frequency of seiche events, the intensity of general storms and blizzards have increased significantly over the last couple years. When these events occur, debris is trapped in front of the concrete culvert, which blocks the flow of water through the culvert and out to Lake Erie. The persistent stream bank erosion has led to the sewer line being unsupported between the culvert and the bank; and

 WHEREAS, in conjunction with the design consultant, a project has been identified at the Wendt Beach Park to bury a portion of the existing sewer line under the creek and remove the culvert which will minimize the back up of debris/water which also creates excessive water on Shell Road and negatively impacts the residents; and

WHEREAS, execution of the proposed project to install a new sanitary sewer system at the facility will correct the existing erosion concerns as well as support the future restoration of the Mansion and Stables; and

WHEREAS, if this project is not approved, there is a significant possibility that debris could sever the sewer line between the culvert and the bank discharging raw sewage directly into Lake Erie as the connection from the park to the Erie County Sewer on Shell Road would no longer be connected; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) and its respective design consultants will review the scope of work for the Wendt Beach Sewer Replacement Project in detail to ensure all requirements of the project are met; and

WHEREAS, the Department of Public Works (DPW) received bids for the Wendt Beach Park Sewer Replacement on August 21, 2024 after resolution (COMM 10E-17) 2024 was approved; and

WHEREAS, additional funds are necessary for pending NYS DEC requirements at their direction along with bid proposals received were higher than the cost estimate prepared by the consultant on the project; and

WHEREAS, the lowest responsible bidder was Pinto Construction services, Inc.; and

WHEREAS, received bid results were higher than anticipated due to horizontal directional boring; and

WHEREAS, additional funding is required to award this project to Pinto Construction Services Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that \$61,620.27 in unexpended American Rescue Plan Act funding remaining within the Division of Building & Grounds (Fund 410, Funds Center 12220) Capital Project A.21162 – Parks Managed by DPW Expanded Capital Program be re-appropriated into the Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.21201 – Wendt Beach Sewer Line Replacement as follows:

| Project A.21162 Parks Managed by DPW Expanded Capital Program Fund 410, Funds Center 12220 | | | |
|--------------------------------------------------------------------------------------------------|-----------------------|----------------------|-----------------------|
| REVENUES | BUDGET | CHANGE | REVISED BUDGET |
| 486050 Interfund Revenue Subsidy ARPA | <u>\$8,536,389.81</u> | <u>(\$61,620.27)</u> | <u>\$8,474,769.54</u> |
| | <u>\$8,536,389.81</u> | <u>(\$61,620.27)</u> | <u>\$8,474,769.54</u> |
| APPROPRIATIONS | | | |
| Capital Project Expense | <u>\$8,536,389.81</u> | <u>(\$61,620.27)</u> | <u>\$8,474,769.54</u> |
| TOTAL | <u>\$8,536,389.81</u> | <u>(\$61,620.27)</u> | <u>\$8,474,769.54</u> |

| Project A.21201 Wendt Beach Sewer Line Replacement Project Fund 410, Funds Center 164 | | | |
|---------------------------------------------------------------------------------------------|---------------------|--------------------|---------------------|
| REVENUES | BUDGET | CHANGE | REVISED BUDGET |
| 486050 Interfund Revenue Subsidy ARPA | <u>\$427,774.73</u> | <u>\$61,620.27</u> | <u>\$489,395.00</u> |
| | <u>\$427,774.73</u> | <u>\$61,620.27</u> | <u>\$489,395.00</u> |
| APPROPRIATIONS | | | |
| Capital Project Expense | <u>\$427,774.73</u> | <u>\$61,620.27</u> | <u>\$489,395.00</u> |
| TOTAL | <u>\$427,774.73</u> | <u>\$61,620.27</u> | <u>\$489,395.00</u> |

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with Pinto Construction Services, Inc in an updated amount not to exceed \$489,395 for the Wendt Beach Park Sewer Replacement Project; and be it further

RESOLVED, that sufficient funds exist for this contract within Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.21201 – Wendt Beach Line Sewer Replacement Project; and be it further

RESOLVED, that the sum of \$24,605.00 be allocated to a Construction Contingency Fund with authorization for the County Executive or Deputy County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that sufficient funding for the Construction Contingency Fund exists within Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.24005 – 2024 County Wide Parks Improvements; and be it further

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

5. COMM. 16E-26 (2024)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has identified a capital improvement project at Como Lake Park to build a new shelter and parking lot; and

WHEREAS, the new shelter will incorporate existing Historic Works Projects Administration (WPA) stone on four columns and a knee wall; and

WHEREAS, the new shelter and parking lot will be ADA compliant; and

WHEREAS, the Department of Public Works (DPW) received bids for the Como Lake Park Shelter Rehabilitation Phase II on August 7, 2024 at 10:30 am; and

WHEREAS, the lowest responsible bidder, Allgaier Construction Corp.’s bid could not be considered as the New York State Vendor Responsibility Questionnaire for Profit Construction (Form CCA-02) was not included in the sealed bid; and

WHEREAS, the lowest responsible bidder was Walter S. Johnson Building, Co., Inc.; and

WHEREAS, the Department of Public Works (DPW) is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract Walter S. Johnson Building, Co. for the Como Lake Park Shelter Rehabilitation Phase II project for an amount not to exceed as follows:

| | |
|-------------------------------------------------|---------------------|
| <u>General Construction Work</u> | |
| Walter S. Johnson Building. Co., Inc. Base Bid: | \$397,000.00 |
| Construction Contingency | \$ 79,000.00 |
| <u>Alternate 1</u> | <u>\$ 73,000.00</u> |
| Total Award of Construction Contract: | \$549,000.00 |

and be it further

RESOLVED, that the sum of \$79,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that sufficient funding for the Como Lake Park Shelter Rehabilitation Phase II project is available in Fund 410, Funds Center 164, Capital Project A.24006 – 2024 Countywide Shelter, Buildings, and Restrooms; and be it further

RESOLVED, that the clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Department of Public Works, and one copy each to the Office of the County Executive’s Office, Comptroller’s Office, Department of Parks, Recreation and Forestry and Division of Budget and Management.
(4-0)

TIMOTHY J. MEYERS
CHAIR

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 3 COMMUNITY ENRICHMENT COMMITTEE

Attachments

Report No. 3

October 3, 2024

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 16E-2 (2024)
COUNTY EXECUTIVE: “Appointment to the Albright-Knox Art Gallery Board of Directors”
(Chair’s Ruling)

b. COMM. 16E-3 (2024)
COUNTY EXECUTIVE: “Appointment to the Zoological Society of Buffalo Board of Directors”
(Chair’s Ruling)

c. COMM. 16E-4 (2024)
COUNTY EXECUTIVE: “Appointment to the Arts in Public Places Committee”
(Chair’s Ruling)

d. COMM. 16E-5 (2024)
COUNTY EXECUTIVE: “Appointment to the Buffalo & Erie County Board of Trustees”
(Chair’s Ruling)
2. COMM. 16E-23 (2024)
COUNTY EXECUTIVE
WHEREAS, the replacement of two existing motor starters for the main pool’s pumps with variable frequency drives is necessary to minimize an abrupt stoppage of water within the pool’s circulation pumps thereby preventing potential damage to recently installed piping and surrounding equipment; and

WHEREAS, the electrical construction work for the ECC Natatorium Improvements project was completed by CIR Electrical Construction Corporation per the previously approved resolution (COMM. 21E-13 (2021) on December 16, 2021 and the issue has been reviewed by the original aquatic consultant to be design-related unrelated to the builder’s warranty; and

WHEREAS, per General Municipal Law Section 103, the work total is less than \$35,000 and therefore does not have to be publicly bid; and

WHEREAS, a proposal was solicited from CIR Electrical Construction Corporation due to their familiarity with the scope; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works (“DPW”) and CHA are recommending award of the purchase order contract to CIR Electrical Construction Corporation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works to enter into a purchase order contract with CIR Electrical Construction Corporation for the SUNY ECC City Campus Burt Flickinger Athletic Center Pool Pump Motor Starter Replacement project; and be it further

RESOLVED, that sufficient funding for all the above is available from the approved 2019 Capital Budget, Fund 480, Funds Center 122, E.19001 – Erie Community College Collegewide Improvements and Renovations, in an amount not to exceed \$24,300.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to County Executive’s Office, Comptroller’s Office, Division of Budget and Management and SUNY Erie Financial Officer.
(4-0) Chair Baskin not present for vote.

3. COMM. 16E-24 (2024)
COUNTY EXECUTIVE
WHEREAS, this project is part of a larger multi-phased Power Distribution/Wiring and Mechanical upgrade project as capital funds are secured and become available, and is consistent with JMZ Architect’s Masterplan; and

WHEREAS, the air handler and cooling plant serving the main dining hall of the Spring Student Center, the (8) entry and hallway cabinet heating units, and the electrical panels serving the cafeteria and foodservice equipment are original to the 1958 building and have reached the end of their service life; and

WHEREAS, in order to reduce maintenance costs associated with temporary “stop-gap” measures to keep the heating equipment functioning, a full replacement is warranted. Significant energy savings will be achieved utilizing energy efficient upgraded mechanical heating systems with advance control operations like demand control ventilation, night setback and ventilation control strategies; and

WHEREAS, the project may be eligible for rebates and incentives from various agencies such as National Grid, NYSERDA and/or utility companies; and

WHEREAS, the County of Erie received bids for the SUNY Erie Community College (ECC) North Campus Spring Student Center Cafeteria HVAC Systems Upgrade project on Thursday, September 5, 2024; and

WHEREAS, the lowest responsible bidder for the Mechanical Construction Work is JWDanforth Company, and Electrical Construction Work is Frey Electric Construction Co., Inc.; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works (“DPW”) and IBC Engineering P.C. are recommending award of the contract to the lowest responsible bidders; and

WHEREAS, the County of Erie previously entered into an Agreement with IBC Engineering PC to complete a campus-wide MEP building assessment (COMM. 3E-11 on February 18, 2021) and an Agreement Amendment for design and construction administration services for power distribution/wiring and mechanical upgrades at Breschger and Kittinger Halls (COMM. 5E-17 on March 17, 2022), and an additional professional services in the amount of \$40,000; inclusive of A/E design fee of \$28,500 required for construction administration and commissioning services necessary to complete this project as well as additional A/E design contingency in the amount of \$11,500 to address unforeseen conditions.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract with the lowest responsible bidders for the SUNY Erie ECC North Campus Spring Student Center Cafeteria HVAC Systems Upgrade Project as follows:

| | | |
|--------------------------------------------------|----------------------|-----------------|
| <u>Mechanical Construction Work</u> | | |
| JWDanforth Company | Base Bid: | \$ 1,517,000.00 |
| | Add Alternate No M-1 | \$ 199,500.00 |
| Total Award of Mechanical Construction Contract: | | \$ 1,716,500.00 |
| <u>Electrical Construction Work</u> | | |
| Frey Electric Construction Co., Inc | Base Bid: | \$ 231,800.00 |
| | Add Alternate No E-1 | \$ 4,400.00 |
| Total Award of Electrical Construction Contract: | | \$ 236,200.00 |

and be it further

RESOLVED, that authorization is hereby given for the sum of \$107,300.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller’s Office to accept any rebates and incentives and deposit it into E.23050 – 2023 SUNY Erie Facility Master Plan Phase 2, Fund 480, Funds Center 122; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into a Second Agreement Amendment with IBC Engineering P.C. for additional A/E design fee and design contingency for a total amount not to exceed \$40,000.00 to address unforeseen conditions; and be it further

RESOLVED, that sufficient funding for all of the above is available from the approved Capital Budgets, Funds Center 122, Fund 480, as follows:

| | |
|-------------------------------------------------------|----------------|
| E.19001 2019 Collegewide Improvements and Renovations | \$ 16,849.95 |
| E.20001 2020 Collegewide Improvements and Renovations | \$ 298,656.00 |
| E.23050 2023 SUNY Erie Facility Master Plan Phase 2 | \$ 588,482.90 |
| E.24051 2024 SUNY Erie Facility Master Plan Phase 3 | \$1,196,011.15 |
| For a Total Amount Not to Exceed | \$2,100,000.00 |

and be it further

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

4. COMM. 16E-27 (2024)
COUNTY EXECUTIVE
WHEREAS, the County of Erie (“County”) provides legal guidance pertaining to a variety of matters involving Erie Community College ("SUNY Erie") through its Department of Law. The legal guidance provided by the Erie County Department of Law is not only of critical importance to SUNY Erie but involves a significant allocation of staff resources by the County which SUNY Erie currently does not reimburse to the County; and

WHEREAS, due to complexities of operating a large, comprehensive SUNY Community College, SUNY Erie has significantly increased its requests for legal guidance from the Erie County Department of Law. In order to continue to provide the College with prompt legal guidance, the College and County have discussed the potential for a shared employee, similar to the structure that currently has been in place for many years involving a shared employee with the County Department of Public Works; and

WHEREAS, the County and SUNY Erie have proposed that SUNY Erie will hire a full-time employee that will spend approximately 60% of his/her time on legal matters involving SUNY Erie, and approximately 40% of his/her time on legal matters involving the Erie County Department of Law; and

WHEREAS, there is currently a full-time employee in the Erie County Department of Law who is SUNY Erie’s primary point of contact, and who would serve in an Interim role of SUNY Erie’s Executive Director of Legal Affairs, and would be a shared employee with the County under this shared employee agreement. The annual salary for the position will be \$160,000, of which SUNY Erie would pay \$100,000 of the salary annually, plus fringes, and the County would reimburse SUNY Erie \$60,000 of the salary annually; and

WHEREAS, on August 29, 2024, SUNY Erie’s Board of Trustees authorized its President and/or her staff to negotiate and execute a written agreement with the County as to the terms and conditions of the shared employee arrangement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into an agreement with SUNY Erie for the purposes of a shared employee arrangement which shall continue into future years; and be it further

RESOLVED, that authorization is hereby given to amend the Division of Law’s 2024 Adopted Budget (Fund 110, Funds Center 16010) as follows:

2024 Adopted Budget
Division of Law
Fund 110, Funds Center 16010

| | |
|-----------------------------------------|-----------------|
| APPROPRIATIONS | CHANGE |
| 500000 Full Time - Salaries | (\$15,000) |
| 516055 Department Payments to SUNY ERIE | <u>\$15,000</u> |
| TOTAL | <u>\$ 0</u> |

and be it further

RESOLVED, that authorization is hereby given to appropriate the pro-rated amount of \$15,000 for reimbursement of the shared employee’s salary for the remainder of 2024; and be it further

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

JEANNE M. VINAL
CHAIR

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 14 PUBLIC SAFETY COMMITTEE

Attachments

Report No. 14

October 3, 2024

PUBLIC SAFETY COMMITTEE
REPORT NO. 14

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

1.

RESOLVED, the following item is hereby received and filed:

a.

COMM. 16E-6 (2024)
COUNTY EXECUTIVE: “Appointments to the Fire Advisory Board”
(Chair’s Ruling)

2.

COMM. 16E-29 (2024)
SHERIFF
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 Medication Assisted Treatment program has assisted thousands of Incarcerated Individuals with addiction treatment since its launch in July 2022; and

WHEREAS, the Erie County Sheriff’s Office wishes to hire two Licensed Master Social Workers to work in the Community Reintegration Division of the Jail Management Division; and

WHEREAS, these social workers would provide one-on-one and group counseling for MAT program participants; and

WHEREAS, the Erie County Sheriff’s Office wishes to delete a Senior Account Clerk Typist-Civil position and add a Principal Account Clerk Typist-Civil position within the Jail Management Division; and

WHEREAS, the Erie County Sheriff’s Office wishes to add a Correction Officer CF position to work within the forestry program at the Erie County Correctional Facility; and

WHEREAS, the Erie County Sheriff’s Office wishes to delete four vacant positions to create a cost-savings for the county; and

WHEREAS, these transactions will save \$704.00 on the 2024 county budget; and

WHEREAS, the 23rd pay period of 2024 commences on October 19th, 2024.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff’s Office and Personnel Department to delete the following positions:

| Delete | Cost Center | Delete |
|---------------------------------------------|-------------|---------|
| Head Nurse (Holding Center) (FT) – 51007834 | 1165020 | 89,760 |
| Head Nurse (Holding Center) (FT) – 51010781 | 1165020 | 89,760 |
| Sr. Account Clerk Typist-Civil (FT) – 8138 | 1161020 | 58,899 |
| Kitchen Helper (Holding Center) (FT) – 5426 | 1161040 | 41,500 |
| TOTAL DELETE | | 279,919 |

and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff’s Office and Personnel Department to create the following full-time positions, commencing with the beginning of the 23rd pay period of 2024:

| Add | Cost Center | Add |
|----------------------------------------------|-------------|---------|
| Licensed Master Social Worker (JG 8) | 1161090 | 80,080 |
| Licensed Master Social Worker (JG 8) | 1161090 | 80,080 |
| Principal Account Clerk Typist-Civil (JG 7B) | 1161020 | 63,698 |
| Correction Officer CF (JG 11) | 1163020 | 55,357 |
| TOTAL ADD | | 279,215 |

and be it further

RESOLVED, the Director of Budget and Management and the Commissioner of Personnel are authorized to make any technical changes to effectuate the implementation of this resolution; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Comptroller, the Division of Budget and Finance, the Personnel Department and the Sheriff’s Office for implementation.
(6-0)

JOHN J. GILMOUR
CHAIR

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 11 HEALTH & HUMAN SERVICES COMMITTEE

Report No. 11 Attachments

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

1. COMM. 16E-20 (2024)
COUNTY EXECUTIVE
WHEREAS, a grantmaking fund was created under Office of Children and Family Services (OCFS) for the purpose of providing annual awards to support sports programs for underserved children and youth between the ages of 6 and 17; and

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

WHEREAS, the Department of Social Services -Youth Bureau has been awarded funding in the amount of \$223,430; and

WHEREAS, the Department of Social Services -Youth Bureau distributed a request for proposal (RFP #2024-018VF) 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 \$223,430 in State Aid to provide Youth Sports and Education services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

| Department of Social Services-Youth Bureau | | |
|--------------------------------------------|----------------------------|------------------|
| Fund 110, Funds Center 12530 | | |
| <u>ACCOUNT</u> | <u>REVENUE</u> | <u>CHANGE</u> |
| 408055 | Youth Sports and Education | <u>\$223,430</u> |
| | TOTAL | <u>\$223,430</u> |
| <u>ACCOUNT</u> | <u>APPROPRIATION</u> | <u>CHANGE</u> |
| 517874 | Youth Sports and Education | <u>\$223,430</u> |
| | TOTAL | <u>\$223,430</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 (RFP 2024-018VF) in the amount of \$223,430 for the provision of Youth Sports and Education 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.
(6-0)

2. COMM. 16E-21 (2024)
COUNTY EXECUTIVE
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 \$472,082; 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 \$472,082 in State Aid to provide Youth Team Sports services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

Department of Social Services-Youth Bureau
Fund 110, Funds Center 12530

| <u>ACCOUNT</u> | <u>REVENUE</u> | <u>CHANGE</u> |
|----------------|-------------------|------------------|
| 408056 | Youth Team Sports | <u>\$472,082</u> |
| | TOTAL | <u>\$472,082</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATION</u> | <u>CHANGE</u> |
|----------------|----------------------|------------------|
| 517880 | Youth Team Sports | <u>\$472,082</u> |
| | TOTAL | <u>\$472,082</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 (RFP 2023-056VF) in the amount of \$472,082 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.
(6-0)

3. COMM. 16E-22 (2024)
COUNTY EXECUTIVE

WHEREAS, the New York State Office of Children and Family Services (OCFS) established Youth Development Program allocations based on youth census data in each county; and

WHEREAS, these awards are designed to provide a variety of developmental opportunities to youth under 21years of age; and

WHEREAS, the Department of Social Services-Youth Bureau has been awarded funding in the amount of \$806,055; and

WHEREAS, the Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2024-011VF) 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 \$806,055 in State Aid to provide Youth Development Program services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

Department of Social Services-Youth Bureau
Fund 110, Funds Center 12530

| <u>ACCOUNT</u> | <u>REVENUE</u> | <u>CHANGE</u> |
|----------------|-----------------------|------------------|
| 408020 | Youth – Reimbursement | <u>\$806,055</u> |
| | TOTAL | <u>\$806,055</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATION</u> | <u>CHANGE</u> |
|----------------|----------------------------|------------------|
| 517876 | Youth Development Programs | <u>\$806,055</u> |
| | TOTAL | <u>\$806,055</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 (RFP 2024-011VF) in the amount of \$806,055 for the provision of Youth Development 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 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.
(6-0)

4. COMM. 16E-28 (2024)
COUNTY EXECUTIVE
RESOLVED, that the Erie County Legislature hereby confirms the appointment of Karen Rybicki to the position of the Commissioner of the Department of Social Services.
(6-0)

LAWRENCE J. DUPRE
CHAIR

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

Report No. 3 SMALL BUSINESS COMMITTEE

Report No. 3 Attachments

October 3, 2024

SMALL BUSINESS COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

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

JEANNE M. VINAL
CHAIR

SUBJECT

| | | |
|-------------|-----------------|-------------------------------------------------------------------------------------------------|
| INTRO. 17-1 | BASKIN & MEYERS | Adjusting from the Income Limits for an Erie County Senior Citizen Property Tax Exemption |
|-------------|-----------------|-------------------------------------------------------------------------------------------------|

| | |
|---------------|-------------|
| 24INTRO. 17-1 | Attachments |
|---------------|-------------|

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS BASKIN AND MEYERS**

Re: Adjusting from the Income Limits for an Erie County Senior Citizen Property Tax Exemption

WHEREAS, New York State Real Property Tax Law (RPTL) Section 467 allows local municipalities to offer a senior property tax exemption based on income; and

WHEREAS, under state law, if allowed by local option, property that (1) is owned by persons 65 years of age or older, or by certain other persons whose income does not exceed the maximum established by local option, (2) is used exclusively for residential purposes, and (3) has been owned by at least one of its owners for a minimum of 12 consecutive months prior to application for exemption or for a period of time considered to be the equivalent of 12 consecutive months is partially exempt from general municipal taxes; and

WHEREAS, on July 7, 1970, the Erie County Legislature approved Item 16, a resolution opting into state legislation creating a property tax exemption for Erie County tax purposes for the Senior Citizen Real Property Tax Exemption; and

WHEREAS, periodically since July 1970, the maximum income level exemption has been reviewed and updated by the Erie County Legislature; and

WHEREAS, in August 2022, New York State increased the income limits for the senior citizen property tax exemption to provide greater relief for older Americans across the State; and

WHEREAS, because the Senior Citizen Real Property Tax Exemption has not been reviewed or revised since February 2022, it is necessary to review and revise the County's exemption threshold based on maximum income eligibility for senior citizens.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, is interested in participating in the local option to increase the maximum income eligibility for senior citizens to receive a real property tax exemption; and be it further

RESOLVED, upon public hearing, the maximum allowable income levels for the Senior Citizen Real Property Tax Exemption for the County property tax purposes are hereby revised to the following levels:

| Percentage of Exemption (%) | Minimum Income | Maximum Income |
|-----------------------------|----------------|----------------|
| 50 | \$0.00 | \$50,000.00 |
| 45 | \$50,000.01 | \$50,999.99 |
| 40 | \$51,000.00 | \$51,999.99 |
| 35 | \$52,000.00 | \$52,999.99 |
| 30 | \$53,000.00 | \$53,899.99 |
| 25 | \$53,900.00 | \$54,799.99 |
| 20 | \$54,800.00 | \$55,699.99 |
| 15 | \$55,700.00 | \$56,599.99 |
| 10 | \$56,600.00 | \$57,499.99 |
| 5 | \$57,500.00 | \$58,399.99 |

and be it further

RESOLVED, that the Erie County Legislature hereby applies aforesaid exemption schedule to all taxable status dates for the 2025 assessment rolls in Erie County, applying to such tentative assessment rolls prepared on taxable status dates occurring on or after January 1, 2025; and be it further

RESOLVED, that a public hearing concerning these partial exemption from taxation and ad valorem levies was held to consider public input; and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Mark Poloncarz, Budget Director Mark Cornell, Director of Real Property Tax Services Scott Bylewski, County Attorney Jeremy Toth, Senior Services Commissioner Angela Marinucci, and to the Assessors of each city and town in Erie County.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|--------|---------------------------------------------|
| INTRO. 17-2 | BASKIN | Re-Appropriation of Cultural Agency Funding |
|-------------|--------|---------------------------------------------|

| | |
|---------------|-------------|
| 24INTRO. 17-2 | Attachments |
|---------------|-------------|

A RESOLUTION TO BE SUBMITTED BY CHAIR BASKIN**Re: Re-Appropriation of Cultural Agency Capital Funding**

WHEREAS, the Old First Ward Community Center was awarded \$100,000 in Cultural Agency Capital funding by the Erie County Legislature in Intro. 12-3 (2024); and

WHEREAS, the organization was incorrectly listed as the recipient organization and the funding should be transferred to the correct organization; and

WHEREAS, the funding was intended for Buffalo River Fest Park, a non-profit organization whose mission is to preserve, protect, and work to beautify Buffalo's waterfront and the Buffalo River and promote educational and recreational events in connection therewith; and

WHEREAS, as in similar 2021, 2022 and 2023 situations, it is the intention of this Honorable Body to transfer such funding to community organizations serving the public.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to transfer the \$100,000 of Cultural Agency Capital funding to Buffalo River Fest Park; and be it further

RESOLVED, that the Director of the Division of Budget and Management is authorized to make any adjustments necessary to effectuate the intent of this resolution, including the creation of any general fund or capital project accounts; and be it further

RESOLVED, the Department of Environment and Planning is authorized to review the above project pursuant to 6 N.Y.C.R.R. § 617.1 to determine the environmental impact of the projects listed above to per the State Environmental Quality Review Act; and

RESOLVED, that authorization is hereby given to the Comptroller's Office, following the necessary approvals of the Division of Budget & Management and Department of Environment and Planning, to make payment up to the contractual limit indicated above; and be it further

RESOLVED, that authorization is hereby given to the Department of Law and County Executive/ Deputy County Executive to execute easements, deed restrictions, intermunicipal agreements and/or place additional requirements on the aforementioned contracting entity and associated real property (project location) as necessary to implement the projects; and be it further

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|-------------|-------------------------------------------|
| INTRO. 17-3 | LEGISLATURE | Appointment of Commissioners of Elections |
|-------------|-------------|-------------------------------------------|

| | |
|---------------|-------------|
| 24INTRO. 17-3 | Attachments |
|---------------|-------------|

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS BASKIN, MEYERS, BARGNESI, DUPRE, GILMOUR, KOOSHOIAN,
VINAL, MILLS, GREENE, LORIGO, and TODARO**

Re: Appointment of Commissioners of Elections

WHEREAS, on September 30, 2024, pursuant to Election Law §3-204(2), the Erie County Democratic Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Jeremy Zellner, residing at 613 Niagara Street, Tonawanda, New York 14150, for appointment to the office of Democratic Commissioner of Elections for a full four-year term; and

WHEREAS, on October 3, 2024, pursuant to Election Law §3-204(2), the Erie County Republican Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, for appointment to the office of Republican Commissioner of Elections for a full four-year term; and

WHEREAS, said appointments are to commence January 1, 2025.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Jeremy Zellner, residing at 613 Niagara Street, Tonawanda, New York 14150, as Democratic Commissioner of Elections for a full four-year term commencing January 1, 2025; and be it further

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, as Republican Commissioner of Elections for a full four-year term commencing January 1, 2025; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioners of the Erie County Board of Elections; and pursuant to Election Law §3-210, a certificate of appointment of Commissioners Jeremy Zellner and Ralph M. Mohr shall be filed in the Erie County Clerk's Office and the New York State Board of Elections.

