



THE ERIE COUNTY LEGISLATURE

Session No. 10
MAY 22, 2025

Timothy J. Meyers
Chair

John J. Gilmour
Majority Leader

John J. Mills
Minority Leader

Olivia M. Owens
Clerk of the Legislature

ROLL CALL

INVOCATION: Mr. Gilmour

PLEDGE OF ALLEGIANCE: Mr. Bargnesi

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING: Meeting No. 9

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

LEGISLATURE	Honoring the Life and Legacy of the Honorable Patrick H. NeMoyer, J.S.C.
MAJORITY CAUCUS	Recognizing Mental Health Awareness Month
DUPRE & ST. JEAN TARD	Recognizing the Ordination of Lady JoAnna Lonell Wingo
KOOSHOIAN	Honoring The 150th Anniversary of The Buffalo Zoo
BARGNESI	Happy 90th Birthday June Burgler
GREENE	Recognizing Chad R. Stockwell as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Leroy W. Bender as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing George W. Bluhman as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Gary A. Bugenhagen as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Kenneth H. Bugenhagen as a Clarence Veterans Memorial Wall Honoree

GREENE	Recognizing Arnold D. Castren as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Joseph N. Currie as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Eric J. Draves as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Charles R. Fiegl as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Michael W. Gibson as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Robert "Jim" J. Gustafson as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Walter P. Leising as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Justin J. Lex as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing R. Kenneth Miller as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Joseph A. Morgante as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing John D. O'Neil as a Clarence Veterans Memorial Wall Honoree
GREENE	Recognizing Robert H. Schurr as a Clarence Veterans Memorial Wall Honoree
TODARO	Recognizing Harry "Bud" Milligan for His Contributions to the Alden Veterans Memorial
TODARO	Recognizing Conrad Borucki for His Contributions to the Alden Veterans Memorial
TODARO	Honoring Gregg Smith for 50 Years of Service with The Lancaster Volunteer Fire Department
TODARO	Celebrating Olio Bellissimo Grand Opening
GILMOUR	Honoring Keith D. Mobley on His 11th Pastoral Anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, New York

GILMOUR	Honoring Principal John Crangle on National Principal's Day
GILMOUR & MEYERS	Recognizing Apraxia Awareness Day
GILMOUR	Honoring Jeanne O'Connor During National Teacher Appreciation Week
LORIGO	Recognizing Catherine Caligiuri as a Greater East Aurora Chamber of Commerce 2025 Educator of the Year
LORIGO	Recognizing Timothy Gastle as a Greater East Aurora Chamber of Commerce 2025 Educator of the Year
LORIGO	Recognizing Scott Sitarek as a Greater East Aurora Chamber of Commerce 2025 Educator of the Year
LORIGO	Recognizing Pamela Patterson as a Greater East Aurora Chamber of Commerce 2025 Educator of the Year
LORIGO	Proclaiming July 1st as "National Postal Workers Day"
LORIGO	Recognizing NFTA Officer Ed Carney on Receiving the West Seneca Police Department Lifesaving Award
LORIGO	Recognizing Detective Lieutenant Michael Bowen on Receiving the West Seneca Police Department Lifesaving Award
MILLS	Recognizing the 200th Anniversary of the Marquis de Lafayette's Visit to Buffalo and Erie County
MILLS	Celebrating May 18--24, 2025 as Emergency Medical Services (EMS) Week and Honoring Eden Emergency and Rescue Squad
MILLS	Celebrating May 18--24, 2025 as Emergency Medical Services (EMS) Week by Honoring EMS Professionals and the Historic All-Female Crew in Evans, NY
MILLS	Celebrating May 18--24, 2025 as Emergency Medical Services (EMS) Week and Honoring Orchard Park Fire District EMS

LOCAL LAWS:

LL INTRO. 2-1 (2024)	LORIGO	The Tax Dollar Disclosure 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. 7-1 (2024)	KOOSHOIAN	The STUNT Law	Public Safety
LL INTRO. 1-1 (2025)	MILLS & TODARO	Prohibiting the Sale and Use of Sky Lanterns in Erie County	

COMMITTEE REPORTS:

Report No. 5	PUBLIC SAFETY COMMITTEE
Report No. 7	ECONOMIC DEVELOPMENT COMMITTEE
Report No. 5	HEALTH & HUMAN SERVICES COMMITTEE
Report No. 7	ENERGY & ENVIRONMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

INTRO. 10-1	ST. JEAN TARD	Protect the Bailey Ave. Bus Rapid Transit Project from Federal Disinvestment Under the Trump Admin.
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 10E-1	COUNTY CLERK	Data Disclosure In External Audit of County Clerk's Office	Immediate Consideration Requested
COMM. 10E-2	COUNTY CLERK	COMM. 6E-9 Requested Supplemental Material	Economic Development
COMM. 10E-3	COUNTY CLERK	Proposed Resolution for Acceptance of Wall of Honor Donation	Economic Development

COMM. 10E-4	COUNTY CLERK	Letter Regarding Data Disclosure In External Audit of Erie County Clerk's Office	Finance & Management
COMM. 10E-5	COUNTY EXECUTIVE	Submission Pursuant to EC Code of Ethics (Local Law #2, 2018)	Government Affairs
COMM. 10E-6	COUNTY CLERK	Letter Regarding Data Disclosure In External Audit of Erie County Clerk's Office	Finance & Management
COMM. 10E-7	SHERIFF	Submission Pursuant to EC Code of Ethics (Local Law #2, 2018)	Government Affairs
COMM. 10E-8	COUNTY EXECUTIVE	EC Storefront Revitalization Program - Authorization to Amend Existing Agreement for Administrative Services	Economic Development
COMM. 10E-9	DUPRE	Submission Pursuant to EC Code of Ethics (Local Law #2, 2018)	Government Affairs
COMM. 10E-10	DISTRICT ATTORNEY	Submission Pursuant to EC Code of Ethics (Local Law #2, 2018)	Government Affairs
COMM. 10E-11	COUNTY CLERK	Calling for Transparency, Tangible Progress, and Efficiency in External Audit of Erie County Clerk's Office	Finance & Management
COMM. 10E-12	COUNTY EXECUTIVE	Acceptance of COSSUP Grant	Health & Human Services
COMM. 10E-13	COUNTY EXECUTIVE	Indigent Legal Services Grant - ILS Statewide Expansion of Hurrell-Harring	Public Safety
COMM. 10E-14	COUNTY EXECUTIVE	Authorization to Accept Funding & Enter into Contract to Provide Outreach and Assistance for the NYS Rental Supplement Program	Health & Human Services
COMM. 10E-15	COUNTY EXECUTIVE	Authorization to Accept Federal Aid for Child Poverty Reduction and Establish a Contract with CAO of WNY	Health & Human Services
COMM. 10E-16	COUNTY EXECUTIVE	Acceptance of State Aid for Statewide Investment in More Swimming	Health & Human Services
COMM. 10E-17	COUNTY EXECUTIVE	Acceptance of SHINE Grant Funding	Health & Human Services
			Health &

COMM. 10E-18	COUNTY EXECUTIVE	Acceptance of NYSDOT Section 5310 Award of Four New Vehicles for Senior Services	Human Services
COMM. 10E-19	COUNTY EXECUTIVE	Authorization to Accept Going Places Transportation Training Funding	Health & Human Services
COMM. 10E-20	COUNTY EXECUTIVE	2025 Public Works Projects - Authorization to Appropriate Funds and Enter Into Contracts	Economic Development
COMM. 10E-21	COUNTY EXECUTIVE	Erie County Parks Signage Phase 2 Construction	Economic Development
COMM. 10E-22	COUNTY EXECUTIVE	WNY Hemlock Woolly Adelgid Collaborative Project	Economic Development
COMM. 10E-23	COUNTY EXECUTIVE	Creation of Monsanto Settlement Funding Grant Budget	Energy & Environment
COMM. 10E-24	COUNTY EXECUTIVE	ECSD No. 3 - Elma Force Main Air Release Valve Replacement	Energy & Environment
COMM. 10E-25	COUNTY EXECUTIVE	ECSD No. 2 - Big Sister Creek WRRF Secondary Aeration Blower Intake Hoods Replacement	Energy & Environment
COMM. 10E-26	COUNTY EXECUTIVE	ECSD No. 8 - East Aurora Water Resource Recovery Facility Electrical Upgrades Project	Energy & Environment
COMM. 10E-27	COUNTY EXECUTIVE	ECSD No. 2 - North Creek Pumping Station Battery Backup System	Energy & Environment
COMM. 10E-28	COUNTY EXECUTIVE	ECSD No. 3 - Southtowns Incinerators Heat Exchanger Replacement Project	Energy & Environment
COMM. 10E-29	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement (Work Order: DD-4)	Energy & Environment
COMM. 10E-30	COUNTY EXECUTIVE	EC Pursuing a NYS Empire State Development Grant on Behalf of the Lipsey Architecture Center Buffalo	Economic Development
COMM. 10E-31	COUNTY EXECUTIVE	Appointments to EC Environmental Management Council	Energy & Environment
COMM. 10E-32	SHERIFF	Personnel Adjustments	Public Safety
			Public Safety