Fiscal Impact: None for this resolution.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17D-3

COUNTY ATTORNEY

Opinion as to Form Local Law Intro No. 6-1
2024

Attachments

24COMM. 17D-3

SUSPENSION



JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

DEPARTMENT OF LAW

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

EC LEG OCT 8 '24 PM12:51

October 8, 2024

VIA E-MAIL ONLY

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

Re: Opinion as to Form Local Law Intro No 6-1 2024

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 6-1 2024 (6-1).

Preemption

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

Here, 6-1 does not present any direct conflicts with state statute and since the State Legislature has not taken specific action to assume sole regulatory authority on this topic, 6-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 6-1 is to mandate the development of County Agency-specific language access plans, practices and training in the County of Erie. We find the grammar and usage of 6-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 6-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

SUSPENSION

Conclusion

We find that Local Law Intro. 6-1 2024 is sufficient as to form.

Respectfully yours,

JEREMY C. TOTH
Erie County Attorney

By 
Gregory P. Kammer, Esq.
Assistant County Attorney
Direct Dial: (716) 858-2248
E-mail: Gregory.Kammer@erie.gov

GPk/lda

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|---------|-----------------------------------|
| COMM. 17E-1 | SHERIFF | Acceptance of Smart Reentry Grant |
|-------------|---------|-----------------------------------|

| | |
|---------------|-------------|
| 24COMM. 17E-1 | Attachments |
|---------------|-------------|

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



10/02/2024 10:39
ADMINISTRATIVE OFFICES
10 DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716)858-7882
WEBSITE: <http://www.erie.gov/sheriff>

SHERIFF OF ERIE COUNTY

October 2, 2024

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

Re: Acceptance of Smart Reentry Grant

Honorable Members:

Attached, please find a proposed resolution and memorandum authorizing acceptance of the Smart Reentry: Housing Demonstration Program Grant from the Bureau of Justice Assistance for FY2024.

Representatives of the Sheriff's Office will be made available to answer any questions you may have.

Very Yours Truly,

John C. Garcia
Sheriff of Erie County

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of Smart Reentry Grant
Date: October 2, 2024

Summary of Recommended Action

This resolution requests authorization for the Erie County Sheriff's Office to accept \$1,000,000.00 from the U.S. Department of Justice, Bureau of Justice Assistance as part of its Smart Reentry: Housing Demonstration Program Grant for FY2024. This award will fund a collaboration between the Erie County Sheriff's Office, Peaceprints of WNY and the Osborne Association.

This collaboration will mirror the Osborne Association's "Kinship" program in New York City. Under this program, financial resources and support are provided to incarcerated individuals upon reentry for the purpose of accessing safe and stable housing, reunification with loved ones and emotional and financial stability. It is the goal for 40 incarcerated individuals to participate in this program over the lifetime of this grant.

The collaboration will work as follows: the Erie County Sheriff's Office will oversee this grant. Peaceprints of WNY will identify individuals who may be eligible for this program during its Project Blue intake process. The Osborne Association will then administer the program.

Fiscal Implications of Proposal

This proposal has no impact on county tax dollars.

Reason for Recommendation

The Erie County Sheriff's Office is committed to doing its part to reduce recidivism. Often times, for various reasons, incarcerated individuals struggle when reentering society. One of those barriers is a lack of stable housing. This grant and partnership aim to address that.

Consequences of Negative Action

The Erie County Sheriff's Office will forfeit \$1,000,000.00 in federal funding.

Steps Following Approval of Measure

Certified Copies shall be forwarded to the County Executive, the County Attorney, the Division of Budget and Management, the Comptroller and the Erie County Sheriff's Office.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of Smart Reentry Grant

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 Community Reintegration Division works diligently to assist incarcerated individuals as they reenter society upon release; and

WHEREAS, the partnership between the Erie County Sheriff's Office and Peaceprints of WNY to administer the Project Blue program has been a resounding success; and

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance has awarded the Erie County Sheriff's Office \$1,000,000.00 as part of its Smart Reentry: Housing Demonstration Program for FY2024; and

WHEREAS, this federal funding will be used to support a partnership between the Erie County Sheriff's Office, Peaceprints of WNY and the Osborne Association; and

WHEREAS, these partners will assist approximately 40 incarcerated individuals as they seek stable and affordable housing upon release from Erie County Sheriff's Office custody.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to enter into an agreement with the U.S. Justice Department, Bureau of Justice Assistance to accept grant funding in the amount of \$1,000,000.00 through the Smart Reentry: Housing Demonstration Program for FY2024; and be it further

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to amend its contract with Peaceprints of WNY, 1001 E. Delavan Ave., Unit 22, Buffalo, NY 14215 as necessary to administer this program; and be it further

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to enter into an agreement with the Osborne Association, 175 Remsen St., Brooklyn, NY 11201 as necessary to administer this program; and be it further

RESOLVED, the Division of Budget and Management is authorized to establish funding in Grant Fund 281, Fund Center 116 as follows:

Erie County Sheriff's Office
116REENTRY2427
October 1, 2024 – September 30, 2027

| <u>APPROPRIATIONS</u> | <u>INCREASE</u> |
|-----------------------------|---------------------|
| 500000 – Full Time Salaries | \$31,095.00 |
| 502000 – Fringe Benefits | \$15,546.00 |
| <u>516010 – Contractual</u> | <u>\$953,359.00</u> |
| TOTAL APPROPRIATIONS | \$1,000,000.00 |

| <u>REVENUE</u> | <u>INCREASE</u> |
|---------------------------------|-----------------------|
| <u>414000 – Federal Revenue</u> | <u>\$1,000,000.00</u> |
| TOTAL REVENUE | \$1,000,000.00 |

and be it further

RESOLVED, the Director of Budget and Management is authorized to establish and adjust budgets as required to comply with state and federal approved funding levels; and be it further

RESOLVED, the Director of Budget and Management is authorized to make any technical adjustments necessary to accept this funding and allocate the funds; and be it further

RESOLVED, certified copies shall be forwarded to the County Executive, the County Attorney, the Division of Budget and Management, the Comptroller and the Erie County Sheriff's Office.

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|---------|------------------------------------------|
| COMM. 17E-2 | SHERIFF | Acceptance of FY2024 Port Security Grant |
|-------------|---------|------------------------------------------|

| | |
|---------------|-------------|
| 24COMM. 17E-2 | Attachments |
|---------------|-------------|

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



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

SHERIFF OF ERIE COUNTY

October 1, 2024

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

Re: Acceptance of FY2024 Port Security Grant

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum authorizing acceptance of \$33,210.00 in federal funding through the FY2024 Port Security Grant. Representatives of the Erie County Sheriff's Office will be made available to answer any questions you may have.

Sincerely,

John C. Garcia
Sheriff of Erie County

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of FY2024 Port Security Grant
Date: October 1, 2024

Summary of Recommended Action

This resolution requests authorization for the Erie County Sheriff's Office to accept \$33,210.00 in U.S. Department of Homeland Security funding through the FY2024 Port Security Grant.

Fiscal Implications of Proposal

Acceptance of this grant requires that \$11,070.00 in non-federal funding is contributed to the approved scope of work. \$11,070.00 will be utilized from the Erie County Sheriff's Office Police Services Division budget (Fund 110, Fund Center 11510), 561410 – Lab & Tech Equipment. The combined \$44,280.00 will be used to purchase four (4) Binocular Night Vision Devices.

Reason for Recommendation

In furtherance of its efforts to assist the Erie County Sheriff's Office in protecting critical surface transportation infrastructure from acts of terrorism and other emergencies, the U.S. Department of Homeland Security has awarded the Erie County Sheriff's Office \$33,210.00. Approval is required from the Erie County Legislature to enter into an agreement to accept the funds.

Consequences of Negative Action

The Erie County Sheriff's Office will forfeit \$33,210.00 in federal funding.

Steps Following Approval of Measure

Certified copies of this resolution shall be forwarded to the County Executive, the Erie County Comptroller, the Division of Budget and Management, the County Attorney and the Erie County Sheriff's Office.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of FY2024 Port Security Grant

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 U.S. Department of Homeland Security has awarded the Erie County Sheriff's Office \$33,210.00 as part of its Port Security Grant Program for FY2024; and

WHEREAS, as a condition of this award, \$11,070.00 in non-federal funds must be contributed; and

WHEREAS, \$11,070.00 will be utilized from the Erie County Sheriff's Office Police Services Division budget (Fund 110, Fund Center 11510), 561410 – Lab & Tech Equipment; and

WHEREAS, the combined \$44,280.00 will be utilized to purchase four (4) Binocular Night Vision Devices and

WHEREAS, authorization is required from the Erie County Legislature for Erie County to enter into agreement to accept this federal funding.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to enter into an agreement with the U.S. Department of Homeland Security to accept grant funding in the amount of \$33,210.00 for FY2024 through the Port Security Grant Program; and be it further

RESOLVED, the Division of Budget and Management is authorized to establish funding in the Erie County Sheriff's Office, Police Services Division operating budget (Fund 110, Fund Center 11510) as follows:

| <u>REVENUE</u> | <u>INCREASE</u> |
|-------------------------------|-----------------|
| 414000 – Federal Revenue | \$33,210.00 |
| TOTAL | \$33,210.00 |
| | |
| <u>APPROPRIATIONS</u> | <u>INCREASE</u> |
| 561410 – Lab & Tech Equipment | \$33,210.00 |
| TOTAL | \$33,210.00 |

and be it further

RESOLVED, the Director of Budget and Management is authorized to establish and adjust budgets as required to comply with state and federal approved funding levels; and be it further

RESOLVED, the Director of Budget and Management is authorized to make any technical adjustments necessary to accept this funding and allocate the funds; and be it further

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-3

COUNTY EXECUTIVE

Appointments to the Erie County Charter
Review Commission

Attachments

24COMM. 17E-3



EC LEG OCT 2 '24 PM 2:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 2, 2024

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

Re: Appointments Erie County Charter Review Commission

Dear Honorable Members:

Pursuant to the powers vested in me by Section 2608 of the Erie County Charter, I hereby appoint the following persons to the Charter Review Commission:

Jesse W. Simmons
903 Colvin Boulevard
Kenmore, NY 14217

Joshua L. Pennel
144 Chatham Avenue
Buffalo, NY 14216

Matthew J. Kibler
5833 Shamrock Court
Hamburg, NY 14075

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Appointees

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-4

COMPTROLLER

Response to Letter Concerning Deputy
Comptroller for Audit

Attachments

24COMM. 17E-4



ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

September 30, 2024

Erie County Legislature
Minority Caucus
92 Franklin Street
Buffalo, New York 14202

Dear Legislators:

I am in receipt of your letter regarding my Deputy Comptroller for Audit, Mary Hosler.

As you know, the State Comptroller's Audit of the Town of Evans resulted in a dispute concerning a \$6,000 payment to Mary. I am confident that this matter will be resolved at some point by the town. In the interim, I have no desire to meddle in the State audit or be drawn into the ongoing internecine warfare that has characterized Evans' politics for more than a decade.

I am, however, amused by your contention that Mary might not be the right person to carry the "massive responsibility of overseeing the taxpayer watchdog functions" of my office. Mary has been an exemplary Audit Deputy. Allow me to refresh your memory:

1. Mary supervised the talented team of auditors that uncovered the embezzlement of \$320,159.33 by one of the County Clerk's top deputies;
2. Mary and her team also discovered a \$326,456.16 counterfeit check drawn on the County Clerk's account;
3. Mary and her auditors found another \$1,133,648.20 for recovery from indigent legal services. That's a seven figure sum – nothing short of remarkable.

I trust that you have read the complete reports and share my relief that Mary and her team have identified this money so that it can be recovered for the taxpayers. I would challenge you to cite an example of another audit deputy who has had a more productive and impactful two years than Mary Hosler.

Erie County Legislature
Minority Caucus
Buffalo, New York 14202
Page - 2

So, to answer your question, I do believe that Mary is more than capable of handling “the massive responsibility” of her position. Regardless, the decision is mine and I am pleased to have Mary in charge of my Audit Division. I believe that the taxpayers of Erie County have been the major beneficiaries of this decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. R. Hardwick", with a stylized flourish at the end.

Kevin R. Hardwick, Ph.D.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-5

COMPTROLLER

Sales and Compensating Use Tax Report -
June, July & August 2024

Attachments

24COMM. 17E-5



EC LEG SEP 26 '24 AM 11:58

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

September 26, 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 June, July, and August 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 | | \$270,688,915.98 |
| Less BFSA Intercept for Buffalo | | -43,484,611.47 |
| County of Erie | \$160,084,855.14 | |
| School Districts | 34,100,482.32 | |
| Cities | 1,915,048.59 | |
| Cities, Towns & Villages | 31,103,918.46 | |
| Net | <u>\$227,204,304.51</u> | <u>\$227,204,304.51</u> |

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

Very truly yours,

Kevin R. Hardwick
Erie County Comptroller

KRH/sd
Enc.

| CASH BASIS | 3rd Quarter Sales Tax 2024 | July-September | July-September Advanced by NYS to Buffalo | July-September |
|------------|------------------------------------------|-------------------------|----------------------------------------------|-------------------------|
| | Sales Tax Received | 120,648,553.92 | 19,381,493.60 | 101,267,060.32 |
| | Sales Tax Received | 56,271,967.85 | 9,039,766.74 | 47,232,201.11 |
| | Sales Tax - EFT | 93,768,394.21 | 15,063,351.14 | 78,705,043.07 |
| | Total Sales Tax Received for Month | <u>\$270,688,915.98</u> | <u>\$43,484,611.47</u> | <u>\$227,204,304.51</u> |
| | Allocations | | | |
| | County of Erie .25% Assessment | 14,245,807.40 | | 14,245,807.40 |
| | County of Erie .5% Assessment | 28,491,614.77 | | 28,491,614.77 |
| | County of Erie 1% Assessment | 56,987,871.16 | | 56,987,871.16 |
| | County of Erie 0.353055 | 60,359,561.81 | | 60,359,561.81 |
| | School Districts 0.290000 | 49,579,450.57 | 15,478,968.25 | 34,100,482.32 |
| | Cities 0.100087 | 17,111,236.08 | 15,196,187.49 | 1,915,048.59 |
| | Cities, Towns & Villages 0.256858 | 43,913,374.19 | 12,809,455.73 | 31,103,918.46 |
| | Total Allocations | <u>\$270,688,915.98</u> | <u>\$43,484,611.47</u> | <u>\$227,204,304.51</u> |
| | County Distribution - 2024 | | | |
| | County of Erie .25% Assessment | 14,245,807.40 | | 14,245,807.40 |
| | County of Erie .5% Assessment | 28,491,614.77 | | 28,491,614.77 |
| | County of Erie 1% Assessment | 56,987,871.16 | | 56,987,871.16 |
| | County of Erie | 60,359,561.81 | | 60,359,561.81 |
| | Total County | <u>\$160,084,855.14</u> | | <u>\$160,084,855.14</u> |
| | School Distribution - 2024 | | | |
| | 34,622.98 City of Buffalo Public Schools | 15,478,968.25 | 15,478,968.25 | 0.00 |
| | 2,211.29 City of Lackawanna S.D. | 988,606.07 | | 988,606.07 |
| | 1,570.51 City of Tonawanda School | 702,131.20 | | 702,131.20 |
| | 877.45 Akron Central School Dist. | 392,283.41 | | 392,283.41 |
| | 1,414.58 Alden Central School Dist. | 632,419.24 | | 632,419.24 |
| | 2,824.91 Amherst Central School Dist. | 1,262,938.44 | | 1,262,938.44 |
| | 2,149.63 Cheektowaga Central S.D. | 961,039.59 | | 961,039.59 |
| | 2,014.46 Cheektowaga-Maryvale U.F.S.D. | 900,608.87 | | 900,608.87 |
| | 1,186.73 Cheektowaga-Sloan U.F.S.D. | 530,553.88 | | 530,553.88 |
| | 4,039.54 Clarence Central School Dist. | 1,805,965.60 | | 1,805,965.60 |
| | 1,298.39 Cleveland Hill U.F.S.D. | 580,473.94 | | 580,473.94 |
| | 1,722.94 Depew U.F.S.D. | 770,278.39 | | 770,278.39 |

| | | | |
|-------------------|----------------------------------|------------------------|------------------------|
| 1,570.19 | East Aurora U.F.S.D. | 701,988.14 | 701,988.14 |
| 1,220.04 | Eden Central School Dist. | 545,445.84 | 545,445.84 |
| 4,345.17 | Frontier Central School Dist. | 1,942,604.27 | 1,942,604.27 |
| 636.91 | Gowanda Central School Dist. | 284,744.70 | 284,744.70 |
| 2,732.87 | Grand Island School Dist. | 1,221,789.93 | 1,221,789.93 |
| 3,105.05 | Hamburg Central School Dist. | 1,388,181.20 | 1,388,181.20 |
| 638.73 | Holland Central School Dist. | 285,558.36 | 285,558.36 |
| 2,064.80 | Iroquois Central School Dist. | 923,114.47 | 923,114.47 |
| 6,451.89 | Kenmore/Tonawanda U.F.S.D. | 2,884,459.99 | 2,884,459.99 |
| 1,894.54 | Evans-Brant Central School Dist. | 846,995.97 | 846,995.97 |
| 5,275.80 | Lancaster Central School Dist. | 2,358,662.98 | 2,358,662.98 |
| 583.48 | North Collins Central S.D. | 260,857.62 | 260,857.62 |
| 4,553.20 | Orchard Park Central S.D. | 2,035,608.66 | 2,035,608.66 |
| 1,480.27 | Springville-Griffith Institution | 661,787.41 | 661,787.41 |
| 3,213.88 | Sweethome C.S.D. of Amherst/Ton. | 1,436,836.07 | 1,436,836.07 |
| 5,719.39 | West Seneca Central School Dist. | 2,556,979.68 | 2,556,979.68 |
| 9,285.64 | Williamsville Central School | 4,151,350.55 | 4,151,350.55 |
| 192.85 | Yorkshire-Pioneer Central | 86,217.85 | 86,217.85 |
| <u>112,000.13</u> | Total School | <u>\$49,579,450.57</u> | <u>\$15,478,968.25</u> |
| | | | <u>\$34,100,482.32</u> |

| City Distribution - 2024 | | July-September | July-September Advanced by NYS to Buffalo | July-September |
|--------------------------|--------------------------------------|------------------------|----------------------------------------------|-----------------------|
| 278,349 | Buffalo (City) | \$ 15,196,187.49 | \$ 15,196,187.49 | \$ - |
| | Buffalo (City\Town\Village) | \$ 12,809,455.73 | \$ 12,809,455.73 | \$ - |
| | Total Buffalo | <u>\$28,005,643.22</u> | <u>\$28,005,643.22</u> | <u>\$0.00</u> |
| 19,949 | Lackawanna (City) | \$ 1,089,095.84 | | \$ 1,089,095.84 |
| | Lackawanna (City\Town\Village) | 918,041.14 | | \$ 918,041.14 |
| | Total Lackawanna | <u>\$2,007,136.98</u> | | <u>\$2,007,136.98</u> |
| 15,129 | Tonawanda (City) | \$ 825,952.75 | | \$ 825,952.75 |
| | Tonawanda (City\Town\Village) | \$ 696,227.61 | | \$ 696,227.61 |
| | Total Tonawanda | <u>\$1,522,180.36</u> | | <u>\$1,522,180.36</u> |
| | Total City | <u>\$17,111,236.08</u> | <u>\$15,196,187.49</u> | <u>\$1,915,048.59</u> |
| | Total City\Town\Village | <u>14,423,724.48</u> | <u>12,809,455.73</u> | <u>1,614,268.75</u> |
| | Total Distribution for Cities | <u>\$31,534,960.56</u> | <u>\$28,005,643.22</u> | <u>\$3,529,317.34</u> |

| Apportionment Towns and Villages Distribution - 2024 | | July-September Advanced by NYS to Buffalo | | July-September |
|------------------------------------------------------|-----------------------------|----------------------------------------------|--|-----------------|
| Town of: | | | | |
| 974,350,532 | Alden | 280,269.44 | | 280,269.44 |
| 17,366,151,847 | Amherst | 6,283,092.04 | | 6,283,092.04 |
| 2,382,199,729 | Aurora | 564,360.69 | | 564,360.69 |
| 983,211,244 | Boston | 372,540.30 | | 372,540.30 |
| 205,530,180 | Brant | 70,167.47 | | 70,167.47 |
| 7,824,337,011 | Cheektowaga | 2,565,932.68 | | 2,565,932.68 |
| 6,072,350,161 | Clarence | 2,300,823.04 | | 2,300,823.04 |
| 454,505,732 | Colden | 172,212.95 | | 172,212.95 |
| 377,787,100 | Collins | 122,235.02 | | 122,235.02 |
| 848,639,938 | Concord | 197,094.10 | | 197,094.10 |
| 850,084,395 | Eden | 322,098.31 | | 322,098.31 |
| 2,150,911,500 | Elma | 814,983.75 | | 814,983.75 |
| 1,545,992,684 | Evans | 532,780.56 | | 532,780.56 |
| 2,941,443,017 | Grand Island | 1,114,517.41 | | 1,114,517.41 |
| 7,061,283,253 | Hamburg | 2,201,000.26 | | 2,201,000.26 |
| 379,574,705 | Holland | 143,821.44 | | 143,821.44 |
| 5,487,234,279 | Lancaster | 1,552,761.42 | | 1,552,761.42 |
| 747,299,144 | Marilla | 283,152.82 | | 283,152.82 |
| 1,059,404,112 | Newstead | 311,664.68 | | 311,664.68 |
| 319,187,593 | North Collins | 94,057.49 | | 94,057.49 |
| 4,869,411,953 | Orchard Park | 1,679,686.78 | | 1,679,686.78 |
| 327,613,710 | Sardinia | 124,133.36 | | 124,133.36 |
| 7,347,081,783 | Tonawanda | 2,335,320.12 | | 2,335,320.12 |
| 441,367,061 | Wales | 167,234.67 | | 167,234.67 |
| 4,812,361,473 | West Seneca | 1,823,411.33 | | 1,823,411.33 |
| 66,849,529,074 | Total Towns | \$26,429,352.13 | | \$26,429,352.13 |
| Village of: | | | | |
| Allocation | | | | |
| 0.240838599 | Alden | 88,913.51 | | 88,913.51 |
| 0.04513183 | Williamsville (Amherst) | 296,970.24 | | 296,970.24 |
| 0.37475222 | East Aurora | 338,258.56 | | 338,258.56 |
| 0.098981035 | Farnham | 7,708.22 | | 7,708.22 |
| 0.106470231 | Depew (Cheektowaga) | 315,647.37 | | 315,647.37 |
| 0.027655593 | Sloan | 81,989.26 | | 81,989.26 |
| 0.000365743 | Williamsville (Cheektowaga) | 1,084.30 | | 1,084.30 |
| 0.146070293 | Gowanda | 20,909.11 | | 20,909.11 |
| 0.387051819 | Springville | 124,456.90 | | 124,456.90 |
| 0.09047527 | Angola | 52,998.51 | | 52,998.51 |
| 0.029370757 | Blasdell | 78,582.37 | | 78,582.37 |
| 0.147988823 | Hamburg | 395,948.72 | | 395,948.72 |
| 0.096631396 | Depew (Lancaster) | 200,908.43 | | 200,908.43 |
| 0.156533333 | Lancaster | 325,451.85 | | 325,451.85 |

| | | | | |
|--------------------------------|---------------|--------------------------------|----------------------------------------------|--------------------------------|
| 0.223575061 | Akron | 89,745.23 | | 89,745.23 |
| 0.222283938 | North Collins | 26,883.19 | | 26,883.19 |
| 0.089614405 | Orchard Park | 165,341.08 | | 165,341.08 |
| 0.16110977 | Kenmore | 448,500.73 | | 448,500.73 |
| Total Village | | <u>\$3,060,297.58</u> | | <u>\$3,060,297.58</u> |
| Grand Total Towns and Villages | | <u><u>\$29,489,649.71</u></u> | | <u><u>\$29,489,649.71</u></u> |
| Recapitulation | | July-September | July-September Advanced by NYS to Buffalo | July-September |
| County of Erie | | \$160,084,855.14 | | 160,084,855.14 |
| School Districts | | 49,579,450.57 | 15,478,968.25 | 34,100,482.32 |
| Cities | | 17,111,236.08 | 15,196,187.49 | 1,915,048.59 |
| Cities (Towns and Villages) | | 14,423,724.48 | 12,809,455.73 | 1,614,268.75 |
| Towns | | 26,429,352.13 | | 26,429,352.13 |
| Villages | | 3,060,297.58 | | 3,060,297.58 |
| Total Sales Tax Distribution | | <u><u>\$270,688,915.98</u></u> | <u><u>\$43,484,611.47</u></u> | <u><u>\$227,204,304.51</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: 10/10/2024

SUBJECT

| | | |
|-------------|---------|-------------------------------|
| COMM. 17E-6 | SHERIFF | Ownership Transfer of K9 Ciro |
|-------------|---------|-------------------------------|

| | |
|---------------|-------------|
| 24COMM. 17E-6 | Attachments |
|---------------|-------------|

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

September 25, 2024

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

Re: Ownership Transfer of K9 Ciro

Honorable Members:

The attached resolution requests authorization for the Erie County Sheriff's Office to transfer ownership of K9 Ciro to his handler, Deputy Matthew Sirianni.

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

Very truly yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Ownership Transfer of K9 Ciro
Date: September 25, 2024

Summary of Recommended Action

This resolution requests authorization for the Sheriff's Office to transfer ownership of Ciro to Deputy Matthew Sirianni, his handler.

Fiscal Implications of Proposal

Deputy Sirianni shall pay Erie County one (1) U.S. Dollar.

Reasons for Recommendation

K9 Ciro's retirement from the Erie County Sheriff's Office K9 Unit became effective on September 21, 2024. As the relationship between each handler and K9 is special, it is appropriate for the county to now transfer ownership of Ciro to Deputy Sirianni.

Consequence of Negative Action

Erie County would unnecessarily retain ownership of Ciro, a retired K9.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Ownership Transfer of K9 Ciro

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, K9 Ciro retired from the Erie County Sheriff's Office K9 Unit on September 21, 2024; and

WHEREAS, Deputy Matthew Sirianni was K9 Ciro's handler; and

WHEREAS, the Erie County Sheriff's Office wishes to transfer ownership of K9 Ciro to Deputy Matthew Sirianni.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to enter into an agreement to transfer ownership of K9 Ciro to Deputy Matthew Sirianni for the consideration of \$1.00; and be it further

RESOLVED, Deputy Sirianni shall assume full responsibility for Ciro under such agreement and shall hold Erie County and the Erie County Sheriff's Office harmless against any and all liability; and be it further

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-7

COMPTROLLER

Certificate of Determination - Buffalo Bills
Stadium Project Bond

Attachments

24COMM. 17E-7

CERTIFICATE OF DETERMINATION OF THE COUNTY COMPTROLLER RELATIVE TO THE TERMS, FORM AND DETAILS OF THE SALE AND ISSUANCE OF \$110,945,000 PUBLIC IMPROVEMENT SERIAL BONDS, SERIES 2024B (BUFFALO BILLS STADIUM PROJECT) OF THE COUNTY OF ERIE, NEW YORK, AND PROVIDING FOR THEIR PRIVATE SALE.

I, KEVIN R. HARDWICK, the County Comptroller of the County of Erie, New York (the "County"), HEREBY CERTIFY that pursuant to the powers and duties delegated to me as the chief fiscal officer of the County pursuant to a Bond Resolution that was duly adopted by the County Legislature and is referred to in the attached Appendix A which is hereby made a part hereof, and subject to the limitations prescribed in the Bond Resolution, I have made the following determinations:

1. Authorization, Principal Amount, Maturity Schedule, Issue Date and Designation: (a) Bonds of the County (the "Bonds") in the respective principal amounts as set forth in the attached Appendix A, for such purpose as set forth in such Appendix, shall be issued pursuant to a bond resolution that was duly adopted by the County Legislature, on May 4, 2023 as set forth in such Appendix, and shall mature in the respective principal amounts on September 15 in each of the years as set forth in such Appendix.

(b) All of the serial bonds hereinabove referred to in Appendix A (the "Bonds") shall be in the aggregate principal amount of \$110,945,000, and shall be designated "PUBLIC IMPROVEMENT SERIAL BONDS, SERIES 2024B (BUFFALO BILLS STADIUM PROJECT)." The Bonds shall be dated October 8, 2024 and shall mature, with substantially level or declining annual debt service, on September 15 in various years, as set forth in Appendix A.

2. Issue Date. The Bonds shall be dated their date of delivery. The date of each Bond shall appear on the face thereof under the caption "Date of Original Issue," and each Bond shall bear interest from such date.

3. Interest Rate, Dates and Medium of Payment. The Bonds shall bear interest from their date at the rate(s) per annum as set forth in Section 1 hereof, payable March 15, 2025, September 15, 2025 and semi-annually thereafter on each March 15 and September 15 to maturity (or earlier redemption, if applicable), payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest thereon will be payable by wire transfer or in clearinghouse funds by the Fiscal Agent, on each interest payment date, to the registered owners thereof (at their addresses as they appear on the registration books of the County maintained by the Fiscal Agent or at such other address as may be furnished in writing by any of such registered owners to the Fiscal Agent) at the record date/time for the Bonds, which is the last business day of the month preceding each interest payment date, at the close of business.

4. Bonds Subject to Prior Redemption. The Bonds maturing on or before September 15, 2034 will not be subject to redemption prior to maturity. The Bonds maturing on or after September 15, 2035 will be subject to redemption prior to maturity at the option of the County on any date on or after September 15, 2034, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the price equal to 100% of the par amount of the Bonds to be redeemed, plus accrued interest to the date of redemption. The County may select the maturities of the Bonds to be redeemed prior to maturity and the amount to be redeemed of each maturity selected, as the County shall determine to be in the best interest of the County at the time of such redemption. If less than all of the Bonds

of any maturity are to be redeemed prior to maturity, the selection of the book-entry interests within each Bond maturity to be redeemed will be done in accordance with procedures established by The Depository Trust Company ("DTC") which will act as securities depository for the Bonds. If the Bonds are not registered in book-entry form, any redemption of less than all of a maturity of the Bonds shall be allocated (in the amounts of \$5,000 or any whole multiple) among the registered owners of such maturity of the Bonds then outstanding as nearly as practicable in proportion to the principal amounts of such maturity of the Bonds owned by each registered owner. This will be calculated based on the following formula:

$$\frac{(\text{principal to be redeemed}) \times (\text{principal amount owned by owner})}{(\text{principal amount outstanding})}$$

So long as DTC or a successor securities depository is the sole registered owner of the Bonds, the County will cause notice of redemption to be given only to DTC as registered owner. Notice of such call for redemption shall be given by mailing such notice to the registered owner not less than thirty (30) days, nor more than sixty (60) days, prior to such date. Notice of redemption having been given as aforesaid, the Bonds so called for redemption shall, on the date of redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

5. Denominations, Numbers and Letters. The Bonds maturing in each year shall be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount of Bonds maturing in such year.

The Bonds shall be lettered R, and shall be numbered one (1) consecutively upward in the order of their issuance. All of the Bonds shall be transferable and exchangeable as provided herein.

6. Book Entry System. The Bonds when issued shall be (i) registered in the name of Cede & Co., as nominee of DTC and (ii) deposited with DTC to be held in trust until maturity. Only one Bond will be initially issued for each maturity in the aggregate principal amount of such maturity. DTC is an automated depository for securities and clearinghouse for securities transactions, and will be responsible for establishing and maintaining a book-entry system for recording the ownership interests of its participants, which include certain banks, trust companies and securities dealers, and the transfers of the interests among its participants. The DTC participants will be responsible for establishing and maintaining records with respect to the beneficial ownership interests of individual purchasers in the Bonds. Individual purchases of beneficial ownership interests in the Bonds may only be made through book entries (without certificates issued by the County) made on the books and records of DTC (or a successor depository) and its participants, in the denominations of \$5,000 or integral multiples thereof. Beneficial owners of the Bonds will not receive certificates representing their interest in the Bonds. Principal of and interest on the Bonds will be payable by the County or its agent by wire transfer or in clearinghouse funds to DTC or its nominee as registered owner of the Bonds pursuant to the Blanket Letter of Representations between the County and DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The County will not be responsible or liable for payments by DTC to its participants or by DTC participants to beneficial owners or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

7. Discontinuance of Book Entry System. In the event that (a) DTC determines to discontinue providing its service with respect to the Bonds by giving notice to the County and discharging its responsibilities with respect thereto under applicable law, and the County fails to appoint a successor securities depository for the Bonds, or (b) the County determines to discontinue the system of book-entry transfers through DTC (or a successor securities depository), then bond certificates shall be delivered to each of the beneficial owners upon registration of the Bonds held in such beneficial owners' names. After such registration the beneficial owners shall become the registered owners of the Bonds. In such event, the County Comptroller of the County shall execute a Supplemental Certificate of Determination which will set forth the terms, form and details of issuance of such bond certificates.

8. Fiscal Agent. U.S. Bank Trust Company, National Association, New York, New York is hereby appointed as the Fiscal Agent for the Bonds pursuant to, and to act in accordance with, applicable provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

9. Execution of Bonds. The Bonds shall be executed in the name of the County by the manual signature of the County Comptroller, and shall have the corporate seal of the County, or a facsimile thereof, affixed, impressed, imprinted, engraved or otherwise reproduced thereon.

10. Transfer of Bonds. Each Bond shall be transferable only upon the books of the County which shall be kept for such purpose at the office of the Fiscal Agent, by the registered owner thereof in person or by its attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer or exchange satisfactory to the Fiscal Agent duly executed by the registered owner or its duly authorized attorney. Upon transfer of any such Bond,

the County shall issue in the name of the transferee or the registered owner a new Bond or Bonds of the same aggregate principal amount and maturity as the surrendered Bond. The Fiscal Agent may deem and treat the person in whose name any Bond shall be registered upon the books of the County as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon its order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Fiscal Agent shall be affected by any notice to the contrary.

11. Regulations With Respect to the Exchanges and Transfers. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the County shall execute and deliver Bonds in accordance with the provisions hereof. All Bonds surrendered in any such exchanges or transfers shall forthwith be cancelled by the Fiscal Agent. For every such exchange or transfer of bonds, the Fiscal Agent may make a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, and may charge a sum sufficient to pay the cost of preparing each new bond issued upon such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. The County shall not be obliged to make any such exchange or transfer of Bonds between the close of business on the last business day of the month preceding an interest payment date and such interest payment date.

12. Sale of Bonds. The Bonds are hereby sold at private sale to Jefferies LLC, (“Jefferies”), as the book-running senior manager, with co-managers Ramirez & Co., Inc., TD Securities (USA) LLC, Raymond James & Associates, Inc. and J.P. Morgan Securities LLC, all of New York, New York, as the Underwriters listed in the Contract of Purchase dated September 25, 2024 between the Underwriters and the County, for the purchase price of \$125,199,094.82 plus accrued interest, if any, from the date of the Bonds (October 8, 2024) to the date of delivery of and payment for the Bonds. The aggregate initial offering price for the Bonds will be \$125,454,545.40 plus accrued interest, if any. Pursuant to Section 54.50 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws for the State of New York, as amended, the terms and conditions of such sale are subject to the approval of the State Comptroller. Delivery of the Bonds to the purchasers thereof shall be effected on or about October 8, 2024, upon (i) receipt by the County of the purchase price of the Bonds and (ii) deposit of the Bonds with DTC to be held in trust until maturity.

13. Form of Bonds. The Bonds shall be in substantially the form set forth in Appendix B hereto.

14. SEC Rule 15c2-12. In order to assist the Underwriters of the Bonds in complying with Rule 15c2-12 promulgated by the Securities and Exchange Commission, and as part of the County’s contractual obligation arising from its acceptance of the Underwriters’ proposal, at the time of the delivery of the Bonds the County will provide an executed copy of its “Undertaking to Provide Continuing Disclosure” in substantially the form set forth in Appendix C hereto. The Undertaking will constitute a written agreement or contract of the County for the benefit of holders of and owners of beneficial interests in the Bonds, to provide to the Electronic Municipal Market Access (“EMMA”) System implemented by the Municipal Securities

Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of such Board contemplated by the Undertaking, the annual financial information and timely notice of the occurrence of certain events, as enumerated in the Rule 15c2-12.

[Remainder of this page intentionally left blank]

(Signature Page for Certificate of Determination)

I HEREBY FURTHER CERTIFY that the powers and duties delegated to me to issue and sell the Bonds hereinabove described and referred to are in full force and effect and have not been modified, amended or revoked.

IN WITNESS WHEREOF, I have hereunto set my hand as of 24th day of September, 2024.



County Comptroller

APPENDIX A

Public Improvement Serial Bonds, Series 2024B (Buffalo Bills Stadium Project)

Debt Service Schedule Purpose of Financing Bond Resolution Caption of Bond Resolution

BOND DEBT SERVICE
County of Erie, New York
General Obligation Bonds
Public Improvement Serial Bonds, Series 2024B (Buffalo Bills Stadium Project)

Final Cash Flows
Priced on 9/24/2024

| Period Ending | Principal | Coupon | Interest | Debt Service | Annual Debt Service |
|---------------|-------------|--------|---------------|----------------|---------------------|
| 03/15/2025 | | | 2,389,049.38 | 2,389,049.38 | |
| 09/15/2025 | 2,655,000 | 5.000% | 2,739,037.50 | 5,194,037.50 | |
| 12/31/2025 | | | | | 7,783,086.88 |
| 03/15/2026 | | | 2,672,662.50 | 2,672,662.50 | |
| 09/15/2026 | 2,435,000 | 5.000% | 2,672,662.50 | 5,107,662.50 | |
| 12/31/2026 | | | | | 7,780,325.00 |
| 03/15/2027 | | | 2,611,787.50 | 2,611,787.50 | |
| 09/15/2027 | 2,560,000 | 5.000% | 2,611,787.50 | 5,171,787.50 | |
| 12/31/2027 | | | | | 7,783,575.00 |
| 03/15/2028 | | | 2,547,787.50 | 2,547,787.50 | |
| 09/15/2028 | 2,685,000 | 5.000% | 2,547,787.50 | 5,232,787.50 | |
| 12/31/2028 | | | | | 7,780,575.00 |
| 03/15/2029 | | | 2,480,662.50 | 2,480,662.50 | |
| 09/15/2029 | 2,820,000 | 5.000% | 2,480,662.50 | 5,300,662.50 | |
| 12/31/2029 | | | | | 7,781,325.00 |
| 03/15/2030 | | | 2,410,162.50 | 2,410,162.50 | |
| 09/15/2030 | 2,960,000 | 5.000% | 2,410,162.50 | 5,370,162.50 | |
| 12/31/2030 | | | | | 7,780,325.00 |
| 03/15/2031 | | | 2,336,162.50 | 2,336,162.50 | |
| 09/15/2031 | 3,110,000 | 5.000% | 2,336,162.50 | 5,446,162.50 | |
| 12/31/2031 | | | | | 7,782,325.00 |
| 03/15/2032 | | | 2,258,412.50 | 2,258,412.50 | |
| 09/15/2032 | 3,265,000 | 5.000% | 2,258,412.50 | 5,523,412.50 | |
| 12/31/2032 | | | | | 7,781,825.00 |
| 03/15/2033 | | | 2,176,787.50 | 2,176,787.50 | |
| 09/15/2033 | 3,425,000 | 5.000% | 2,176,787.50 | 5,601,787.50 | |
| 12/31/2033 | | | | | 7,778,575.00 |
| 03/15/2034 | | | 2,091,162.50 | 2,091,162.50 | |
| 09/15/2034 | 3,600,000 | 5.000% | 2,091,162.50 | 5,691,162.50 | |
| 12/31/2034 | | | | | 7,782,325.00 |
| 03/15/2035 | | | 2,001,162.50 | 2,001,162.50 | |
| 09/15/2035 | 3,780,000 | 5.000% | 2,001,162.50 | 5,781,162.50 | |
| 12/31/2035 | | | | | 7,782,325.00 |
| 03/15/2036 | | | 1,906,662.50 | 1,906,662.50 | |
| 09/15/2036 | 3,970,000 | 5.000% | 1,906,662.50 | 5,876,662.50 | |
| 12/31/2036 | | | | | 7,783,325.00 |
| 03/15/2037 | | | 1,807,412.50 | 1,807,412.50 | |
| 09/15/2037 | 4,165,000 | 5.000% | 1,807,412.50 | 5,972,412.50 | |
| 12/31/2037 | | | | | 7,779,825.00 |
| 03/15/2038 | | | 1,703,287.50 | 1,703,287.50 | |
| 09/15/2038 | 4,375,000 | 5.000% | 1,703,287.50 | 6,078,287.50 | |
| 12/31/2038 | | | | | 7,781,575.00 |
| 03/15/2039 | | | 1,593,912.50 | 1,593,912.50 | |
| 09/15/2039 | 4,595,000 | 5.000% | 1,593,912.50 | 6,188,912.50 | |
| 12/31/2039 | | | | | 7,782,825.00 |
| 03/15/2040 | | | 1,479,037.50 | 1,479,037.50 | |
| 09/15/2040 | 4,825,000 | 5.000% | 1,479,037.50 | 6,304,037.50 | |
| 12/31/2040 | | | | | 7,783,075.00 |
| 03/15/2041 | | | 1,358,412.50 | 1,358,412.50 | |
| 09/15/2041 | 5,065,000 | 5.000% | 1,358,412.50 | 6,423,412.50 | |
| 12/31/2041 | | | | | 7,781,825.00 |
| 03/15/2042 | | | 1,231,787.50 | 1,231,787.50 | |
| 09/15/2042 | 5,315,000 | 5.250% | 1,231,787.50 | 6,546,787.50 | |
| 12/31/2042 | | | | | 7,778,575.00 |
| 03/15/2043 | | | 1,092,268.75 | 1,092,268.75 | |
| 09/15/2043 | 5,595,000 | 5.250% | 1,092,268.75 | 6,687,268.75 | |
| 12/31/2043 | | | | | 7,779,537.50 |
| 03/15/2044 | | | 945,400.00 | 945,400.00 | |
| 09/15/2044 | 5,890,000 | 5.000% | 945,400.00 | 6,835,400.00 | |
| 12/31/2044 | | | | | 7,780,800.00 |
| 03/15/2045 | | | 798,150.00 | 798,150.00 | |
| 09/15/2045 | 6,185,000 | 5.000% | 798,150.00 | 6,983,150.00 | |
| 12/31/2045 | | | | | 7,781,300.00 |
| 03/15/2046 | | | 643,525.00 | 643,525.00 | |
| 09/15/2046 | 6,495,000 | 4.000% | 643,525.00 | 7,138,525.00 | |
| 12/31/2046 | | | | | 7,782,050.00 |
| 03/15/2047 | | | 513,625.00 | 513,625.00 | |
| 09/15/2047 | 6,755,000 | 4.000% | 513,625.00 | 7,268,625.00 | |
| 12/31/2047 | | | | | 7,782,250.00 |
| 03/15/2048 | | | 378,525.00 | 378,525.00 | |
| 09/15/2048 | 7,025,000 | 5.250% | 378,525.00 | 7,403,525.00 | |
| 12/31/2048 | | | | | 7,782,050.00 |
| 03/15/2049 | | | 194,118.75 | 194,118.75 | |
| 09/15/2049 | 7,395,000 | 5.250% | 194,118.75 | 7,589,118.75 | |
| 12/31/2049 | | | | | 7,783,237.50 |
| | 110,945,000 | | 83,593,836.88 | 194,538,836.88 | 194,538,836.88 |

Caption of Bond Resolution

A BOND RESOLUTION, DATED MAY 4, 2023, OF THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (THE "COUNTY"), AUTHORIZING THE COUNTY (A) TO UNDERTAKE THE FINANCING OF A PORTION OF THE COUNTY'S \$250,000,000 AGREED-UPON FIXED SHARE OF THE COST OF THE DESIGN, CONSTRUCTION AND DEVELOPMENT OF A NEW STADIUM COMPLEX (AND RELATED INFRASTRUCTURE, FACILITIES AND AMENITIES) ON COUNTY-OWNED PROPERTY IN ORCHARD PARK, NEW YORK (COLLECTIVELY, THE "PROJECT"), WITH THE PROJECT TO BE UNDERTAKEN IN COORDINATION WITH THE STATE OF NEW YORK (ACTING THROUGH ERIE COUNTY STADIUM CORPORATION) AND THE BUFFALO BILLS ORGANIZATION (ACTING THROUGH BILLS STADIUM AND EVENTS COMPANY, LLC); (B) TO ISSUE UP TO \$150,000,000 OF SERIAL BONDS OR OTHER OBLIGATIONS OF THE COUNTY FOR SUCH PURPOSE; AND (C) TO EXPEND AVAILABLE COUNTY FUNDS FOR THE BALANCE OF THE COUNTY'S SHARE OF THE COST OF THE PROJECT, AND DELEGATING THE POWER TO ISSUE SUCH OBLIGATIONS TO THE COUNTY COMPTROLLER.