COMM. 10E-33	SHERIFF	Acceptance of 2025 NYS Canal Corporation Marine Patrol Grant	Public Safety
COMM. 10E-34	SHERIFF & COUNTY EXECUTIVE	Authorization to Contract with University Psychiatric Practice dba UBMD Psychiatry	
COMM. 10E-35	COMPTROLLER	2015 Bonds - Refunding Bond Resolution	Finance & Management
COMM. 10E-36	DISTRICT ATTORNEY	Authorization to Accept Grant Funding for Statewide Targeted Reductions in Intimate Partner Violence Grant	Public Safety

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 10D-1	ECDSS COMMISSIONER	Comm. 12E-34 Compliance Report	Health & Human Services
COMM. 10D-2	COUNTY ATTORNEY	Forensic Audit of the Clerk's Concentration Account	Finance & Management
COMM. 10D-3	DIRECTOR OF BUDGET & MANAGEMENT	March 2025 Budget Monitoring Report	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 10M-1	EC RESTORATIVE JUSTICE COALITION	Appointment to the ECCSAB	Public Safety
COMM. 10M-2	ECCRC	EC Charter Revision Commission Recommendations	Government Affairs

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LEGISLATURE

Honoring the Life and Legacy of the Honorable Patrick H.
NeMoyer, J.S.C.

25PROC. 10-1

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring the Life and Legacy of the
Honorable Patrick H. NeMoyer, J.S.C.**

WHEREAS, the Erie County Legislature seeks to honor the lives of individuals in Erie County who, through their hard work, leave lasting impacts on our community and beyond; and

WHEREAS, **Hon. Patrick H. NeMoyer, J.S.C.**, received his J.D. from the University at Buffalo School of Law in 1977 and began his legal career as a Law Clerk for Administrative Judge James B. Kane, J.S.C.; and

WHEREAS, **Patrick H. NeMoyer J.S.C.**, served the residents of Erie County directly as Erie County Attorney from 1988 to 1993, having been appointed by County Executive Dennis Gorski; and

WHEREAS, while serving as Erie County Attorney, **Patrick H. NeMoyer, J.S.C.**, was nominated by President Bill Clinton to serve as the United States Attorney for the Western District of New York in 1993, a position he held until his election to New York State Supreme Court in 1997; and

WHEREAS, **Patrick H. NeMoyer, J.S.C.**, served twenty-five years on the New York State Supreme Court bench with distinction, and was appointed to the Appellate Division, Fourth Department, by Governor Andrew Cuomo in 2016; and

WHEREAS, after serving at the Appellate Division for six years, **Patrick H. NeMoyer, J.S.C.**, retired from the bench in 2022, however he continued practicing law in private sector and playing a pivotal role in high profile mediation; and

WHEREAS, **Patrick H. NeMoyer, J.S.C.**, contributed to his community through various professional and civic organizations, including his longtime membership on the New York State Pattern Civil Jury Instructions Committee and his work on the CHC Learning Center Board of Directors in Amherst, New York; and