APPENDIX B
Bond Form

REGISTERED
NO. R - ____

PRINCIPAL SUM
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE

PUBLIC IMPROVEMENT SERIAL BOND, SERIES 2024B
(BUFFALO BILLS STADIUM PROJECT)

MATURITY DATE
September 15, ____

INTEREST RATE
____%

DATE OF ORIGINAL ISSUE
October 8, 2024

REGISTERED OWNER: CEDE & CO.

CUSIP: 295084 ____

PRINCIPAL SUM: _____ DOLLARS AND NO CENTS
(\$ _____)

The County of Erie, a municipal corporation of the State of New York (the "County"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER (named above), or registered assigns, on the MATURITY DATE (stated above), the PRINCIPAL SUM (stated above) upon presentation and surrender of this bond at the corporate trust office of U.S. Bank Trust Company, National Association, New York, New York, as fiscal agent ("Fiscal Agent"), or any successor thereto, and to pay interest on such principal sum from October 8, 2024 or from the most recent interest payment date to which interest has been paid, or unless interest on this bond shall be in default, in which event this bond shall bear interest from the date to which interest has been paid in full, at the INTEREST RATE (stated above), payable on March 15, 2025, September 15, 2025 and semi-annually thereafter on March 15 and September 15 in each year until maturity (or earlier redemption). Interest hereon will be payable by wire transfer or in clearinghouse funds by the Fiscal Agent, on each interest payment date, to the registered owners thereof (at their addresses as they appear on the registration books of the County maintained by the Fiscal Agent or at such other address as may be furnished in writing by any of such registered owners to the Fiscal Agent) at the record date/time for the Bonds, which is the last business day of the month preceding each interest payment date, at the close of business. The principal of and interest on this bond are payable in any coin or currency of the United States of America which, at the date of payment, is legal tender for the payment of public and private debts; provided, however, that interest on this fully-registered bond shall be paid by wire transfer or clearinghouse funds as set forth above.

The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms.

County of Erie, New York
Public Improvement Serial Bond, Series 2024B (Buffalo Bills Stadium Project)

This bond is one of an authorized issue, the principal amount of which is \$110,945,000, and is issued pursuant to (i) the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), (ii) a bond resolution that was duly adopted by the Legislature of the County on May 4, 2023, authorizing the issuance of bonds of the County to provide funds required to finance a portion of the County’s share of the cost of the construction of a multi-purpose stadium and related infrastructure in Orchard Park, New York and (iii) a Certificate of Determination executed by the County Comptroller as of September 24, 2024 determining the terms, form and details of issuance of the bonds (the “Bonds”) and providing for their private sale (the “Certificate of Determination”).

The Bonds are issuable in the form of registered bonds without coupons in denominations of \$5,000 or any integral multiple thereof, not exceeding the aggregate principal amount of the Bonds maturing in any year.

This bond is transferable or exchangeable, as provided in the Certificate of Determination, only upon the books of the County which shall be kept for that purpose at the office of the Fiscal Agent, by the registered owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer or exchange satisfactory to the County duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new bond or bonds, in the same aggregate principal amount and of the same maturity, shall be issued to the transferee or the registered owner in exchange therefor as provided in the Certificate of Determination and upon the payment of the charges, if any, therein prescribed.

The Bonds maturing on or before September 15, 2034 will not be subject to redemption prior to maturity. The Bonds maturing on September 15, 2035 and thereafter will be subject to redemption prior to maturity, at the option of the County, on September 15, 2034 and thereafter on any date, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at a price equal to the par amount, plus accrued interest to the date of redemption.

The County may select the maturities of the Bonds to be redeemed and the amount to be redeemed of each such maturity selected, as the County shall determine to be in the best interests of the County at the time of such redemption. If less than all of the Bonds of any maturity are to be redeemed prior to maturity, the selection of the book-entry interests within each Bond maturity to be redeemed will be done in accordance with procedures established by The Depository Trust Company (“DTC”) which will act as securities depository for the Bonds. If the Bonds are not registered in book-entry form, any redemption of less than all of a maturity of the Bonds shall be allocated (in the amounts of \$5,000 or any whole multiple) among the registered owners of such maturity of the Bonds then outstanding as nearly as practicable in proportion to the principal amounts of such maturity of the Bonds owned by each registered owner. This will be calculated based on the following formula:

$$\frac{(\text{principal to be redeemed}) \times (\text{principal amount owned by owner})}{(\text{principal amount outstanding})}$$

County of Erie, New York
Public Improvement Serial Bond, Series 2024B (Buffalo Bills Stadium Project)

So long as DTC or a successor securities depository is the sole registered owner of the Bonds, the County will cause notice of redemption to be given only to DTC as registered owner. Notice of such call for redemption shall be given by mailing such notice to the registered owner not less than thirty (30) days, nor more than sixty (60) days, prior to such date. Notice of redemption having been given as aforesaid, the Bonds so called for redemption shall, on the date of redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this bond, exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of such State.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the County has caused this bond to be executed in its name by the manual signature of its County Comptroller and its corporate seal (or a facsimile thereof) to be affixed, impressed, imprinted, engraved, or otherwise reproduced hereon.

COUNTY OF ERIE

By: _____
County Comptroller

(Seal)

ASSIGNMENT

FOR VALUE RECEIVED the Undersigned hereby sells,
assigns, and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS INCLUDING POSTAL ZIP CODE
OF ASSIGNEE

the within bond and does hereby irrevocably constitutes and appoint

_____, Attorney
to transfer the bond on the books kept for registration of the bond, with full power of substitution
in the premises.

Dated: _____

Signature Guaranteed: _____

NOTICE: Signature(s) must be acknowledged or
proved, or in the alternative, certified by an
officer of a bank or trust company located and
authorized to do business in New York State.

NOTICE: The signature to this assignment
must correspond with the name as it
appears upon the face of the within bond in
every particular, without alteration or
enlargement or any change whatsoever.

APPENDIX C
Undertaking To Provide Continuing Disclosure

UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE

Section 1. Definitions

“Annual Information” shall mean the information specified in Section 3 hereof.

“Bonds” shall mean the County’s \$110,945,000 Public Improvement Serial Bonds, Series 2024B (Buffalo Bills Stadium Project), dated October 8, 2024 and maturing in various principal amounts on September 15 in the years 2025 to 2049, inclusive, and delivered on the date hereof.

“County” shall mean County of Erie, a municipal corporation of the State of New York.

“EMMA” shall mean the Electronic Municipal Markets Access System maintained by the MSRB.

“Financial Obligation” shall mean a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

“GAAP” shall mean generally accepted accounting principles as in effect from time to time in the United States.

“Holder” shall mean any registered owner of the Bonds and any beneficial owner of Bonds within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934, as amended (the “Exchange Act”).

“MSRB” shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Exchange Act.

“Rule 15c2-12” shall mean Rule 15c2-12 under the Exchange Act, as amended through the date of this Undertaking.

Section 2. Obligation to Provide Continuing Disclosure. (a) The County hereby undertakes, for the benefit of Holders of the Bonds, to provide or cause to be provided:

(i) to the EMMA System, no later than 270 days after the end of each fiscal year, commencing with the fiscal year ending December 31, 2024, the Annual Information relating to such fiscal year, together with audited financial statements of the County for such fiscal year if audited financial statements are then available; provided, however, that if audited financial statements are not then available, unaudited financial statements shall be provided with the Annual Information, and audited financial statements, if any, shall be delivered to EMMA within thirty (30) days after they become available and in no event later than 360 days after the end of each fiscal year; and

(ii) Pursuant to the provisions of this Section 2, the County shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the

Bonds to the MSRB through its EMMA System not later than then (10) business days following the occurrence of such an event:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) in the case of credit enhancement, if any, provided in connection with the issuance of the Bonds, unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701 TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modifications to rights of Holders of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the Bonds;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the County;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) incurrence of a financial obligation of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County, any of which affect security holders, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the County, any of which reflect financial difficulties.

(iii) to EMMA, in a timely manner, notice of a failure to provide by the date set forth in Section 2(a)(i) hereof any Annual Information required by Section 3 hereof.

(b) Nothing herein shall be deemed to prevent the County from disseminating any other information in addition to that required hereby in the manner set forth herein or in any other manner. If the County disseminates any such additional information, the County shall have no obligation to update such information or include it in any future materials disseminated hereunder.

(c) Nothing herein shall be deemed to prevent the County from providing notice of the occurrence of certain other events, in addition to those listed above, if the County determines that any such other event is material with respect to the Bonds; but the County does not undertake to commit to provide any such notice of the occurrence of any material event except those events listed above.

(d) Each notice of a listed event hereunder shall indicate that it is a notice of a listed event and shall include the CUSIP number of the County or the CUSIP numbers of the Bonds.

Section 3. Annual Information. (a) The required Annual Information shall consist of the financial information and operating data for the preceding fiscal year, in a form generally consistent with the information contained or cross-referenced in the County's final official statement relating to the Bonds under the headings: "Indebtedness of the County", "County Finances", "Revenue Sources and Expenditures", "Economic Conditions", "Pharmaceutical Settlement" and "Litigation".

(b) All or any portion of the Annual Information may be incorporated in the Annual Information by cross reference to any other documents which have been filed the MSRB.

(c) Annual Information for any fiscal year containing any modified operating data or financial information (as contemplated by Section 7(e) hereof) for such fiscal year shall explain, in narrative form, the reasons for such modification and the effect of such modification on the Annual Information being provided for such fiscal year. If a change in accounting principles is included in any such modification, such Annual Information shall present a comparison between the financial statements or information prepared on the basis of the modified accounting principles and those prepared on the basis of the former accounting principles.

Section 4. Financial Statements. The County's annual financial statements for each fiscal year shall be prepared in accordance with GAAP as in effect from time to time. Such financial statements shall be audited by an independent accounting firm.

Section 5. Remedies. If the County shall fail to comply with any provision of this Undertaking, then any Holder of Bonds may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Undertaking against the County and any of the officers, agents and employees of the County, and may compel the County or any such officers, agents or employees to perform and carry out their

duties under this Undertaking; provided that the sole and exclusive remedy for breach of this Undertaking shall be an action to compel specific performance of the obligations of the County hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances. Failure to comply with any provision of this Undertaking shall not constitute an event of default on the Bonds.

Section 6. Parties in Interest. This Undertaking is executed and delivered solely for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

Section 7. Amendments. Without the consent of any Holders of Bonds, the County at any time and from time to time may enter into any amendments or changes to this Undertaking for any of the following purposes:

(a) to comply with or conform to any changes in Rule 15c2-12 (whether required or optional);

(b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;

(c) to evidence the succession of another person to the County and the assumption of any such successor of the duties of the County hereunder;

(d) to add to the duties of the County for the benefit of the Holders, or to surrender any right or power herein conferred upon the County;

(e) to modify the contents, presentation and format of the Annual Information from time to time to conform to changes in accounting or disclosure principles or practices and legal requirements followed by or applicable to the County or to reflect changes in the identity, nature or status of the County or in the business, structure or operations of the County or any mergers, consolidations, acquisitions or dispositions made by or affecting any such person; provided that any such modifications shall comply with the requirements of Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such modification; or

(f) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change; provided that no such action pursuant to this Section 7 shall adversely affect the interests of the Holders in any material respect. In making such determination, the County may rely upon an opinion of nationally recognized bond counsel.

Section 8. Termination. This Undertaking shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Bonds shall have been paid in full or the Bonds shall have otherwise been paid or legally defeased pursuant to their terms. Upon any such legal defeasance, the County shall provide notice of such defeasance to EMMA or the MSRB. Such notice shall state whether the Bonds have been defeased to maturity or to redemption and the timing of such maturity or redemption.

Section 9. Undertaking to Constitute Written Agreement or Contract. This Undertaking shall constitute the written agreement or contract for the benefit of Holders of Bonds, as contemplated under Rule 15c2-12.

Section 10. Governing Law. This Undertaking shall be governed by the laws of the State of New York determined without regard to principles of conflict of law.

[signature page follows]

(Signature Page for Continuing Disclosure Undertaking)

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Undertaking the 8th day of October, 2024.

COUNTY OF ERIE

Kevin R. Hardwick
Comptroller

CLERK'S CERTIFICATE

I, OLIVIA M. OWENS, Clerk of the County Legislature of the County of Erie, New York, HEREBY CERTIFY that I have compared the foregoing copy of the Certificate of Determination executed by the County Comptroller and the same is a true and complete copy of the Certificate filed with the County in my office as Clerk of the County Legislature on or before October 8, 2024; and

I FURTHER CERTIFY that no resolution electing to reassume any of the powers or duties mentioned in the Certificate and delegated to the County Comptroller by the resolution cited in the Certificate has been adopted by the County Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County as of the 8th day of October, 2024.



Clerk of the County Legislature

(SEAL)

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-8 COUNTY EXECUTIVE Appointments to the Youth Services Board

24COMM. 17E-8

Attachments



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2024 OCT 4 PM 12:45

October 3, 2024

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

Dear Honorable Members:

RE: APPOINTMENTS TO THE YOUTH SERVICES BOARD

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

Appointees:

Denise O. Walden Glenn
367 Florida Street
Buffalo, NY 14208

Jayla Williams
98 Lasalle Avenue
Buffalo, NY 14214

Zaheera Hemphill-Azeem, DSW
118 North Parade Avenue
Buffalo, NY 14211

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

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

cc: Karen Rybicki, Commissioner of Social Services
Appointees

Jayla Williams

716.430.2620 • jaylakkwilliams@gmail.com • Buffalo, New York

EXECUTIVE SUMMARY

Passionate community engagement professional adept at navigating private and public sectors with a specialty in analysis, collaboration, and strategic management

EDUCATION

The State University College at Buffalo

May 2020

Master of Public Administration, 2020 *Excelsior Fellow*

State University of New York at Fredonia

May 2018

Bachelor of Arts, History

Minors in African American Studies and Political Science

EXPERIENCE

Boys & Girls Clubs of Buffalo, Buffalo, NY

Government Grants & Contracts Director

March 2024- Present

- Conduct grant research, identify likely funding sources for specific projects, programs, and organizational needs
- Coordinate with CEO and CFO to manage grants and contracts with annual budget
- Prepare, submit, and manage grant proposals to government, foundation, and corporate sources
- Responsible for grant research, application, approval requirements, and annual deliverables to assure grants and contracts align with mission

M&T Bank, Buffalo, NY

Banking Services Analyst I

December 2021- March 2024

- Supported team as an analytical resource, utilizing previous internal bank experience to assist with pre-conversion tasks in M&T and PUB merger
- Quantitative and qualitative data analysis for large data sets pulling from across banking departments to create simple data sets from complex data collection
- Regulatory banking compliance overseer
- Completed post-conversion testing and CIS processing training including full ownership within one week of assignment, allowing for increased workload following merger
- Responsible for daily and monthly reporting for team, expectation from several different teams throughout Banking Services and enterprise wide

Banking Services Operations Associate IV

August 2020- December 2021

- Supported team as new employee, learning more complex cases to help clear company's backlog of Small Business Administration loans
- Complete data entry and trade entry updates over standard discipline or range of disciplines
- Collaborated with four-member team to manage over 5,000 business requests for PPP funding, obtaining proper documentation necessary for audits
- Responsible for assisting in outreach and data collection for M&T Multicultural Small Business Innovation Lab, collaborating with Buffalo's community partners

Senior Service Associate

October 2018- August 2020

- Educated 30 customers each day on current bank processes, solutions and deposits ensuring sound understanding and best opportunity for financial success
- Completed business account servicing request for research, disputes, loan payments, loan advances
- Introduced business Banking Partner when servicing need represents an opportunity for a product solution

Irish Classical Theatre Company, Buffalo, NY

House Manager

June 2022-January 2024

- Responsible for assuring the theatre is prepared for patrons prior to all shows under management
- Manage ushers and volunteers, guarantee staff is on time and ready to work per the company's expectations prior to lobby opening
- Oversee box office while assisting with development of sales throughout the evening, including affirming sold tickets are collected and unsold tickets are offered at a discounted price to assure sales goals
- Confirm show times and manage patrons entering the venue while coordinating with senior staff to assure assigned areas are cleared

Erie County Senior Services, Buffalo, NY

Pilot Program Consultant, Go and Dine Erie County Senior Dining

2019-2020

- Developed questionnaire and conducted survey with key stakeholders, collecting one year worth of data to determine strengths and efficacy of the pilot program
- Conducted a formative evaluation making necessary programmatic refinements
- Applied data trends to future evaluations, successfully revamping the program
- Reviewed and rewrote program's grant securing an additional year of funding from the U.S Department of Housing

King Urban Life Center, Buffalo, NY

Learning Specialist

October 2018- June 2020

- Provided low-income families on Buffalo's East Side with the skills and tools to be academically prepared for school
- Served 10 pre-kindergarten children and families; utilizing books, puzzles, and toys to encourage academic growth and parent-child collaborative learning
- Assisted in recruitment of new families to the King Urban Life Center program through community tabling, cold calls, and social media marketing

VOLUNTEER

President, Sister Circle Executive Board 2016-2018

- Developed programming for more than 50 women of color with a focus on growth, education, and community engagement with a \$10,000 budget
- Partnered with community organizations, providing volunteer opportunities for Sister Circle members
- Created fundraisers to support community organizations and causes including Breast Cancer awareness, self-defense courses and mental and educational support

Member, Fredonia Diversity, Equity, and Inclusion Committee 2016-2018

- Developed plans for SUNY implementation of diversity and inclusion initiatives both school wide and SUNY wide
- Collaborated with classmates and underclassman to present and successfully secure \$2.4 million allocated for the Investment and Performance Fund awards between 16 SUNY campuses

Advocacy Student Leader, Albany Advocacy Day 2015-2018

- Researched and developed talking points, explaining to state legislators the necessity of Education Opportunity funding which provides access to nearly 800 new students each year
- Successfully aided in doubling of the Educational Opportunity Program aid from the 2015-2016 academic year to the 2016-2017 academic year

SKILLS

Survey Monkey Certified • SPSS Statistics Software • Serial Peripheral Interface • Microsoft Suite • WebEx • CSC Hogan Analysis Tool • Outlook • Power BI



Dr. Zaheera Hemphill-Azeem, DSW

✉ zaheerakhemphill@gmail.com

PROFILE

Provides expertise in adapting to unexpected changes and tailoring tasks to meeting large institutional goals. I am able to establish long-term relationships necessary for partnering with innovative change.

SKILLS

Project Management



Problem Solving



Creativity



Leadership



Context



WORK EXPERIENCE

2023–
present

Buffalo Academy of Science Charter School – Buffalo, NY

School Social Worker

- Manager of social work services, coordinating treatment plans of care, conducting educational well-being services for high school students

Summer
2022

Urban Leaders Fellowship – Denver, CO

Fellow

- Conducted research and stakeholder interviews to inform policy recommendations for an elected official, synthesize research and relevant information in weekly policy memos for the elected official, worked directly to assist Majority Leader Serena Gonzales-Gutierrez to develop policy memo on No Knock Warrants, via Zoom meetings, Worked to secure funders for FairthBridge literacy program, Assisted in developing No Kid Hungry Initiative

2019–2020 United States Navy – Morale, Welfare & Recreation

Department, Philadelphia, PA

Flexible Recreation Assistant

- Experience in coordinating special and community events, and recreational programming with required resources
- Skilled in marketing, managing attendance, and ticket sales for programming

2018–2020 IKEA, Conshohocken, PA

Loyalty Coworker

- Supervision of youth while maintaining accurate records of monthly data
- Planned and executed store-wide events while supervising staff

2010–2017 Children's Hospital of Philadelphia, Philadelphia, PA

Trauma Social Worker

- Evaluation and coordination of outpatient or inpatient psychiatric care while providing bereavement within the hospital setting
- Evaluation and support in traumatic injury, symptoms and death

EDUCATION HISTORY

Doctorate of Social Work
Simmons University

Sept 2021-Jan 2024

PROFESSIONAL AFFILIATIONS

Delta Sigma Theta Sorority, Inc.

Azeem Family Foundation, Co-Founder and Executive
Director

COMM. 17E-8

Page 7 of 12

Rev. Denise Octavia Walden-Glenn

367 Florida St. Buffalo, NY 14208

T: 716-465-2297 E: rev.deniseo.w.g@gmail.com

Objective

To obtain meaningful employment, where I can bring my full self, living my faith out loud, while building and growing myself as I serve the beloved community. My desire is to use my gifts in an environment that will cultivate and inspire individuals to walk in and on purpose.

Professional Summary

Executive Servant Leader & Community Leader with 10+ years of experience. My experience includes but is not limited to organizational development, fund development, program development, implementation, technical assistance, training design, facilitation, community building, leadership development, & evaluation around restorative, social, racial & economic equity & justice, coalition building, capacity building, providing training, technical support, program design & structure for government, organizations, community leaders, leadership teams, system directors, executive staff members, stakeholders, city officials, policy & decision makers.

Skills

- Organizational Development
- Fund development
- Organizational Management
- Team building
- Strategic Planning
- Cultivating Partnerships & Collaborations
- Coalition Building
- Identifying & Communicating Intersections of Community needs & Supporting Identifying solutions
- Effective Communication
- Curriculum/Program Development
- Training & Facilitation
- PC Efficient

Education & Professional Development

Chattahoochee Technical College: Business & Marketing
University at Buffalo: Race & Education
Community Health Worker Network: Senior Community Health Worker
Parent Network of WNY: Parent Leader & Youth Advocate
Mental Health Association of Erie County: Youth & Adult Mental Health First Aid
Restorative Justice Coalition: Restorative Justice Trainer of Trainers & Facilitator & Counselor
First Calvary Missionary Baptist Church: Ordained Minister

Professional Experience

Executive Servant Leader

VOICE Buffalo

6/16 – 8/23

- Supported the creation of and execution of an organizational strategic plan that aligns with the mission and vision.
- Supported the development of a restorative culture that fostered team building, development and growth.
- Navigate and foster multi layered relationship building within all layers of government and community that advanced the mission and vision of the organization.
- Manage being the face of the organization telling the story and sharing the vision to forward the mission of the organization.
- Support the board of directors and their development.
- Built collaborations between federal, state, county and city government with grassroots community.
- Crisis navigation and community support
- Coalition building
- Fund development and fundraising
- Built member and sustainer programs.

Parent Leader & Advocate

Parent Network of WNY

6/14 - 4/24

- Develop workshops & Implement programming for families of student with unique needs.
- Active advocate at the Committee of Special Education for families of children with unique needs.
- Link families to services and service providers that will meet their needs & provide them with supports.
- Assist in writing policies around Special Education in the Buffalo Public Schools Systems.
- Provides technical assistance to the Buffalo Public Schools Systems to engage families of children with unique needs.
- Facilitate asset mapping for the Buffalo Public Schools Systems Committee on Special Education teams for several schools.

Program Manager

Erie Niagara AHEC

2/18-1/19

- Managed Programs, Staff, Interns & Volunteers.
- Developed curriculum around cultural competency, social determinants of health & health literacy.
- Developed programs that foster community building & engagement.
- Facilitated trainings & workshops on core competencies utilizing popular education.
- Organized & facilitated round table discussions & community meetings, engaging community members, organizations, city officials, policy & decision makers in all systems & sectors.
- Assisted with community research projects.

Community Impact Coordinator

Open Buffalo

3/17 - 1/18

- Created cross sector communication & learning between community members, faith leaders, community leaders, government & policy officials, Organization leadership & Corporate management teams.
- Oversaw & managed grant partners to ensure community building & collaboration.
- Educated & trained youth in the importance of engaging in city/state level politics & government.
- Developed an advisory group to work with the local police oversight committee to decrease negative community & law enforcement interactions.
- Developed a coalition to create & manage campaigns to influence policy around law enforcement

Leadership Experience

- Wrote & facilitated curriculum & trainings in leadership development that encouraged an understanding of social justice, community responsibility, engaging government & taking personal accountability.

Community Outreach & Engagement Coordinator CHWNB 3/16 - 5/18

- Oversee Community Health Worker Leadership Groups, Parent & Student Staff/ Volunteers & Advisory Committees.
- Utilize a Train the Trainer Model to develop & educate future trainers & workshop facilitators.
- Lead Trainer of workshops & core competency training utilizing popular education.
- Present at community forums & events, engaging community members, organizations, city officials, policy & decision makers in all systems & sectors.
- Assist with community based participatory research projects.

| | | |
|----------------------------------------|--------------------------------------|--------------------|
| Program Site Manager/Consultant | Jericho Road Community Health | 8/13 - 3/17 |
|----------------------------------------|--------------------------------------|--------------------|

- Assisted in developing of programing for urban families on the East Side of Buffalo.
- Oversaw the early literacy program for urban families on the East Side of Buffalo.
- Conducted staff evaluation & one on one support for my team of six persons.
- Created reports for data tracking
- Created & oversaw safety plans for 125 persons in a single housing unit.
- Organized & facilitated staff trainings & workshops
- Organized community forums & round table discussions to determine assets, barriers & strengths of urban families on the East Side of Buffalo

Achievements

- Current Board member of Crisis Services
- Current Advisory Board Member of the Intellectual Disabilities task force
- Oishei Fellow 2022
- Emerging Leader Fellow 2016
- Community Life Consultant for the Buffalo Together Fund
- Member of United We Stand a Federal Response to Hate
- Prior co-chair of the Buffalo Resiliency Center Committee
- Prior Member of the Buffalo Police Department Advisory Board
- Prior Board Member of the Niagara Organizing Alliance for Hope
- Prior Member of the Advisory Board of Voice Buffalo Diversion Task Force
- One of twelve Congregational Health Promoters
- Prior District Parent Coordinating Council Executive Committee Member
- Prior District Wellness Policy Advisory Committee Member
- Prior District Parent Engagement Advisory Committee Member
- Prior Special Education Empowerment Action Committee Chair

References

Available Upon Request

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-9

COUNTY EXECUTIVE

ECSD No. 3 - Proposed Increase and
Improvement of Facilities

Attachments

24COMM. 17E-9



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

October 4, 2024

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

**RE: Erie County Sewer District No. 3
Proposed Increase and Improvement of Facilities (2024)**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, pertaining to a proposed Increase and Improvement of Facilities for Erie County Sewer District No. 3.

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

Sincerely yours,


Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jf

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
Proposed Increase and Improvement of Facilities (2024)
Date: October 4, 2024

SUMMARY

The Erie County Legislature is requested to approve the attached resolution relating to the proposed Increase and Improvement of Facilities in Erie County Sewer District No. 3 (the "Sewer District"). This resolution must be passed by a simple majority vote of your Honorable Body.

FISCAL IMPLICATIONS

Approving this resolution will have no effect on Erie County's general fund.

REASONS FOR RECOMMENDATION

Pursuant to the New York State County Law, Article 5A, Section 268, an Increase and Improvement of Facilities requires a public hearing on the proposed project. The Erie County Legislature approved a resolution on July 25, 2024 pursuant to Legislative Comm. 13E-5 (2024) calling for such a public hearing, and the required legal notice publication steps were then taken. The public hearing was held on September 9, 2024, and no objections or concerns were raised regarding the proposed Increase and Improvement of Facilities. The next step is for the Legislature to adopt the attached resolution that approves the project in concept and authorizes the submission of an application to the New York State Comptroller's Office (in order to obtain that office's required approval of the proposed project, its plan of financing, and the impact of the project on a typical property in the Sewer District). Such approval is necessary pursuant to the County Law.

BACKGROUND INFORMATION

Currently there is a need for new/updated bonding authorization to make needed improvements at the Southtowns Advanced Wastewater Treatment Facility, existing pumping stations, and the sanitary sewer collection system. These existing facilities in many cases have reached or exceeded the end of their useful life and are in need of replacement or upgrade.

On April 17, 2024 the Sewer District's Board of Managers approved a Sewer Agency Report recommending the Increase and Improvement of Facilities pursuant to Article 5A of the County Law to fund the necessary improvements (the "Report"). The Report was filed with Your Honorable Body pursuant to Legislative Comm. 13E-4 (2024) and was the subject of the public hearing referred to above. Included in the Report was a draft of the application to be submitted to the New York State Comptroller's Office.

CONSEQUENCES OF A NEGATIVE ACTION

If the enclosed resolution is not approved by Your Honorable Body, the District may not proceed with the Southtowns AWTF expansion. This could jeopardize the Sewer District's ability to properly serve its customers, protect public health and the environment, and meet applicable regulatory responsibilities.

STEPS FOLLOWING APPROVAL

The Erie County Division of Sewerage Management will submit an application regarding the project to the New York State Comptroller's Office, in order to obtain the required approval. Upon receipt of such approval, a bond resolution (to allow for the future financing of the work) will be proposed and submitted for consideration by the Erie County Legislature.

EXTRACT OF MINUTES
Meeting of the County Legislature of
the County of Erie, New York.
_____, 2024

A regular meeting of the County Legislature of the County of Erie, New York, was held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on _____ 2024, at _____ o'clock P.M. (Prevailing Time).

The following Legislators were present:

There were absent:

Also present: Olivia Owens, Clerk of the Legislature

* * *

Legislator _____ offered the following resolution and moved its adoption:

RESOLUTION NO. _____-2024

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE
FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 3 IN THE COUNTY OF
ERIE, NEW YORK.

(Introduced) _____, 2024.

(Adopted) _____, 2024.

WHEREAS, the County Legislature of the County of Erie, New York (herein called the "County Legislature" and the "County," respectively), on behalf of the Erie County Sewer District No. 3 in the County (the "District") and pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, has established the District; and

WHEREAS, the County identified the need to undertake a substantial sewer system capital improvements project to the Southtowns Advanced Wastewater Treatment Facility, and

WHEREAS, on July 20, 2023 the County Legislature adopted a certain bond resolution entitled:

BOND RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (THE "COUNTY"), AUTHORIZING THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 3 (THE "PROJECT"), STATING THE TOTAL ESTIMATED MAXIMUM COST OF THE PROJECT TO BE \$100,000,000, APPROPRIATING SUCH AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF UP TO \$100,000,000 OF BONDS OR OTHER OBLIGATIONS OF THE COUNTY (COLLECTIVELY, THE "OBLIGATIONS") TO FINANCE SUCH APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR ANY OTHER SOURCE FOR THE PROJECT TO BE EXPENDED TOWARDS THE COST OF THE PROJECT AS INDICATED HEREIN, OR TOWARDS THE REDEMPTION OF ANY OF THE OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE OBLIGATIONS.

WHEREAS, the cost of such project has increased due to major inflationary pressures, material and labor shortages as well as an overall increase in the cost of the project due to these factors; and

WHEREAS, the Board of Managers of the District has duly directed that there be prepared an updated map, plan and report and revised estimate of cost (as so revised and updated, the "Report" and the "Estimate" respectively and, collectively, the "Report and Estimate") by the County Engineers (i.e., the Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District, which Report and Estimate have been approved by the Board of Managers of the District on April 17, 2024, and subsequent thereto the Report and Estimate were filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the Report and Estimate describe a proposed increase and improvement of the facilities of the District, generally consisting of improvements to the Southtowns Advanced Wastewater Treatment Facility, existing pumping stations, and the sanitary sewer collection system; as more fully described in the Report and Estimate (collectively, "Improvements" or the "Project"); and

WHEREAS, such Project will generally consist of substantial improvements to the Southtowns Advanced Wastewater Treatment Facility, such work being currently anticipated to include, but not necessarily be limited to, disinfection and effluent pumping improvements, ORF and outfall modifications, bioclarifier and aeration/UNOX system improvements including the rehabilitation of existing tanks, solids handling improvements, electrical improvements, equipment replacements and upgrades to backup power generator(s), IT infrastructure and HVAC system improvements, as well as other upgrades that are identified in the additional facility needs evaluation and as more fully identified in (or contemplated by) the Report, with the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof; and

WHEREAS, the increased maximum estimated cost of the Project is \$215,000,000, and unless paid for from other sources or charges, such cost will be apportioned among the benefitted real properties in the District in accordance with charges based on usage and/or special assessments based on units, assessed value and/or footage, as these or other applicable cost apportionment standards may be specified in the District's Benefit and User Charge formulas (as those currently exist or as they may be amended from time to time in accordance with the County's sewer rents local law and the rules and procedures adopted by the Board of Managers of the District); and

WHEREAS, pursuant to the County Law the consent of the State Comptroller is required prior to the construction and development of the Project in the District because the cost thereof to the Typical Property (as defined in the County Law) is estimated to exceed the Average Estimated Cost to the Typical Property for similar types of projects, as computed by the State Comptroller, with such cost being estimated to be \$221; and

WHEREAS, the County Legislature has given due consideration to the impact that the Project may have on the environment and, on the basis of such consideration, the County Legislature found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the County Legislature and the County have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental

matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation concerning the project, which has been filed in the office of the County Clerk; and

WHEREAS, the County Legislature adopted Resolution No. 113-2024 on July 25, 2024, calling a meeting of the County Legislature for the purpose of holding a public hearing on the proposed Project in accordance with the Report and Estimate (the “Public Hearing”); and

WHEREAS, such Resolution No. 113-2024 authorized and directed the Clerk of the County Legislature to publish the notice of the Public Hearing; and

WHEREAS, the Public Hearing was duly held at County Hall, in Buffalo, New York, on September 9, 2024, at 2:00 o'clock P.M., Prevailing Time; and

WHEREAS, notice of the Public Hearing was duly published and filed in the manner provided by law and proof thereof was submitted to the County Legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE

OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the Public Hearing, it is hereby found and determined that it is in the public interest to proceed with the Project and its proposed plan of financing, all as more fully described in the preambles hereto, and the Project is hereby authorized in concept (subject to the County’s obtaining the required approval of the New York State Comptroller) at an increased maximum estimated cost of \$215,000,000.

Section 2. It is hereby found and determined that the parcels and lots of the District shall be benefited by the Project.

Section 3. It is hereby found and determined that the maximum estimated cost of the Project is \$215,000,000, and unless paid for from other sources or charges, such cost to be to be apportioned among the benefitted real properties in the District in accordance with charges based on usage and/or special assessments based on units, assessed value and/or footage, as these or other applicable cost apportionment standards may be specified in the District's Benefit and User Charge formulas (as those currently exist or as they may be amended from time to time in accordance with the County’s sewer rents local law and the rules and procedures adopted by the Board of Managers of the District).

Section 4. It is hereby found and determined that the cost of the Project shall be financed by the issuance of serial bonds of the County (to be issued pursuant to one or more bond resolutions that are to be adopted by the Legislature in the future) in an amount not to exceed \$215,000,000, and with the balance of the cost of the Project to be annually apportioned within the District as described previously herein.

Section 5. It is hereby found and determined that this resolution shall constitute the declaration (or reaffirmation) of the County's "official intent" to reimburse (to the extent permitted) expenditures toward the Project with the proceeds of bonds, notes or other obligations, as required by United States Treasury Regulations Section 1.150-2.

Section 6. It is hereby found and determined that the County Legislature has directed that an application for approval be prepared and submitted to the New York State Comptroller's office, believes the contents of the application to be accurate, has determined that the Project (and its proposed plan of financing) for which approval is being sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof, and if the cost of the proposed improvements is to be assessed in whole or in part against a benefited area, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property has been excluded. The Legislature understands that the attached application has been presented and approved in substantially complete and final form, but nevertheless authorizes and approves, in advance, such non-material modifications, amendments or revisions as may, in the opinion of the County Attorney and the County's bond counsel, be deemed appropriate.

Section 7. It is hereby directed that within ten (10) days after adoption of this Resolution, the Clerk of the County Legislature shall record with the Clerk of the County a copy of this Resolution, certified by the Clerk of the County Legislature.

Section 8. It is hereby directed that this resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Legislator _____

_____ and duly put to a vote, which resulted as follows:

AYES:

NOES:

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) ss.:
COUNTY OF ERIE)

I, the undersigned Clerk of the Erie County Legislature, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on the _____ day of _____, 2024, with the original minutes thereof as originally recorded in the Minute Book of said Erie County Legislature and the same is a true and correct copy of said original minutes and of the whole of said original so far as the same relates to the subject matters referred to in said extract.

I FURTHER CERTIFY that all members of said Legislature had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media Date given

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public locations(s) on the following dates:

Designated Locations(s) of Posted Notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Legislature this _____ day of _____, 2024.

Olivia Owens, Clerk, Erie County
Legislature

(SEAL)

Erie County Legislature
Meeting Date: 10/10/2024

| SUBJECT | | |
|----------------|------------------|---------------------------------------------------------|
| COMM. 17E-10 | COUNTY EXECUTIVE | ECSD No. 3 - Engineering Term Contract Agreement (DD-3) |
| Attachments | | |
| 24COMM. 17E-10 | | |



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

TO LEGISLATIVE COUNCIL 10-01234

October 4, 2024

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

**RE: Erie County Sewer District No. 3
Engineering Term Contract Agreement
DiDonato Engineering & Architectural Professionals
Work Order: DD-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
DiDonato Engineering & Architectural Professionals
Work Order: DD-3
Date: October 4, 2024

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with DiDonato Engineering & Architectural Professionals (DiDonato) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$73,346.28.

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 DD-3 to DiDonato to provide construction documents 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 DD-3, DiDonato will provide construction documents to bid a proposed development at the former Blasdel Water Resource Recovery Facility (WRRF) so that it may, potentially, be a new centralized sewer collection system maintenance facility. This work order is part of a phased approach for improvements at this location.

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. DD-3**

ENGINEER: **DiDonato Engineering & Architectural Professionals**

CONTRACT DATE: **November 17, 2022**

1. Title of Proposal:

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

2. Company/Address/Principal In-Charge:

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

3. Effective Dates of Proposal:

September 26, 2024

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

The engineer will provide construction documents associated with site development at the former Blasdell Water Resource Recovery Facility (WRRF) site in ECSD No. 3, as detailed in the attached scopes, dated March 19, 2024, and 9/18/2024.

5. Engineering Cost: \$ 73,346.28

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

7. Project No: DD-3

8. Attachments: **DiDonato's** letters, dated 3/19/2024 and 9/18/2024 (5 pages)

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

DATE: September 26, 2024

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|--------------|------------------|-------------------------------------------------------|
| COMM. 17E-11 | COUNTY EXECUTIVE | ECSD No. 3 - Engineer Term Contract Agreement (GHD-4) |
|--------------|------------------|-------------------------------------------------------|

| | |
|----------------|-------------|
| 24COMM. 17E-11 | Attachments |
|----------------|-------------|



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

**RE: Erie County Sewer District No. 3
Engineer Term Contract Agreement
GHD Consulting Services, Inc.
Work Order: GHD-4**

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 in this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Engineer Term Contract Agreement
GHD Consulting Services, Inc.
Work Order: GHD-4
Date: October 4, 2024

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with GHD Consulting Services, Inc. for Erie County Sewer District (ECSD) No. 3 in the amount not to exceed \$68,500.00.

FISCAL IMPLICATIONS

There will be no impact on to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Bond Account C.17301.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order GHD-4 to GHD Consulting Services, Inc. to provide construction administration services for the influent screens replacement project at the Southtowns Advanced Wastewater Treatment Facility (AWTF) in ECSD No. 3.

BACKGROUND INFORMATION

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

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the Erie County Sewer Districts. This work order will provide construction administration services and instrumentation/controls programming associated with the influent screens replacement project at the Southtowns AWTF in ECSD No. 3. This work order is the last of the phased approach to bring the project to completion.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

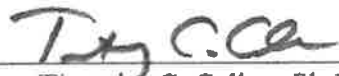
This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

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

Signed

Title



Timothy C. Callan, Ph.D.
Deputy Comptroller

Date

9/24/24

**Erie County Sewer District No. 3
Capital Bond Account No. C.17301
Work Order: GHD-4**

**ERIE COUNTY SEWER DISTRICT NO. 3
WORK ORDER NO. GHD-4**

ENGINEER: GHD Consulting Services, Inc.

CONTRACT DATE: November 21, 2022

1. Title of Proposal:

ECSD #3 – Southtowns Advanced Wastewater Treatment Facility (AWTF) construction administration for the Influent Screen replacement Project.

2. Name and Business Address of Proposer:

Paul McGarvey
GHD Consulting Services, Inc.
285 Delaware Avenue
Suite 500
Buffalo, NY 14202

3. Effective Dates of Proposal:

September 23, 2024

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

The engineer will provide construction administration and instrumentation/controls programming for the influent screens replacement project at the Southtowns AWTF in ECSD No. 3.

5. Engineering Cost: \$68,500.00

Source of Funds: Capital Bond Account C.17301

5. Project No: GHD-4

6. Attachments: GHD letter, dated 9/16/24 (4 pages)

7. File: 0.3.2. GHD (20-22) Eng.

DATE: September 23, 2024

Accepted By: _____

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

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

TO: 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 GHD Consulting Services, Inc.
2. AMOUNT OF CONTRACT \$68,500.00
3. PROJECT NUMBER C.17301
4. PROJECT TITLE Engineering Term Agreements
 Work Order GHD-4
5. DEPARTMENT CONTACT Beth Pfalzer x6144

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 4,457,809.40
 7. PERFORMED BY 
- Date Sent to Comptroller's Office: September 27, 2024

[55 compt_10]

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-12

COUNTY EXECUTIVE

ECSD Nos. 1 & 4 Construction Close Out -
Rehabilitation of Borden Road

Attachments

24COMM. 17E-12



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG OCT 4 '24 PM12:44

October 4, 2024

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

**RE: Erie County Sewer District Nos. 1 & 4 Construction Close Out
Rehabilitation of Borden Road (CR322) – Phase 1, Strasmer
Road to Broadway (NY130) Project
Concrete Applied Technologies Corp. dba CATCO**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of Erie County Sewer Districts No. 1 and No. 4's share of the Department of Public Works, Division of Highways Rehabilitation of Borden Road (CR322) – Phase 1, Strasmer Road to Broadway (NY130) Project.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Department of Environment and Planning. 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: nw

Enclosure

Cc: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 1 & 4 Construction Close Out
Rehabilitation of Borden Road (CR322) – Phase 1, Strasmer Road to Broadway
(NY130) Project
Concrete Applied Technologies Corp. dba CATCO
Date: October 4, 2024

SUMMARY

The Legislature is requested to receive and file this memorandum documenting the completion and close out of Erie County Sewer Districts Nos. 1 & 4's share of the Rehabilitation of Borden Road (CR322) – Phase 1, Strasmer Road to Broadway (NY130) Project. The total cost after acceptance of the work, inclusive of construction and engineering services, is in the final amount of \$5,979,731.14.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for the Erie County Sewer District Nos. 1 & 4 share of this project were allocated from Capital Bond Account No. C.21150 (American Rescue Plan).

REASONS FOR RECOMMENDATION

This memorandum updates Your Honorable Body that all scheduled improvements on behalf of the Erie County Sewer Districts have been completed and documents the final costs, which did not exceed the Legislative authorization.

BACKGROUND INFORMATION

The Rehabilitation of Borden Road (CR322) – Phase 1, Strasmer Road to Broadway (NY130) Project was bid on March 31, 2022 and awarded by the Erie County Legislature pursuant to Legislative Comm. 8E-12 (2022). This included funding by ECSD No. 1 and 4 in an amount not to exceed \$6,380,000.00.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS FOLLOWING APPROVAL

This is a receive and file item.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-13

COUNTY EXECUTIVE

Rehabilitation of Abbott and Willet Roads -
Erie County Sewers Repairs

Attachments

24COMM. 17E-13



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

**Re: Rehabilitation of Abbott and Willet Roads CAP-004.187-22 City of Lackawanna,
Erie County Change Order 1 - Erie County Sewers Repairs**

Dear Honorable Members:

This resolution requests authorization for the County Executive to authorize a change order to D&H Excavating, Inc.'s construction contract for the above referenced project. This change order facilitates repairs to Erie County Sewer Districts facilities within the limits of the project.

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/jtd
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rehabilitation of Abbott and Willet Roads CAP-004.187-22 City of Lackawanna, Erie
County Change Order 1 - Erie County Sewers Repairs
Date: October 4, 2024

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to execute a change order to D&H Excavating, Inc. (D&H Excavating.) construction contract for the Rehabilitation of Abbott and Willett Roads. The contract was authorized by your Honorable Body in COMM 7E-21 (20243) on April 25, 2024. This change order is at the request of Erie County's Division of Sewer Management to incorporate unforeseen repairs to their utility on Abbott and Willet Roads.

FISCAL IMPLICATIONS

The authorization requested is a not-to-exceed amount of \$70,000. Funds for the project are currently available from GL 516020 in the operating budgets listed below;

| | |
|------------------------------------------------------------------|-----------------|
| Erie County Sewer District No. 6 – Fund 220, Cost Center 1861010 | \$27,000 |
| Erie County Sewer District No. 3 – Fund 220, Cost Center 1831010 | <u>\$43,000</u> |
| | \$70,000 |

REASONS FOR RECOMMENDATION

The Division of Sewer Management need repairs performed on their utility within the corridor of the Highways Division, Abbott Willet rehabilitation contract. Completing these repairs within the confines of the highways contract is a timely and efficient manner to complete this work with little or no additional hinderance to the travelling public. The coordination of these repairs benefit the County taxpayer by having the onsite Contractor make the repair.

BACKGROUND INFORMATION

During the course of the Highway Division's rehabilitation of Abbott and Willett roads, the Division of Sewer Management discovered some required and necessary repairs to their structures along the sewers on these two roads. A request was forwarded to D&H Excavating of their ability to complete these repairs with their construction contract. It was determined the repairs could be completed within a not to exceed amount of \$70,000.

CONSEQUENCES OF NEGATIVE ACTION

Without approval, the County will be unable to make these repairs and those sanitary structures within the road will continue to deteriorate and compromise the newly rehabilitate roadway. This compromised roadway affects rideability and safety of the users of these roads.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will be permitted to execute change order to the contract and repairs will proceed.

COMPTROLLER'S OFFICE REVIEW

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

Tim C. Callan 9/29/24

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

*Funds transferred from Saver District 6 and 3's
per personal services accounts in Fund 220 to
Capital project in Fund 420*

File Copy (Abbott Willet - CAP-004.187-22)

ECSD NO. 6 Fund 220 Cost Center 1861010

ECSD NO. 3 Fund 220 Cost Center 1831010

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rehabilitation of Abbott and Willet Roads
CAP-004.187-22 City of Lackawanna, Erie County
Change Order 1 - Erie County Sewers Repairs

WHEREAS, the Erie County Legislature authorized the Rehabilitation of Abbott and Willet Roads construction contract with D&H Excavating via COMM 7E-21 (2024) on April 25, 2024; and

WHEREAS, Erie County Division of Sewer Management requires repairs to their facilities within the limits of this contract and requests a change order to this construction contract, thus achieving these repairs; and

WHEREAS, an agree price change order, not exceed \$70,000 can accomplish these repairs; and

WHEREAS, the necessary funds for this change order are available from Erie County Sewer Districts No. 6 and No. 3's operating budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute a change order to the Rehabilitation of Abbott and Willet Roads project, CAP-004.187-22 in an amount not to exceed \$70,000; and be it further

RESOLVED, that monies for this change order are available from GL 516020 in both:

| | |
|------------------------------------------------------------------|----------|
| Erie County Sewer District No. 6 – Fund 220, Cost Center 1861010 | \$27,000 |
| Erie County Sewer District No. 3 – Fund 220, Cost Center 1831010 | \$43,000 |

and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to adjust the revenues of the approved Capital Budget, Fund 420, Fund Center 123, SAP project B.23050.2.5 – 2023 Capital Overlay with those funds list above from the Erie County Sewer Districts; and be it further

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

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive,

the Division of Budget and Management, the Division of Sewer Management and the Office of the Comptroller.

TO: TIMOTHY 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 D&H Excavating, Inc.
2. AMOUNT OF CONTRACT Not to exceed \$70,000
3. PROJECT NUMBER ECSD No 6 Fund 220, cost Center 1861010-\$27,000
ECSD No 3 Fund 220, Cost Center 1831010-\$43,000
4. PROJECT TITLE Rehabilitation of Abbott and Willet Road
CAP-004.187-22
5. DEPARTMENT CONTACT Funding questions: Darlene Svilkos at x7801
Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 577,282.99
 7. PERFORMED BY 
- Date Sent to Comptroller's Office: September 23, 2024

[55 compt_10]

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-14

COUNTY EXECUTIVE

Rehabilitation of Dodge Road - Contract for
Engineering Design Services

Attachments

24COMM. 17E-14



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

Re: Rehabilitation of Dodge Road (CR 45) from Hopkins Road (CR 87) to Transit Road (NYS 78) Contract for Engineering Design Services Town of Amherst ECDPW Project No. CAP-45-2024

Dear Honorable Members:

This resolution requests authorization for the County Executive to enter into a contract with the design firm, CPL Architecture, Engineering and Planning Team (CPL) for the Rehabilitation of Dodge Road. Proposals for engineering design services were received by the Department of Public Works on August 1, 2024. A copy of the selection committee tabulation is attached for your reference.

This project involves the rehabilitation of Dodge Road from Hopkins Road to Transit Road, including pavement rehabilitation and stormwater drainage replacement.

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/gmw

Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rehabilitation of Dodge Road (CR 45) from Hopkins Road (CR 87) to Transit Road
(NYS 78) Contract for Engineering Design Services Town of Amherst ECDPW Project
No. CAP-45-2024
Date: October 4, 2024

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter into a contract with the design firm CPL Architecture, Engineering and Planning Team (CPL) and establish a project contingency. This contract and contingency are for the Rehabilitation of Dodge Road , from Hopkins Road to Transit Road in the Town of Amherst. The scope of this project is to replace storm drainage and rehabilitate the pavement.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 122, Fund 410, as follows:

| | |
|------------------------------------------------------------|----------------------|
| B.17003 – 2017 Preservation of Roads | \$ 5,086.13 |
| B.18004 – 2018 Preservation of Roads | \$ 3,000.00 |
| B.24004 – 2024 Preservation of Roads – General Road Design | <u>\$ 561,913.87</u> |
| | \$ 570,000.00 |

The contract with CPL for design engineering services in the amount of \$518,124, with a project contingency in the amount of \$51,876 will not exceed the total budget of \$570,000.

REASONS FOR RECOMMENDATION

This project is necessary to advance the design of Dodge Road rehabilitation in a timely fashion. It is desired to execute a contract with CPL, utilizing existing funding. CPL is the recommended design engineers because of their expertise, experience, and manpower to provide the County of Erie with the services required.

BACKGROUND INFORMATION

Dodge Road, between Hopkins Road and Transit Road, is showing signs of significant pavement distress and has drainage issues. Failing drainage structures and poor pipe conditions indicate the need to replace the drainage system in this area. This portion of Dodge Road has a Road Score of 5 out of 10 (2023), along with a daily traffic count of 10,900 vehicles. The project objectives are to correct identified pavement deficiencies thus extending the useful life of the pavement, replace the stormwater drainage in the area, creating a structurally sound roadway.

CONSEQUENCES OF NEGATIVE ACTION

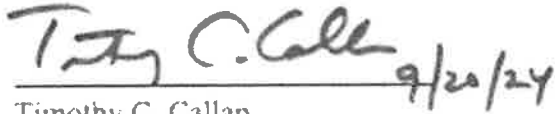
If this project is not completed, there will be continued deterioration of the road surface, drainage issues and failures, decreased rideability and increased maintenance responsibilities.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter into a contract with the design firm, CPL. Once the contract is executed, design work will begin immediately thereafter.

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.

9/20/24

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

File Copy (CAP-45-24 / Rehabilitation of Dodge Road)

B.17003 – 2017 Preservation of Roads

B.18004 – 2018 Preservation of Roads

B.24004 – Preservation of Roads – General Road Design

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rehabilitation of Dodge Road (CR 45) from Hopkins Road (CR 87) to Transit Rd (NYS 78) Contract for Engineering Design Services Town of Amherst ECDPW Project No. CAP-45-2024

WHEREAS, it is necessary to rehabilitate Dodge Road (CR 45) from Hopkins Road to Transit Road, including pavement resurfacing and drainage replacement; and

WHEREAS, the Department of Public Works (DPW) received engineering design proposals for the Rehabilitation of Dodge Road on August 1, 2024; and

WHEREAS, the selected consultant was CPL Architecture, Engineering and Planning Team (CPL), utilizing the County's selection process as the firm with the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the rehabilitation of the above noted project; and

WHEREAS, it is desired to execute a contract with CPL for design engineering services in the amount of \$518,124 with a contingency in the amount of \$51,876; and

WHEREAS, the necessary funds for the design engineering contract and contingency are \$570,000, and are available in Fund 420, Funds Center 123, Capital Project B.17003 – 2017 Preservation of Roads, B.18004 – 2018 Preservation of Roads, and B.24004 Preservation of Roads – General Road Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to participate in the Rehabilitation of Dodge Road, CAP-45-2024 (the "Project"); and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County executive to execute a contract with CPL, the selected Project Design Engineers, for engineering design services in the amount of \$518,124; and be it further

RESOLVED, that authorization is given for the sum of \$51,876 be allocated to a Project Contingency Fund with authorization for the County Executive to approve change orders and amendments in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that the Erie County Legislature here by authorizes that \$570,000 be appropriated for the Rehabilitation of Dodge Rd. (CR45) from Fund 420, Fund Center 123 in the amounts and from SAP accounts as follows:

Engineering design services

| | |
|------------------------------------------------------------|----------------------|
| B.17003 – 2017 Preservation of Roads | \$ 5,086.13 |
| B.18004 – 2018 Preservation of Roads | \$ 3,000.00 |
| B.24004 – 2024 Preservation of Roads – General Road Design | <u>\$ 561,913.87</u> |
| | \$ 570,000.00 |

and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute any necessary change orders, amendments to contracts and agreements; 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 three certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

TO: TIMOTHY 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 | CPL Architecture, Engineering and Planning Team (CPL) |
| 2. AMOUNT OF CONTRACT | CPL \$518,124 Contingency \$ 51,876 |
| 3. PROJECT NUMBER | B.17003 B.18004 B.24004 |
| 4. PROJECT TITLE | Rehabilitation of Dodge Rd (CR 45) |
| 5. DEPARTMENT CONTACT | Funding questions: Darlene Svilokos at x7801 Letter pickup: Christy Weber at x8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--------------------------------------------------------------------------------------|
| 6. AVAILABILITY OF FUNDS | \$ 1,019,196.52 |
| 7. PERFORMED BY |  |
| Date Sent to Comptroller's Office: | September 19, 2024 |

[55 compt_10]

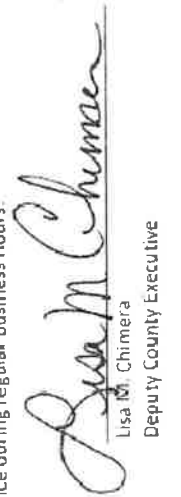


ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - HIGHWAYS
RFP # 2024-CR45Design - Rehabilitation of Dodge Road (CR 45)
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

| Proposer | Evaluation Criteria | | | | | | | | | | | | | | | | | | Weighted Average Qualifications Score (1 - 10) | Qualifications Ranking | | | |
|----------------------|-------------------------------------|-----|------------|-------------------------------------|----|------------|-----------------------------------------------|------|------------|---------------------------------------------|-----|------------|---------------------------------------------|----|------------|-------------------------------------|------|------------|------------------------------------------------|------------------------|------|------|---|
| | Understanding of Work to be Done | | | Experience With Similar Projects | | | Experience & Qualifications of Proposed Staff | | | Present Workload & Financial Responsibility | | | Logistics and Familiarity with Project Area | | | Percentage of M/W/B/F Participation | | | | | | | |
| | Weight = 25% | | | Weight = 25% | | | Weight = 25% | | | Weight = 10% | | | Weight = 10% | | | Weight = 5% | | | | | | | |
| | Committee Member Raw Score (1 - 10) | | Avg. Score | Committee Member Raw Score (1 - 10) | | Avg. Score | Committee Member Raw Score (1 - 10) | | Avg. Score | Committee Member Raw Score (1 - 10) | | Avg. Score | Committee Member Raw Score (1 - 10) | | Avg. Score | Committee Member Raw Score (1 - 10) | | Avg. Score | | | | | |
| | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | | | | | |
| CPL | 8 | 9 | 9.5 | 8.83 | 9 | 9.5 | 9 | 9.17 | 8.50 | 8 | 7 | 9 | 8.00 | 7 | 8 | 7 | 7.33 | 9 | 9.5 | 9 | 9.17 | 8.62 | 1 |
| LaBella Associates | 7 | 8 | 9 | 8.00 | 8 | 9.5 | 9 | 8.83 | 8.67 | 6 | 7.5 | 5 | 6.17 | 6 | 7.5 | 8 | 7.17 | 9 | 9.5 | 9 | 9.17 | 8.17 | 3 |
| Litko Engineers, Inc | 6 | 3.5 | 5 | 4.83 | 8 | 9.5 | 9 | 8.83 | 8.67 | 8 | 8 | 9 | 8.33 | 6 | 4.5 | 7 | 5.83 | 9 | 9 | 9 | 9.00 | 7.45 | 4 |
| Wendel | 7 | 8.5 | 8.5 | 8.00 | 9 | 9.5 | 9 | 9.17 | 8.33 | 6 | 6.5 | 7 | 6.50 | 8 | 9 | 9 | 8.67 | 9 | 8.5 | 9 | 8.83 | 8.33 | 2 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |
| | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0 | 0 | 0 | 0.00 | 0.00 | 5 |

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


William E. Garry, Jr., Commissioner
Erie County Department of Public Works


Lisa M. Chimera
Deputy County Executive

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|--------------|------------------|------------------------------------------------------------------------------------------------------------|
| COMM. 17E-15 | COUNTY EXECUTIVE | 2022 On-Call General Civil Engineering & Land Survey Services, Countywide Term Agreement Amendment 1 |
|--------------|------------------|------------------------------------------------------------------------------------------------------------|

Attachments

24COMM. 17E-15



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

**Re: 2022 On-Call General Civil Engineering and Land Survey Services, Countywide
Term Agreement Amendment 1**

Dear Honorable Members:

This resolution requests authorization for the County Executive to amend the current On-Call General Civil Engineering and Land Survey Services Term Agreements with Greenman-Pedersen, Inc. (GPI) and DiDonato Associates Engineers and Architects (DiDonato).

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/jtd
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: 2022 On-Call General Civil Engineering and Land Survey Services, Countywide Term Agreement Amendment 1
Date: October 4, 2024

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to amend the 2022 On-Call General Civil Engineering and Land Survey Services Term Agreements with Greenman-Pedersen, Inc. (GPI) and DiDonato Associates Engineers and Architects (DiDonato). The original contracts were authorized by your Honorable Body in COMM 2E-21 (2023) on February 2, 2023, and included the initial funding for the three-year contract. This amendment adds additional funding to the original contracts. These contracts involve providing general civil engineering and land surveying services for problems or issues of a relative immediate nature that are of limited size or scope during the second-year term.

FISCAL IMPLICATIONS

The authorization requested is a not-to-exceed amount of \$400,000 inclusive of both contracts. Funds for the project are currently available from the approved Capital Budget, Funds Center 123, Fund 420, SAP Project B.22011 – 2022 On Call General.

Tasks would be negotiated and assigned with the understanding that the aggregate costs of assigned tasks cannot exceed the above amount.

REASONS FOR RECOMMENDATION

There are many instances where general civil engineering and land survey services are required for problem or issues of a relatively immediate nature and of limited size or scope. Examples would include but are not limited to: define/ establishment of highway right of way boundaries, drainage issues, design of ADA compliant features for minor building or highway reconstruction, site utility issues and failures etc.

BACKGROUND INFORMATION

The On-Call Term Agreements allow the County to address the needs of its physical infrastructure more efficiently by shortening the time to address developing problems, problems which require professional assistance of limited size or scope and emergency and disaster related issues.

The funding in the original contracts has nearly been exhausted. This amendment for additional funding allows the contracts to continue and professional services provided during the three period of the contracts.

CONSEQUENCES OF NEGATIVE ACTION

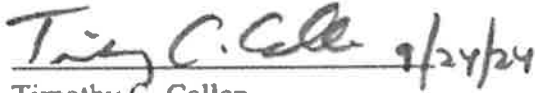
Without approval, the County will be unable to address new issues and assign tasks, as there is insufficient funding remaining. Urgent and/or arising issues may be delayed. Project assignments would have to go through the formal RFP, selection, approval and contracting process which can take weeks and limits the County's ability to react to and solve problems that arise.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will be permitted to amend the contracts with GPI and DiDonato.

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.

 9/24/24

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

File Copy (2022 On Call General)

B.22011 – 2022 On Call General

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: 2022 On-Call General Civil Engineering and Land Survey Services Countywide
Term Agreement Amendment 1

WHEREAS, the Legislature of Erie County authorized the 2022 On-Call General Civil Engineering and Land Survey Services Term Agreement Contracts with Greenman-Pedersen, Inc. (GPI) and DiDonato Associates Engineers and Architects (DiDonato) in COMM 2E-21 (2023) on February 2, 2023; and

WHEREAS, these contracts provide the ability to access general civil engineering and land survey services enabling an efficient and timely response to problems, emergency situations and issues that are of limited size and scope; and

WHEREAS, the initial funding for the Term Agreement has been exhausted and in order to add tasks to the existing contracts for the continuation of the three-year period ending in 2025 it is necessary to increase the authorization via an Amendment; and

WHEREAS, the necessary funds for the amendment are available in Fund 420, Funds Center 123, Capital Project B.22011 – On Call General.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to execute an amendment to the 2022 On-Call General Civil Engineering and Land Survey Services Term Agreement contracts with Greenman-Pedersen, Inc. (GPI) and DiDonato Associates Engineers and Architects (DiDonato) in an amount not to exceed \$400,000 collectively; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the sum of \$400,000 be appropriated for the amendment from Fund 420, Funds Center 123, Project WBS B.22011 – 2022 On Call General; and be it further

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

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

TO: TIMOTHY 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 | Greenman-Pedersen, Inc. (GPI) DiDonato Associates Engineers and Architects (DiDonato) _____ |
| 2. AMOUNT OF CONTRACT | Aggregate not to exceed \$400,000 _____ |
| 3. PROJECT NUMBER | B.22011 _____ |
| 4. PROJECT TITLE | 2022 On-Call General Civil Engineering and Land Survey Services Term Agreement _____ |
| 5. DEPARTMENT CONTACT | Funding questions: Darlene Svilokos at x7801 Letter pickup: Christy Weber at x8301 _____ |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|-----------------------------------------------------------------------------------------------|
| 6. AVAILABILITY OF FUNDS | \$ 400,000.00 _____ |
| 7. PERFORMED BY |  _____ |
| Date Sent to Comptroller's Office: | September 23, 2024 _____ |

[55 compt_10]

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-16

COUNTY EXECUTIVE

Rath Building Elevator Modernization Project
- Contingency Fund Increase

Attachments

24COMM. 17E-16



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

RE: Rath Building Elevator Modernization Project – Contingency Fund Increase

Dear Honorable Members:

On March 3, 2022, your Honorable Body awarded construction contracts for the Rath Building Elevator Modernization project, including a construction contingency per Comm. 4E-8(2022). The construction contingency needs to be increased to replace major components of the Rath Building's freight elevator system to address reliability and safety concerns.

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/ks
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rath Building Elevator Modernization Project – Contingency Fund Increase
Date: October 4, 2024

SUMMARY

The Department of Public Works is requesting authorization to increase the Construction Contingency by \$100,000.00 Rath Building Elevator Modernization project, previously approved by your Honorable Body via Comm. 4E-8 on March 3, 2022. The project site is located at 95 Franklin St., Buffalo, NY 14202.

The increase is necessary to address unforeseen conditions encountered during the execution of the project to address necessary safety concerns for operation of the elevator(s).

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 122, Fund 410, as follows:

| | |
|-----------------------------------------------|--------------|
| A.21106 – 2021 Mechanical Electrical Plumbing | \$100,000.00 |
| Total | \$100,000.00 |

REASONS FOR RECOMMENDATION

Additional Contingency funds are needed address unforeseen conditions encountered during execution of the project; it was determined that major components be replaced in freight elevators 9 and 13 for reliability, safety, and code compliance. Elevator 9 needed a new elevator drive machine, elevator 13 required pre-engineered platform rated for proper load, and both freight elevator shafts require structural repairs from corrosion and deterioration of masonry. The freight elevators have never been upgraded since the building opened in 1967.

BACKGROUND INFORMATION

Elevators 9 and 13 are essential for the operation of the County building to accept deliveries and move large, heavy payloads throughout the building for all departments. These elevators have not been upgraded since the building opened in 1967 and structural components have since deteriorated. Having these elevators out of service for a long period of time would be a detriment to the operations of the Rath Building. The Contingency Fund increase will allow the Elevator Modernization project to be completed.

CONSEQUENCES OF NEGATIVE ACTION

If additional contingency for the project are not approved, the Rath building will not have safe, reliable, code compliant freight elevators for building operations.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the Construction Contingency will be increased.

COMPTROLLER'S OFFICE REVIEW

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


Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.21106 – 2021 Mechanical Electrical Plumbing

File Copy (DPW Resolution_BG Rath Elevators Contingency Fund Increase.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rath Building Elevator Modernization Project – Contingency Fund Increase

WHEREAS, on March 3, 2022 your Honorable Body authorized the Construction Contracts for the Rath Building Elevator Modernization project via Comm. 4E-8 (2022); and

WHEREAS, the loading dock elevator (elevator number 13) and the high-rise freight elevator (elevator number 9) have never been upgraded, are original to the building, and are essential for the operations of the Rath Building to move large materials, supplies, equipment, etc. about the building; and

WHEREAS, unforeseen conditions were encountered during the project that exposed deteriorated machine components and structural elements of freight elevators 9 & 13; and

WHEREAS, these freight elevators are designed to carry heavier loads than passenger elevators; and

WHEREAS, the unforeseen conditions must be addressed to ensure the safe, reliable conveyance of heavy materials in the building; and

WHEREAS, the unforeseen conditions made it necessary for the Construction Contingency Fund to be increased to address the concerns.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works to increase the current construction contingency fund by \$100,000 with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency fund; and be it further

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved contractors on site to complete the additional work; and be it further

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

RESOLVED, that sufficient funding for all the above is available in Fund 410, Funds Center 122 as follows:

| | |
|------------------------------------------------------|---------------------|
| <u>A.21106 – 2021 Mechanical Electrical Plumbing</u> | <u>\$100,000.00</u> |
| Total | \$100,000.00 |

and be it further

RESOLVED, that any contingency funds that remain unspent will be returned to the capital budget as applicable; and be it further

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

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55
CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

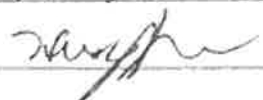
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | | |
|----|--------------------|----------------------------------------------------------------------------------------------|
| 1. | CONTRACTOR'S NAME | Construction Contingency |
| 2. | AMOUNT OF CONTRACT | \$100,000.00 |
| 3. | PROJECT NUMBER | A.21106 \$100,000 |
| 4. | PROJECT TITLE | Rath Building Elevator Modernization |
| 5. | DEPARTMENT CONTACT | Funding questions: Kristofer Straus, PE at x7294 Letter pickup: Christy Weber at x8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|----|-----------------------|--------------------------------------------------------------------------------------|
| 6. | AVAILABILITY OF FUNDS | \$156,728.31 |
| 7. | PERFORMED BY |  |

Date Sent to Comptroller's Office: 09/24/2024

[55 compt_10]

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-17

COUNTY EXECUTIVE

Authorization to Enter into Contract with
Lightspeed Commerce Inc.

Attachments

24COMM. 17E-17



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

RECEIVED OCT 4 '24 12:44

October 4, 2024

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

RE: Authorization to Enter into Contract with Lightspeed Commerce Inc.

Dear Honorable Members:

Please find enclosed a resolution from the Department of Parks, Recreation & Forestry seeking legislative authorization to enter into a contract with Lightspeed Commerce Inc.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel of the Department of Parks, Recreation & Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/kc
Enclosure

cc: Troy Schinzel, Commissioner - Department of Parks, Recreation & Forestry

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation & Forestry
Re: Authorization to Enter into Contract with Lightspeed Commerce Inc.
Date: October 4, 2024

SUMMARY

The accompanying resolution requests authority for the County Executive to enter into an agreement with Lightspeed Commerce Inc. for their Tee Time Software System. Lightspeed Commerce Inc. was selected through the County's RFP selection process to provide tee time software for the Golf Courses.

FISCAL IMPLICATIONS

The estimated cost of the tee time software system is \$15,000. Funding is available in the Parks Operating Budget, Fund 110, Fund Center 16410, Account 516020 - Professional Services Contracts and Fees.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

The current tee time software interface is difficult for patrons to navigate and provides sub-optimal customer service to patrons and administrators. The Department of Parks, Recreation & Forestry receives many complaints about the current software. To make tee time services more user-friendly for both golfers and administrators, as well as to obtain a system which provides more accessible, real-time, and usable data on golf course usage, the Department of Parks, Recreation & Forestry was interested in exploring other tee time software options from vendors who specialize in this specific type of product and service. The Department of Parks, Recreation & Forestry is seeking to modernize its offerings and services to better serve our loyal and growing body of golfers and patrons.

CONSEQUENCES OF NEGATIVE ACTION

The current tee time system used is outdated and not user friendly, which results in many complaints from the golfers when they are trying to book a tee time.

STEPS FOLLOWING APPROVAL

A contract and subsequent purchase order will be executed with Lightspeed Commerce Inc. for their Tee Time Software System to be used for the Parks golf courses.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION & FORESTRY

Re: Authorization to Enter into Contract with Lightspeed Commerce Inc.

WHEREAS, the Department of Parks, Recreation and Forestry oversees the current tee time system which has been deemed to be outdated and not user friendly, resulting in unhappy golfers/members; and

WHEREAS, the Department of Parks, Recreation and Forestry issued a Request for Proposal (RFP) in July, 2024, RFP # 2024-033VF; and

WHEREAS, Lightspeed Commerce Inc. responded to the RFP with a strong proposal; and

WHEREAS, the Department of Parks, Recreation and Forestry wishes to have Lightspeed Commerce Inc. develop new solutions for increased efficiency and better golfer experience for their Tee Time System in the estimated amount of \$15,000; 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 Lightspeed Commerce Inc. in the amount of \$15,000 to develop new solutions with use of their Tee Time Software System; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within the Department of Parks, Recreation and Forestry Operating Budget, Fund 110, Funds Center 16410, Account 516020 – Professional Services Contracts and Fees; and be it further

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



Department of Parks, Recreation & Forestry

Recommendation for RFP #2024-033VF

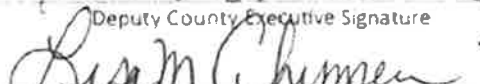
Date: 8/27/24

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 |
|--------------------------|-------------|------------------|------------------------|------------------|-------------------|
| Lightspeed Commerce Inc. | 99% | 1 | | | |
| Kaizen Labs | 92% | 2 | | | |
| Contenda | 76% | 3 | | | |

It is recommended that Lightspeed Commerce provide their tee time system for Elma Golf Course & Grover Cleveland Golf Course in Erie County in 2025. Supporting documentation is included in this packet.

The Department of Parks, Recreation & Forestry has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

| | | |
|-------------------------------------------------------------------------------------|---------------|---------|
| Committee Chair Signature | Printed Name | Date |
|  | Kate Hillman | 9/5/24 |
| Commissioner Signature | Printed Name | Date |
|  | Troy Schinzel | 8/29/24 |
| Deputy County Executive Signature | Printed Name | Date |
|  | Lisa Chimera | 9/5/24 |

Once reviewed and approved, please return to Kathy Carbone at kathleen.carbone@erie.gov for processing, Thank you.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-18

COUNTY EXECUTIVE

Authorization to Enter into Contract with
P&A Group

Attachments

24COMM. 17E-18



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

**RE: Authorization to Enter into Contract with P&A Group
Third Party Administrator for Flexible Spending, COBRA, and Retiree Health
Insurance Billing**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive or Deputy County Executive to enter a contract with Priselac & Associates (P&A) Group to provide Flexible Saving Account, COBRA administration, and retiree billing services for Erie County.

Should your Honorable Body require further information, I encourage you to contact Commissioner Brian Bray of the Department of Personnel. 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/bb

Enclosure

cc: Brian Bray, Commissioner of Personnel

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Personnel
Re: Authorization to Enter into Contract with P&A Group
Third Party Administrator for Flexible Spending, COBRA, and Retiree Health Insurance
Billing
Date: October 4, 2024

SUMMARY

The accompanying resolution requests authority for the County Executive to enter into a contract with P&A Group for Third Party Administration Services. This contract will cover the administration of Health Flexible Savings Accounts (HFSA), Dependent Care Assistant Accounts, Adoption Assistance Account, Parking and Transit Accounts, Health Reimbursement Accounts (HRA), COBRA Administration, and Retiree Billing Services. The agreed-upon pricing for these services is as follows:

- Health Flexible Spending Accounts: \$2.50 Price per Participant per Month (PPPM)
- Dependent Care Assistant Accounts: \$2.50 PPPM
- Adoption Assistance Account: \$2.50 PPPM
- Parking and Transit Accounts: \$2.50 PPPM
- Health Reimbursement Accounts: \$2.50 PPPM
- Retiree Billing: \$3.75 PPPM
- COBRA Administration: \$0.39 per eligible employee per month.

P&A Group was selected through an open request for proposals (RFP) in accordance with County policy. The term of this contract will be for three (3) years, with an option for two (2) one-year extensions.

FISCAL IMPLICATIONS

The contract costs are allocated per participant per month, based on the services utilized with funds available in the 2025 Personnel Budget Professional Services. The exact spending will depend on the number of participants enrolled in each of the services during the contract period. The effect of flexible spending accounts for taxpayers is net positive as Erie County saves on payroll taxes (specifically FICA taxes) because employee contributions to the accounts are pre-tax.

REASONS FOR RECOMMENDATION

The services covered under this contract are either in the County's fiscal interests to continue to perform or are mandated by contract or law to provide. Specifically, COBRA Administration, Health Savings Accounts (HSA), Dependent Care and Health Flexible Spending Accounts (FSA), Parking, Health Reimbursement Accounts (HRA), and Retiree Billing Services are essential components of the County's employee benefits program, ensuring compliance with federal regulations, collective bargaining agreements, and other contractual obligations.

Administering these services requires specialized knowledge and expertise, particularly in areas such as COBRA compliance and the management of tax-advantaged accounts. Given the complexity and regulatory requirements involved, performing these services in-house would not be economically feasible or efficient. The County would face significant challenges in maintaining compliance, managing risks, and delivering the necessary level of service without incurring prohibitive costs.

BACKGROUND INFORMATION

Flexible Spending Accounts (FSAs) are employer-sponsored benefit programs that allow employees to set aside pre-tax dollars to cover eligible expenses. Health Care FSAs cover medical, dental, and vision expenses not reimbursed by insurance. Dependent Care FSAs are used for childcare or eldercare expenses incurred while the employee is at work. Adoption Assistance FSAs provide tax-free reimbursement for qualified adoption expenses, such as legal fees and adoption agency costs. Parking and Transit FSAs allow employees to use pre-tax funds to pay for eligible parking and transportation expenses related to commuting to work. Each type of FSA reduces taxable income and offers tax savings on specific types of expenses.

A Health Reimbursement Arrangement (HRA) is an employer-funded plan that reimburses employees for qualified medical expenses not covered by their health insurance. In several agreements with its collective bargaining units, Erie County has agreed to provide employees who retire with the county fifty percent of the monetary value of the sick leave they accrued to their credit at the hourly rate of pay in effect at the time of their retirement. The first cohort of employees who are qualified for this benefit can retire in 2025.

COBRA Administration under this contract involves managing the continuation of health insurance benefits for eligible employees and their dependents who experience a qualifying event, such as termination of employment (other than for gross misconduct), reduction in work hours, divorce, or the death of the covered employee.

Retiree Billing Services a new contracted service, is the administration of monthly billing and collection services for retirees' premiums for healthcare, dental, and other benefits in which the County is contractually obligated to provide. This includes managing enrollments, terminations, and changes in coverage, ensuring accurate and timely billing and collections, and providing customer support to address retirees' questions and concerns.

CONSEQUENCES OF NEGATIVE ACTION

If the proposed contract with P&A Group is not approved, the County will face significant operational and compliance challenges. The absence of a third-party administrator for these critical employee benefit programs would place a substantial burden on County resources. The County would need to develop internal capabilities to administer these services, requiring substantial investment in personnel, training, and technology. This would likely result in inefficiencies, higher administrative costs, and a heightened risk of non-compliance with federal regulations, such as COBRA requirements, which could lead to legal liabilities and penalties.

STEPS FOLLOWING APPROVAL

Erie County will enter into contract with P&A Group effective January 1, 2025.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY DEPARTMENT OF PERSONNEL

RE: Authorization to Enter into Contract with P&A Group

WHEREAS, the Erie County Department of Personnel has identified the need for continued third-party administration services to manage critical employee benefits programs, including Health Flexible Spending Accounts (HFSA), Dependent Care Assistant Accounts, Adoption Assistance Account, Parking and Transit Accounts, Health Reimbursement Accounts (HRA), COBRA Administration, and Retiree Billing Services; and

WHEREAS, an open request for proposals (RFP) was issued in accordance with County policy to identify a qualified provider for these services; and

WHEREAS, a committee comprised of representatives from the Comptroller's Office and the Personnel Department was convened to review the proposals submitted in response to the RFP; and

WHEREAS, after a thorough evaluation process, P&A Group was the consensus choice of the committee, based on their expertise, cost-effective service offerings, and their ability to meet the needs of Erie County's employee benefits program; and

WHEREAS, the agreed-upon pricing for these services is as follows:

- Health Flexible Spending Accounts: \$2.50 Price per Participant per Month (PPPM)
- Dependent Care Assistant Accounts: \$2.50 PPPM
- Adoption Assistance Account: \$2.50 PPPM
- Parking and Transit Accounts: \$2.50 PPPM
- Health Reimbursement Accounts: \$2.50 PPPM
- Retiree Billing: \$3.75 PPPM
- COBRA Administration: \$0.39 per eligible employee per month.

and

WHEREAS, the term of this contract will be for three (3) years, with an option for two (2) one-year extensions, providing stability and continuity in the administration of these critical benefits; and

WHEREAS, the contract costs are allocated per participant per month based on the services utilized via available funding in the 2025 Personnel Budget Professional Services, with flexible spending accounts generating net savings for Erie County due to payroll tax (FICA) reductions; and

WHEREAS, failure to authorize this contract would result in significant operational challenges, including the need to develop costly internal capabilities to manage these services, potential inefficiencies, and the risk of non-compliance with federal regulation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract with Priselac & Associates (P&A) Group for the provision of Third-Party Administration Services, effective January 1, 2025, for a term of three (3) years, with an option for two (2) one-year extensions; and be it further

RESOLVED, that the County Executive or Deputy County Executive is hereby authorized to execute all necessary documents to effectuate this contract; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive, Commissioner of Personnel, County Comptroller, County Attorney and the Division of Budget and Management.



County of Erie

Personnel Department

Recommendation for RFP# 2024-027VF



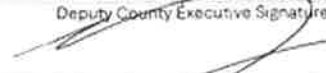
Date: 09/05/2024

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 | HRA / HSA Pricing Amount | Dependent Care Amount | Parking Amount |
|---------|-------------|------------------|-----------------------------------------|-----------------------|--------------------------|
| P&A | 16.95 | 1 | \$2.50 Per Participant Per Month (PPPM) | \$2.50 PPPM | \$2.50 PPPM |
| TASC | 16.3 | 2 | \$2.50 PPPM | \$2.50 PPPM | \$2.50 PPPM |
| Inspire | 14.95 | 3 | \$2.00 HSA PPPM | \$2.00 PPPM | Not included in proposal |

It is recommended that The P&A Group provide 3rd Party Administrator benefits in Erie County in 2025. Supporting documentation is included in this packet.

The Department of Personnel has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

| | | | |
|-------------------------------------------------------------------------------------|-----------------------------------|--------------------|---------|
|  | Committee Chair Signature | Printed Name | Date |
| | | Shawn Lavin | 9/10/24 |
|  | Commissioner Signature | Printed Name | Date |
| | | Brian Bray | 9/10/24 |
|  | Deputy County Executive Signature | Printed Name | Date |
| | | Benjamin Swanekamp | 9/10/24 |

Once reviewed and approved, please return to Shawn Lavin at Shawn.Lavin@erie.gov for processing, Thank you.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|--------------|-------------------------------|----------------------------------------------------------|
| COMM. 17E-19 | COUNTY EXECUTIVE & SHERIFF | Creation of Shared Regional Medical Director Position |
|--------------|-------------------------------|----------------------------------------------------------|

| | |
|----------------|-------------|
| 24COMM. 17E-19 | Attachments |
|----------------|-------------|



LEGISLATIVE 10/24/2024 10:32

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2024

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

**RE: Creation of Shared Regional Medical Director Position
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Enclosed please find a joint resolution from the Erie County Sheriff's Office and Erie County Health Department Division of Emergency Medical Services to create the new part-time position of Regional Medical Director within the Division of Police Services.

Should your Honorable Body require further information, I encourage you to contact Chief Timothy Donovan or Deputy Commissioner of EMS Gregory Gill. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

John C. Garcia
Erie County Sheriff

MCP/jh
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office and Health Department Division of Emergency Medical Services
Re: Creation of Shared Regional Medical Director Position
Date: October 4, 2024

SUMMARY

The Erie County Sheriff's Office and Health Department's Division of Emergency Medical Services is seeking authorization to create a part time Regional Medical Director position within the Division of Police Services. This position will provide the medical expertise necessary related to public health emergency planning and response, ambulance service delivery, Medical Emergency Radio System (MERS), EMT education, and operational medical services provided by the Erie County Sheriff's Office, and directing and supervising professional and technical personnel and medical volunteers in these services and others as needed.

FISCAL IMPLICATIONS

The requested position will be created within the Sheriff's Office Division of Police Services (Fund 110, Funds Center 11510) with 50% of the cost paid via an interdepartmental billing with the Health Department Division of Emergency Medical Services (Fund 110, Funds Center 12720) beginning in 2025. Sufficient vacancy saving exists within the Division of Police Service's part-time salaries budget to cover the cost of this new position for the remainder of 2024.

| Dept | Title | Status | Unit | JG | Step | Annualized Salary | Pro-Rated Salary (247 hours) |
|------------------|----------|--------|--------------|----|------|-------------------|------------------------------|
| Sheriff's Office | Regional | PT | Managerial | 26 | 0 | \$101,829 | \$25,457 |
| Division of | Medical | | Confidential | | | | |
| Police Services | Director | | | | | | |

REASONS FOR RECOMMENDATION

The Sheriff's Office and Division of Emergency Medical Services need this position due to overlapping work and need for the highly technical and essential area of Emergency Medicine. Many services currently provided by both offices require a Medical Director position to plan and execute the delivery of different emergency services including public health response, ambulance service delivery, Medical Emergency Radio System (MERS), EMT education, and operational medical services provided by the Erie County Sheriff's Office.

BACKGROUND INFORMATION

While many of these services are currently provided through fee for service, the Sheriff's Office and Division of Emergency Medical Services need to formalize the relationship due to the growing need for a Medical Director across multiple services and legal requirements of providing these services.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would not have a Regional Medical Director as required for many of the above-mentioned services nor professional oversight for delivery of said services.

STEPS FOLLOWING APPROVAL

The Sheriff's Office and Department of Emergency Medical Services will work with Personnel and Budget and Management on executing this resolution.

A RESOLUTION SUBMITTED BY:
THE OFFICE OF SHERIFF AND
DIVISION OF EMERGENCY MEDICAL SERVICES

RE: Creation of Shared Regional Medical Director Position

WHEREAS, the expansion of emergency medical services provided by the Erie County Sheriff's Office and Health Department's Division of Emergency Medical Services has expanded due to required emergency planning and response, creation of the County ambulance service, and other Emergency Medicine areas; and

WHEREAS, the Erie County Sheriff's Office and Health Department's Division of Emergency Medical Services is seeking authorization to create a part time Regional Medical Director position within the Division of Police Services; and

WHEREAS, this position will provide the medical expertise necessary related to public health emergency planning and response, ambulance service delivery, Medical Emergency Radio System (MERS), EMT education, and operational medical services provided by the Erie County Sheriff's Office, and directing and supervising professional and technical personnel and medical volunteers in these services and others as needed; and

WHEREAS, this position would formalize a Medical Director as required for various state and federal regulations and oversight on the delivery of the various emergency medical services as needed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive the creation of one (1) part-time Regional Medical Director, Job Group 26, Managerial Confidential (B-100 #14487) effective October 10, 2024; and be it further

RESOLVED, that sufficient funding due to vacancy savings exists within the Division of Police Services 2024 Budget (Fund 110, Funds Center 11510) Account 500010 – Part Time – Wages; and be it further

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

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17E-20

COMPTROLLER

Department of Law Risk Retention Fund
Spending - August 2024

Attachments

24COMM. 17E-20



EC LEG OCT 7 '24 AM 10:49

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

October 7, 2024

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

Re: Department of Law Risk Retention Fund Spending – August 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 August 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
August, 2024

Run Date: 10/3/2024

| <u>Vendor Number</u> | <u>Vendor Name</u> | <u>Expenditures</u> |
|----------------------|-----------------------------------|---------------------|
| 101109 | BOND, SCHOENECK & KING, PLLC | 22,109.35 |
| 102816 | Feldman Kieffer LLP | 1,200.00 |
| 103442 | Hodgson Russ | 52,967.05 |
| 106065 | PHILLIPS LYTLE HITCHCOCK | 11,472.50 |
| 108120 | Walsh Roberts & Grace | 1,102.50 |
| 1100055 | M & T BANK PURCHASING CARD | 1,229.51 |
| 118314 | JEREMY C TOTH AS CUSTODIAN | 15,131.46 |
| 139265 | ERIE COUNTY MEDICAL CENTER | 45,035.08 |
| 139834 | LEGAL MED | 9,735.00 |
| 148572 | ALISA LUKASIEWICZ, PLLC | 7,340.00 |
| 177003 | GORDON REES SCULLY MANSUKHANI LLP | 663.00 |
| | | <hr/> |
| | | 167,985.45 |
| | | <hr/> |

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|----------------------------------|----------------------------------------------------|
| COMM. 17D-1 | DEPARTMENT OF SOCIAL SERVICES | COMM. 12E-34 Compliance Report - September 2024 |
|-------------|----------------------------------|----------------------------------------------------|

| | |
|---------------|-------------|
| 24COMM. 17D-1 | Attachments |
|---------------|-------------|



EC LEG OCT 3 '24 PM 1:59

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 3, 2024

Erie County Legislature
92 Franklin St. – 4th 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 September.

| | September | Change Since August |
|----------------------------------------------------------------------|-----------|---------------------|
| Caseload size at the last day of the Month | 1,030 | 67 |
| Number of CPS workers assigned at least five cases last day of month | 88 | 1 |
| Average number of cases per worker | 11.70 | 0.64 |
| Cases Closed in Month | 545 | -190 |
| Intake during Month | 614 | 48 |
| Overdue Investigations at the last day of month | 132 | -26 |
| Timely Determinations during month | 314 | -75 |

Thank you.

Sincerely,

Karen Rybicki, Acting Commissioner
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz

SUBJECT

| | | |
|-------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------|
| COMM. 17D-2 | BOARD OF ELECTIONS COMMISSIONERS | Acceptance of Grant Awards - 2024 General Election Grant, Electronic Poll Book Grant, Ballot By Mail Grant |
|-------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------|

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

24COMM. 17D-2

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

EC LEG OCT 4 '24 PM10:31

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

October 10, 2024

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

RE: Acceptance of Grant Awards – 2024 General Election Grant, Electronic Poll Book Grant, Ballot by Mail Grant

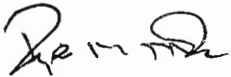
IMMEDIATE CONSIDERATION

Dear Honorable Members:

The attached resolution from the Board of Elections requests authorization to accept three New York State grants; (1) 2024 General Election grant award in the amount of \$229,251.82, (2) Electronic Poll Book Grant award in the amount of \$714,809.51, (3) Ballot by Mail grant award in the amount of \$364,407.06. The purpose of these grants is to provide local Boards of Elections with reimbursement of eligible operating costs related to the General Election to be held in November of 2024, costs related to providing pre-paid postage on absentee and early vote by mail ballots, and costs related to the purchase of electronic poll books.

Should this Honorable Body require further information, I encourage you to contact the Erie County Board of Elections. Thank you for your consideration on this matter.

Sincerely,



Ralph M. Mohr
Commissioner



Jeremy J. Zellner
Commissioner

MEMORANDUM

To: The Honorable Members of the Erie County Legislature
From: Erie County Board of Elections
Re: Acceptance of Grant Awards – 2024 General Election, Electronic Poll Book Grant, Ballot by Mail Grant
Date: October 10, 2024

SUMMARY

The Erie County Board of Elections has received three grant awards in the total amount of \$1,308,468.39 from the New York State Board of Elections. These funds are for operating costs related to the General Election to be held in November of 2024, costs related to providing pre-paid postage on absentee and early vote by mail ballots, and costs related to the purchase of electronic poll books.

FISCAL IMPLICATIONS

The County will be reimbursed with up to \$229,251.82 of state funds for eligible operating costs related to the General Election to be held in November of 2024, \$714,809.51 for eligible costs related to the costs of pre-paid return postage and outgoing postage on absentee ballots and early vote by mail ballots, and \$364,407.06 for eligible costs related to the purchase of electronic poll books. The County will receive 100% reimbursement for eligible expenses. No local share is required.

REASONS FOR RECOMMENDATION & BACKGROUND INFORMATION

Presidential election years historically have higher voter turnout than non-presidential elections. This results in higher operating costs to boards of elections. New York State has anticipated this increased expense to local boards and authorized the 2024 General Election grant for only this years' election expenses. In 2023, the state legislature enacted early voting by mail ballots thereby increasing postage costs to local boards of elections. Additionally, Erie County began using electronic poll books to assist with the voting process in 2019. The Electronic Poll Book grant is necessary in order to maintain the program.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this request to accept the New York State grants will result in a loss of \$1,308,468.39 in funding that may be used to provide services and items including, but not limited to, election supplies, postage, equipment, and security costs.

STEPS FOLLOWING APPROVAL

The Erie County Board of Elections will work with the Division of Budget and Management and the Office of the Comptroller to accept the additional funding. The Division of Purchase will aid in the ordering of any materials and contracts necessary for the administration of the grants.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY BOARD OF ELECTIONS

RE: Acceptance of Grant Awards – 2024 General Election, Electronic Poll Book, Ballot By Mail

WHEREAS, Presidential elections have the highest turnout and therefore result in higher costs to all local boards of election; and

WHEREAS, New York State has provided funding to Erie County in the amount of \$229,251.82 through the 2024 General Election grant program and requires no local funding; and

WHEREAS, Early Mail Voting ballots and applications were enacted by chapter 481 of the laws of 2023; and

WHEREAS, New York State has provided funding to Erie County in the amount of \$364,407.06 through the Ballot By Mail grant program and requires no local funding; and

WHEREAS, Current electronic poll books in use by the Erie County Board of Elections need to be continuously maintained and updated; and

WHEREAS, New York State has providing funding to Erie County in the amount of \$714,809.51 through the Electronic Poll Book grant program and requires no local funding; and

WHEREAS, Article 16 section 16.01(d) of the Erie County Charter provides the Board of Elections the power, without public advertisement for bids, to make all purchase of and contract for all primary and election supplies and services necessary for the operation of its office and the performance of its duties; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$229,251.82 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
2024 General Election
150GENERALELECTION2024
4/1/2024 to 3/31/2025

| <u>ACCOUNT</u> | <u>REVENUES</u> | <u>CHANGE</u> |
|----------------|--------------------|---------------------|
| 409000 | State Aid Revenues | <u>\$229,251.82</u> |
| | TOTAL | <u>\$229,251.82</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>CHANGE</u> |
|----------------|----------------------------------|---------------------|
| 505000 | Office Supplies | \$100,000 |
| 516020 | Pro Services, Contracts and Fees | \$65,000 |
| 516030 | Maintenance Contracts | \$100 |
| 530000 | Other Expenses | \$63,951.82 |
| 545000 | Rental Charges | \$100 |
| 561410 | Lab and Technical | \$100 |
| | TOTAL | <u>\$229,251.82</u> |

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$364,407.06 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
Ballot by Mail
150BALLOTBYMAIL2024
4/1/2024 to 3/31/2025

| <u>ACCOUNT</u> | <u>REVENUES</u> | <u>CHANGE</u> |
|----------------|--------------------|---------------------|
| 409000 | State Aid Revenues | \$364,407.06 |
| | TOTAL | <u>\$364,407.06</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>CHANGE</u> |
|----------------|----------------------------------|---------------------|
| 505000 | Office Supplies | \$100,000 |
| 516020 | Pro Services, Contracts and Fees | \$62,000.06 |
| 516030 | Maintenance Contracts | \$100 |
| 530000 | Other Expenses | \$202,107 |
| 545000 | Rental Charges | \$100 |
| 561410 | Lab and Technical | \$100 |
| | TOTAL | <u>\$364,407.06</u> |

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$714,809.51 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
Electronic Poll Book
150ELECTRONICPOLLBOOK2024
4/1/2024 to 3/31/2025

| <u>ACCOUNT</u> | <u>REVENUES</u> | <u>CHANGE</u> |
|----------------|--------------------|---------------------|
| 409000 | State Aid Revenues | \$714,809.51 |
| | TOTAL | <u>\$714,809.51</u> |

| <u>ACCOUNT</u> | <u>APPROPRIATIONS</u> | <u>CHANGE</u> |
|----------------|----------------------------------|---------------------|
| 505000 | Office Supplies | \$14,609.51 |
| 516020 | Pro Services, Contracts and Fees | \$50,000 |
| 516030 | Maintenance Contracts | \$50,000 |
| 530000 | Other Expenses | \$100 |
| 545000 | Rental Charges | \$100 |
| 561410 | Lab and Technical | \$600,000 |
| | TOTAL | <u>\$714,809.51</u> |

and be it further

RESOLVED, that authorization is hereby given for a no-cost time extension for four existing State of New York grants: Absentee Ballot Pre-Paid Postage (150ABSENTEEPOST2022), Early Voting Expansion (150EARLYVOTING2122), Early Voting Aid to Localities (150EARLYVOTING2122), and Election Cybersecurity Remediation (150CYBERSECURITY1921) as well as future no-cost time extensions of New York State grants to the Erie County Board of Elections; and be it further

RESOLVED, that authorization is hereby given to apply any unused balance from one grant program to the same grant program of a subsequent year, and to transfer existing positions between one grant program to the same grant program of a subsequent year with the approval of the grantor, the Director of Budget and Management, and subject to the provision of notice to the Erie County Legislature; 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 for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that authorization is hereby given to the Director of the Division of Budget 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 to the Director of Purchasing to create all necessary documents to allow for eligible purchases authorized by the 2024 General Election Grant, the Ballot by Mail Grant, and the Electronic Poll Book Grant; and that it be further

RESOLVED, that the Clerk of the Legislature is hereby instructed to forward certified copies of this resolution to the County Executive's Office, Comptroller's Office, Department of Law, Division of Budget and Management, Division of Purchasing, and Board of Elections.

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

| | | |
|-------------|----------------------------------------|--------------------------------------------------------------------------------|
| COMM. 17M-1 | ERIE COUNTY REPUBLICAN COMMITTEE | 2024 Certificate of Recommendation for Republican Commissioner of Elections |
|-------------|----------------------------------------|--------------------------------------------------------------------------------|

| | |
|---------------|-------------|
| | Attachments |
| 24COMM. 17M-1 | |



Election Commissioner Certification

To the Clerk of the County Legislature, County of Erie:

I, Michael A. Kracker, certify that at a meeting of the county committee members of the Erie County Republican Committee, held on the 30th day of September, 2024, at the Knights of Columbus located at 2735 Union Rd, Cheektowaga, NY 14227, conducted pursuant to the provisions of the election law of the state of New York and the rules of the Erie County Republican Committee, a quorum being present,

Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086

was unanimously recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections for a full four year term commencing January 1, 2025 and ending December 31, 2028, and that said designee is a registered voter of the County of Erie and a duly enrolled member of the Republican Party.

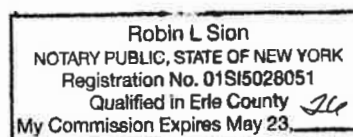
Dated at Buffalo, New York
October 3, 2024

Michael A. Kracker, Chairman
Erie County Republican Committee

State of New York)
County of Erie) ss.:

On the 3rd day of October in the year 2024, before me, the undersigned, personally appeared Michael A. Kracker, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public - State of New York
Affix Seal



Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

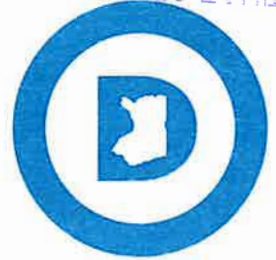
| | | |
|-------------|----------------------------------------|--------------------------------------------------------------------------------|
| COMM. 17M-2 | ERIE COUNTY DEMOCRATIC COMMITTEE | 2024 Certificate of Recommendation for Democratic Commissioner of Elections |
|-------------|----------------------------------------|--------------------------------------------------------------------------------|

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

24COMM. 17M-2

THE ERIE COUNTY DEMOCRATIC COMMITTEE

671 Seneca Street • Buffalo, New York 14210 • Phone: (716) 853-2511



Chairman

Jeremy J. Zellner

Vice-Chairs

April N.M. Baskin

John J. Crangle Jr.

Adam S. Fogel

Karen L. Hoak

Howard J. Johnson Jr.

Lavonya C. Lester

Mitchell P. Nowakowski

Amelida Ortiz-Weinmann

Benjamin M. Swanekamp

Secretary

Jennifer L. Hibit

Treasurer

Olivia M. Owens

Sergeant-at-Arms

Ivory L. Payne

Olivia Owens

Clerk of the Erie County Legislature

92 Franklin St., 4th Floor

Buffalo, NY 14202

September 30, 2024

Ms. Owens,

Attached please find the 2024 Certification of Recommendation for the Democratic Commissioner of Elections made at the biennial reorganization meeting of the Erie County Democratic Committee, duly convened and held at the Buffalo Niagara Convention Center, 153 Franklin St., Buffalo NY 14202, County of Erie, and State of New York on the 28th of September 2024.

Sincerely,

Jennifer Hibit

Secretary, Erie County Democratic Committee

**Certificate of Party Recommendation
For Commissioner of Elections
Erie County Democratic Party**
(Pursuant to Election Law, Sections 3-204)

To the Clerk of the Erie County Legislature:

We do hereby certify that:

At the biennial reorganization meeting of the Erie County Democratic Committee, duly convened and held at the Buffalo Niagara Convention Center, 153 Franklin St., Buffalo NY 14202, County of Erie, and State of New York, on the 28th of September, 2024, under the provisions of section 3-204 of the Election Law of the State of New York and the rules of the Erie County Democratic Committee, a quorum of members of such committee being present,

Jeremy J. Zellner, residing at 613 Niagara St., Tonawanda, NY 14150 (City of Tonawanda) was recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections. Said designee is a registered voter of the County of Erie and a duly enrolled member of the Democratic Party.

September 28, 2024
Buffalo, New York

IN WITNESS WHEREOF, we have made and executed this Certificate, this 30th day of September 2024



Jeremy J. Zellner, Chair and Presiding Officer
Erie County Democratic Committee

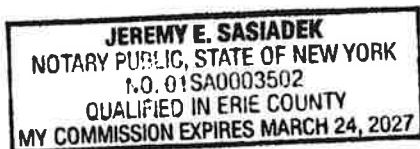


Jennifer L. Hibit, Secretary
Erie County Democratic Committee

ACKNOWLEDGEMENT

State of New York:
County of Erie: ss:
City of Buffalo:

On this 30th day of September, 2024, before me, the undersigned, a notary public/commissioner of deeds in and for said state, personally appeared Jeremy J. Zellner, Chairman and Presiding Officer and Jennifer L. Hibit, Secretary, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals described therein, and who executed the foregoing instrument, and acknowledged to me that they executed the same for the purposed therein mentioned.




Notary Public/Commissioner of Deeds


AFFIDAVIT


State of New York:
 County of Erie: ss:
 City of Buffalo:

We the undersigned, Jeremy J. Zellner, Chair and Presiding Officer and Jennifer L. Hibit, Secretary, being duly sworn, each for himself and herself, deposes and says:

That we are the same persons who signed the foregoing Certificate of Party Recommendation for Democratic Elections Commissioner. We were and are the Chair/Presiding Officer and Secretary, respectively, of the Party Committee as provided for in the Rules of the Erie County Democratic Committee, which met on the 28th day of September 2024 at 10:00 a.m. at the Buffalo Niagara Convention Center, 153 Franklin St., Buffalo NY 14202, County of Erie, State of New York; and which is the committee as provided by the rules of said party to recommend a candidate of the Democratic Party for final appointment by the Erie County Legislature.

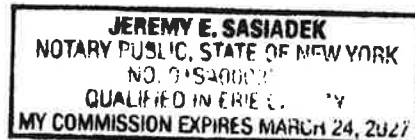
That at such meeting, the duly elected members of said Party committee did duly vote, with a quorum being present, to so recommend the candidate indicated, and the matters as stated in said Certificate are true.


 Jeremy J. Zellner, Chair and Presiding Officer
 Erie County Democratic Committee


 Jennifer L. Hibit, Secretary
 Erie County Democratic Committee

Sworn to before me this 30th day of September 2024


 Notary Public/Commissioner of Deeds



② No. 015A00035002
 Erie County
 Exp. March 24, 2027

Erie County Legislature
Meeting Date: 10/10/2024

SUBJECT

COMM. 17M-3

BOARD OF HEALTH
CHAIRMAN

Notification of Board of Health Meeting

24COMM. 17M-3

Attachments



COUNTY OF ERIE

GALE R. BURSTEIN, MD, MPH
COMMISSIONER OF HEALTH

September 23, 2024

Dear Board of Health Member:

The next Board of Health meeting is scheduled for Tuesday, October 15, 2024 at 3:00 P.M. The meeting will be held at the Lincoln Building, 4th floor, 110 Franklin Street, Buffalo, New York 14202. We will also be offering a virtual option if you prefer.

The minutes from the May 29, 2024 meeting, as well as the agenda for the October meeting, will follow under separate cover.

Please make every effort to attend the meeting. If you are unable to attend please notify Lynn Morabito at 858-8640. Thank you.

Sincerely,
 

Robert Free, Chairman
Erie County Board of Health

ERIE COUNTY BOARD OF HEALTH MEETING

October 15, 2024

AGENDA

1. Review of minutes from May 29, 2024 meeting
2. Update on Food Policy Council from Public Health Fellow/FPC
Coordinator Colette McDonald
3. Update on Sanitary Code
4. Commissioner's update
5. Old/New Business

ERIE COUNTY BOARD OF HEALTH

MINUTES

May 29, 2024

PRESENT: Robert Free, Vice President, Food & Beverages, Bisons
Baseball/Canalside/Outer Harbor, Chairman, BOH
Marilyn Tuberdyck
Maureen Montgomery, M.D.

VIA WEBEX: Gale Burstein, M.D., Erie County Commissioner of Health
Katie Dyson, M.D. – New member
Eric Henry, Sr. Public Health Sanitarian

ERIE COUNTY DEPARTMENT OF HEALTH:

Jennifer Delaney, Director of Environmental Health
Peter Tripi, Associate Public Health Sanitarian
Thomas Muscarella, Sr. Public Health Sanitarian

GUEST: Colette McDonald, FPC Coordinator
Scott Kroll, Erie County Legislature

Robert Free opened the meeting by everyone joining virtually introducing themselves.

Public Hearing for Proposed New Sanitary Code, Article XXIII

- Tom Muscarella explained that we are here to introduce a new article to the Sanitary Code for permitting inspection and enforcement of retail tobacco, retail vapor and retail smoking.
- Jennifer Delaney spoke briefly that we had this public hearing, part two, because we needed to adjust the definition within the proposed tobacco of paraphernalia, as we had left out an important word to being inclusive of all facilities versus not being inclusive. That was the only change that was made.
- Tom Muscarella gave an update on offering training courses for the tobacco vendor employees. It is not a simple process, there would be a couple levels of software. There are other entities that teach this that are certified in New York State and several of them have online options. That could potentially be a solution.

Public Hearing was adjourned.

- Rob Free will send an email to all board members for a vote on the acceptance of the changes made to the sanitary code pertaining to tobacco, vapor and paraphernalia permitting and to accept the March 19th minutes.
- The Sanitary Code revisions were passed by email votes.

BOARD OF HEALTH MINUTES

I. REVIEW OF MINUTES March 19, 2024

- Rob Free will send an email asking for a vote of approval of the revised Sanitary Code.

II. FOOD POLICY COUNCIL

Collette McDonald, Coordinator for Food & Policy Council presented the Food Policy Updates

- FPC Sponsored the Erie County Local Government Food System Summit, May 21, 2024. The FPC, Department of Environment and Planning, Office of Health Equity, Rural Outreach Center, Cornell Cooperative Extension of Erie County, and UB Food Lab collaborated to host a Local Food Summit geared towards local government officials to examine food systems and offer examples of how food system change can be implemented into their work.
- 2024 to help guide the next local food summit, hopefully next year.
- Collette mentioned that they have recently submitted to the Deputy County Executive, an updated list of suggested items for emergency food boxes. The FPC also submitted a grant proposal to be used for the "Find Fresh Erie County: project.
- Plans are being made to hold the summit annually and fill vacant seats in the council.

III. COMMISSIONER'S UPDATE

- Dr. Gale Burstein gave an update in that we continue to see increases in our Opioid related overdose deaths and our total overdose deaths. Through our pharmaceutical settlement fund's we've been able to be in contact with a media company called Impact about fentanyl and cocaine, and harm reduction and getting Narcan. In the meantime they did research, key informant interviews and focus groups to get more information about the community at risk and what their knowledge, attitudes and perceptions are. They sent us pilots of their bigger media campaign, we provided them with feedback. Now their scouting out locations to do shoots of individuals for the billboards and TV ads. They also have a set of demographic profiles of people in Erie County to be in those ads.

- NYS Health Department passed a law to create a registry for homes built before 1980 in areas they consider high risk for lead. These are homes that are not single, they all have to be inspected once a year. This will be a huge endeavor, it will be about 30,000 homes a year that need inspected. We will need to hire a lot of staff. The state was hoping we could rely on local municipal partners to do this work. Our local municipal partner is the City of Buffalo which has been all over the news that they're not doing housing and home safety inspections so we can't rely on them. Jen Delaney and Tom Muscarella are doing a great job in trying to build the program.
- We will be starting our summer health summer season of monitoring the beaches for fecal contamination.
- We also anticipate having a very high rate of food festivals which will keep Environmental Health very busy.
- It will be a very robust tick season. State Health Department sent out some information to Health Care Providers warning them that we're already seeing tick related disease in New York State. We will get messages out warning people about lyme disease caused by of tick bites.
- The Family Planning Clinic is getting busier. We're offering medication abortions so patients are coming in asking for these services. We want to make sure we can meet the reproductive health needs of the community.
- We're seeing a huge increase in chlamydia cases. I'm trying to educate the clinics in the city of Buffalo that provide any type of sexual health services about this. I am also talking to the colleges and universities about this in their student health.
- The Medical Examiner's Office renovation should be done this fall and will have an open house.
- A New Office of Health Equity report that includes a lot of focus groups and key informant interviews to people in the community that are difficult to reach.
- We will be participating in the Pride Day Parade dispensing Narcan.

VI. OLD/NEW BUSINESS

- No old business
- The next meeting will be held October 15, 2024 at 3:30 PM
- Rob will send an email regarding the Public Hearing and why we had Part 2 and affirmation of the original vote.
- Meeting adjourned

Erie County Legislature
Meeting Date: 10/10/2024

| SUBJECT | | |
|---------------|--------------------------|----------------------------------------------------------|
| COMM. 17M-4 | BOARD OF ETHICS CHAIR | EC Board of Ethics - 2023 Annual Report of Activities |
| Attachments | | |
| 24COMM. 17M-4 | | |

ERIE COUNTY BOARD OF ETHICS

95 Franklin St. 6th Floor Buffalo NY 14202,

Chris G. Trapp, Chair

Annual Report of Activities for 2023

Executive Summary: The Erie County Board of Ethics provides an Annual Report of Activities to the Erie County Legislature and County Executive. The report identifies the legislative authority, powers and duties of the Board, membership and frequency of meetings.

The Board received complaints about alleged ethical violations, requests for disclosure under FOIL and requests for opinions or actions. These included requests to investigate the conduct of elected officials, the right of individuals to hold elective offices as well as being employed by the County, as well as some issues outside the jurisdiction of the Board.

The Board also was asked for or provided opinions on potential conflicts of interest of current or future employees. The Board answered questions concerning completing the Annual Financial Disclosure Form. Board also received and reviewed all Annual Financial Disclosure Forms. The Board contacted filers with incomplete forms and sought additional information to clarify initial submissions. The Board also sent follow-up letters to specific individuals identifying potential conflicts of interest.

The 2023 Financial Disclosure Forms (for calendar year 2023) included edits and explanations to clarify information requested and reduce errors and the need for follow-ups.

<http://www2.erie.gov/ethics/sites/www2.erie.gov.ethics/files/uploads/Financial-Disclosure-Form.pdf>

The Erie County Board of Ethics is an independent administrative unit of Erie County. The Board's powers and duties are derived from the updated Code of Ethics County Law (2-2018) and New York State Municipal Law Article 18. Section 10 (d) of the Code provides that "the Board shall be the repository for completed annual statements of financial disclosure required by this local law." Erie County employees who are elected officials or in policy-making positions or able to make County policy are required to complete an Annual Statement of Financial Disclosure for the County of Erie by May 15. Those who must file also include members of administrative boards, chairs of county political parties, and candidates for elective offices. The Board of Elections was again notified of this need.

The Erie County Board of Ethics was established and exists pursuant to the provisions of Article 19 of the Erie County Code, as amended. The Board is charged with enforcing and implementing the provisions of the Erie County Code of the Ethics, Local Law No. 2-2018 (hereafter 'Code') pursuant to operating procedures that govern the Board. The Board shall have the power and duty to:

- A. Initiate and receive complaints of violations of any of the provisions of the Code;
- B. Conduct investigations, inquiries and hearings concerning any matter covered by the Code;
- C. Subpoena persons or documents and, by a majority vote, issue subpoenas to the fullest extent authorized by law;
- D. Determine whether to investigate and whether to act upon any particular complaint;
- E. Request the assistance of other appropriate agencies in conducting investigations;
- F. Consult with County agencies, officials and employees on matters involving ethical conduct which are specific to the County of Erie Board of Ethics;
- G. Recommend such legislative action as it may deem appropriate to effectuate the policies within the Code;
- H. Promulgate rules and regulations for the conduct of Board of Ethics activities, including procedural rules consistent with the requirements of due process of law;

- I. Prescribe forms for the disclosure and registration of information as provided in the Code;
- J. Render advisory opinions with respect to the provisions of the Code;
- K. Advise any individual whose acts are the subject of a complaint to the board and consult with such individual early in the process;
- L. Accept and consider complaints of violations of the Code, and offer recommendations with respect to remedies for violation of that chapter; and
- M. Provide an annual report to the Erie County Legislature and the County Executive with respect to the actions of the Ethics Board during the preceding calendar year.

For 2023, the following served as members or staff of the Board:

Chris Trapp, Chair (Term 12/31/2025)
 Brian Downey, Vice Chair (Term 12/31/202_)
 Heather Gresham (Term 12/31/2024)
 Ellen Kennedy (Term 12/31/2023)
 Taunya Abaya (Term 12/31/2027)
 Aaron Rubin, Counsel, Department of Law
 Barbara A. Piazza, Chief Ethics Officer, Department of Personnel

The Board met nine times during 2023. All meetings were posted with the Ethics Board Minutes as well on the Board's website. The following were significant issues dealt with by the Board during 2023:

1. Recommendations to the Legislature:
 - a. **The Board again recommends that the Legislature amend the Code of Ethics to include issues of nepotism. Model language is included from the 2014, City of Lockport Code of Ethics that added the following: § 18-17 Nepotism. Except as otherwise required by law: A. Effective *****, no municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board. Effective *****, no municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.** This request has been outstanding for years without resolution by the County.
 - b. **The Board again recommends that, at the time of appointment or election, elected officials, affected employees and board members should be notified of the requirement to file Annual Financial Disclosures with the Board for the year they are elected or appointed.**
 - c. The law requires that candidates for County offices are required to file timely Financial Disclosure with the Board of Ethics. The Board of Ethics is required to request a list of candidates for elected office from the Board of Elections. **The Board again recommends that the Legislature clarify which agency is required to notify candidates of the filing requirement.** This Board has notified the Board of Elections with respect to this requirement.
 - d. **The Board again requests that electronic signatures on Financial Disclosures be allowed to facilitate electronic submission of the form, thus reducing time, storage issues, and costs.**
2. Communications: The Erie County Board of Ethics website <http://www2.erie.gov/ethics/> and email erieethicsboard@gmail.com continued to be updated to improve public communication directly to and from the Board. The Chief Ethics Officer coordinates Website updates, including meeting schedules, reports, agenda, minutes, updated Rules and Regulations and the current Financial Disclosure Form. When possible, drafts of monthly minutes are posted two weeks following meetings. Email requests are forwarded to the Chair who responds between meetings, when practicable. A new Website was formatted on April, 2021: <https://www3.erie.gov/ethics/>

- a. Website updated with 2023 meeting minutes, future meeting dates in 2024, draft agenda and updated Annual Report, Rules & Regulations, and Financial Disclosure Forms. A link to meeting recordings by Legislature staff is established on the Board website (<http://www2.erie.gov/legislature/index.php?q=erie-county-board-ethics>).
- b. Communications were received requesting advice on completion of the Disclosure Form. There were also complaints about alleged ethical violations, requests for copies of disclosures under FOIL and requests for opinions or actions.
- c. The Annual Report of Activities for 2022 was submitted in August 2023 to the Legislature and County Executive
<http://www2.erie.gov/ethics/sites/www2.erie.gov.ethics/files/uploads/2016%20Annual%20Report%20Board%20of%20Ethics%20PDF.pdf>.
- d. FOIL requests for Financial Disclosure Forms were received and answered. Requests were primarily disclosures of elected officials and candidates for elective offices. All those whose Financial Disclosures were released under FOIL are required to receive notice when their information is disclosed. Many FOIL requests that asked for electronic copies of Financial Disclosures were unable to be honored, because many forms are submitted by hard copy and original signatures. Some information related to minors is redacted. The Board may reconsider these requests for electronic copies as more forms are submitted electronically. No fees were waived for production of copies.
- e. An issue was raised with respect to the County Executive driving during a ban on driving in a blizzard. The Board concluded that the driving was in connection with his official position.
- f. If a FOIL request is made in the future, the Board will identify the person making the request and what documents are being requested. We will also send a copy of the Board's response to the subject of the complaint. If the request is for a history of complaints, both the cover letter and the information request will include the disclaimer that a complaint is not evidence of an ethics violation. We will redact phone numbers from any documents provided. Our minutes will identify the complainant and the subject of the complaint.
- g. The Board also received links to copies of the Legislature Submissions Pursuant to Erie County Code of Ethics, Disclosure of Family Members Employed by any governmental agencies.
- h. The Board submitted a formal request to the County Executive for a Chief Ethics Officer position to manage executive functions such as answering inquiries, following up disclosures, working with departments and Boards and outlining and writing investigations for the Board. The responsibilities of the Board have expanded in the years since the revision of the Local Law. Members of the volunteer Board do not have, nor can they be expected to spend, the time required to manage these expanded duties in the timely manner. All but one of the Board members is employed in a full-time capacity in positions outside of County government.

3. Complaints and requests for investigations:

- a. The Board addressed an inquiry received with respect to potential conflicts of interest with the Supervisor of the Town of Evans also holding office as a Deputy County Comptroller. An investigation was undertaken and information with respect to the duties was forwarded to the Personnel Office.
- b. A question was raised with respect to the Town Clerk of the Town of West Seneca also acting as the head of the Town Democratic Party.
- c. A request was received by a resident with respect to the timely posting of minutes and agendas. The Chief Ethics Officer examined the situation and worked with the Personnel Office to ensure a more timely posting of same. The actual location of the meeting will now be posted on the door entering the building.

- d. The Chief Ethics Officer in concert with the County Attorney's Office developed a PowerPoint presentation for County employees on ethics for training purposes.
 - e. Some complaints and requests for investigations were outside the authority of the Board of Ethics. All complainants were given information on other venues available to pursue their complaints.
 - f. Reviews with respect to the Stadium Inclusion Task Force and issues involving the interrelationships between Peaceprints of WNY, and the Erie County Corrections Specialist Advisory Board were undertaken.
 - g. A request was made to examine a complaint of a conflict of interest involving the County Executive by a political opponent. The consensus of the majority of the Board was that the Board lacked the jurisdiction to undertake the review.
 - h. A request was made to review the definition of spouse and relative with respect to the Code.
 - i. An initial request was made by the outgoing Supervisor of the Town of Cheektowaga for ethics training for the Town Board of Ethics, but was not followed up by the new Town Supervisor.
 - j. An inquiry was made with respect to the Town of Alden, but the matter was referred to the Town Ethics Board.
 - k. The Board provides continued advice to county department on various issues.
4. Financial Disclosures – Letters were sent to department heads on February 2023 requesting lists of employees and board members required to file 2022 Financial Disclosures.
- a. Only minor updates to the 2022 Financial Disclosure Form were made to the form for purposes of clarification and to reduce errors. All forms must be hand signed. The Board reviewed the current barriers to use of electronic signatures on the forms (See recommendations to the Legislature above.). Scanned forms would be sent to a secure email address and faxed forms would be sent to a secure line.
 - b. Departments and Boards submitted lists of those required to file disclosures for 2022. The Board of Elections also provided names of possible candidates for elective offices as required by Ethics Law 2018 section 4c.
 - c. Financial Disclosure Forms were printed and distributed by mail or by personal service on April 2023, as required by law.
 - d. All 325 of the required financial disclosures were received after sending delinquent letters to less than ten filers, imposing a penalty of \$2000 which could be waived upon receipt of their Financial Disclosures. All penalties were waived after timely submissions.
 - e. The Board as a whole reviewed all 325 of the individual disclosure forms for completeness and possible ethical violations.
 - f. Twenty-four disclosures required follow-up contacts by Chair or the Support Staff, as authorized by the Board. Follow-up communications were routinely required in instance of missed questions, missed pages, unclear abbreviations and unclear descriptions of membership on Boards. The Chair sent five letters cautioning against potential conflicts of interest. These five letters to elected officials or Board members cautioned them about avoiding conflicts of interest and informing them about any necessary recusals and requirements to report these potential conflicts to the Clerk of Legislature and the County Attorney. (The Board utilizes templates to request additional information, to warn of potential conflicts of interest, or to notify individuals that they had violated county law by accepting gifts in excess of allowable amounts. Copies are also sent to the department heads and the District Attorney, when appropriate.)
 - g. After all reviews, the Board noted ways to reduce errors and increase accuracy and made recommendations for improvement to the Financial Disclosure Form for the following year.
 - h. The Financial Disclosure Form is in pre-fillable format on the website but still requires actual signatures. **In the future, the Board request that the county create an**

online Form able to accept an electronic signature. An electronic submission (fillable PDF) with proper signature provisions would substantially reduce paperwork, storage, and printing costs.

<http://www2.erie.gov/ethics/sites/www2.erie.gov.ethics/files/uploads/Financial-Disclosure-Form.pdf>

5. Erie County Board of Ethics Rules & Regulations

- a. The Board maintained the policy on confidentiality of identities of complainants, subjects of complaints and results of investigations as effected by public information (i.e., news). Where parties to a complaint or request for investigation have disclosed their role in the matter in public (i.e. public meetings or in public media) the Board may also chose to discloses the names and issues at Board meetings which it determined to do.

"Section 6.13 Policy of Confidentiality

Investigations and consideration by the Board of potential violations of the Ethics Code shall be conducted confidentially and shall not be disclosed to the public, except as necessary to carry out the powers and duties of the Board. The final determination of the Board on an Investigation shall be made available to the public with such deletions as may be necessary to prevent disclosures of any information the Board determines to be confidential, in accordance with the Freedom of Information Act, as amended." Ethics Board Policy and Procedures.

6. Other Issues:

- a. Since 2019 the Erie County Personnel Department requires completion of an Annual Erie County Code of Ethics Employee Disclosure Forms for all employees. The Personnel Department sends employees this financial disclosure for those not required to file the Annual Form from the Board of Ethics. This has created some confusion. **Although this is not within the purview of the Board, the Board of Ethics continues to recommend that these completed disclosure forms be reviewed by Departments before filing in personnel folders.**