WHEREAS, throughout his legal career, **Patrick H. NeMoyer, J.S.C.**, earned several accolades, such as being named the 2006 Judge of the Year by the New York State Trial Lawyers Association, Western District, the 2001 Judge of the Year by the Erie County Bar Association Commercial and Bankruptcy Committee for his establishment of the Commercial Division, among many other distinctions; and

WHEREAS, despite this long list of professional achievements, accolades, and impact on the community, **Patrick H. NeMoyer, J.S.C.**, would tell you that, above all else, he was a husband, father, grandfather, and friend — roles he cherished most deeply; and

WHEREAS, **The Honorable Patrick H. NeMoyer, J.S.C.**, passed peacefully on May 17, 2025, leaving a lasting legacy throughout Western New York, and will be sorely missed by his family, friends, colleagues, and peers.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to **honor the life and legacy of The Honorable Patrick H. NeMoyer, J.S.C.**, celebrate his achievements, and share our condolences with all those impacted by this tremendous loss.

TIMOTHY MEYERS
Chair of the
Erie County Legislature

JOHN J. MILLS
Minority Leader of the
Erie County Legislature

JOHN J. GILMOUR
Majority Leader of the
Erie County Legislature

LAWRENCE J. DUPRE
Erie County Legislator

TAISHA ST. JEAN TARD
Erie County Legislator

CHRISTOPHER D. GREENE
Erie County Legislator

MICHAEL KOOSHOIAN
Erie County Legislator

FRANK J. TODARO
Erie County Legislator

JOHN BARGNESI
Erie County Legislator

LINDSAY R. LORIGO
Erie County Legislator

JEANNE M. VINAL
Erie County Legislator

OLIVIA M. OWENS
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

MAJORITY CAUCUS

Recognizing Mental Health Awareness Month

Attachments

25PROC. 10-2

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 20, 2025

EC LEG MAY 20 '25 AM 9:59

Recognizing Mental Health Awareness Month

WHEREAS, *Mental Health Awareness Month* brings about the importance of the overall health and well-being of our families; and

WHEREAS, mental health allows us to maintain relationships, take care of ourselves and our families, take care of our physical bodies, and respond and adapt to daily life changes; and

WHEREAS, when mental health problems are detected early and treated, people can recover and maintain a healthy and independent life; and

WHEREAS, the stigma surrounding mental health remains a barrier that prevents many people from seeking the help they need and deserve; and

WHEREAS, it is imperative that each business, school, government agency, non-profit agency and community member play a role in our community's mental health needs and share the responsibility of strengthening mental health services and implementing an integrated plan to support mental health; and

WHEREAS, *Mental Health Awareness Month* celebrates the resilience and strength of individuals living with mental illness, recognizing their courage, determination, and achievements in overcoming obstacles, seeking help, and embracing hope and healing; and

WHEREAS, during *Mental Health Awareness Month*, we recognize programs that remain committed to address mental health throughout Erie County, along with supporting and training more providers, improving access to care, and building healthy environments that promote mental health.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby acknowledge *Mental Health Awareness Month* in bringing awareness to invest in mental health services and programs to help support our residents in need.

Hon. Timothy J. Meyers

Chair of the Legislature

Erie County Legislator, 7th District

Hon. John J. Gilmour

Majority Leader

Erie County Legislator, 9th District

Hon. Lawrence J. Dupre

Erie County Legislator, 1st District

Hon. Taisha St. Jean Tard

Erie County Legislator, 2nd District

Hon. Michael H. Kooshoian

Erie County Legislator, 3rd District

Hon. John A. Bargnesi Jr.

Erie County Legislator, 4th District

Hon. Jeanne M. Vinal

Erie County Legislator, 5th District

Olivia M. Owens

Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

DUPRE & ST. JEAN TARD

Recognizing the Ordination of Lady JoAnna Lonell Wingo

Attachments

25PROC. 10-3

EC LEG MAY 20 '25 AM 9:59

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 30, 2025

Recognizing the Ordination of Lady JoAnna Lonell Wingo

WHEREAS, as a hard working mother, *Lady JoAnna Lonell Wingo* began learning the lessons of determination, perseverance, and an unwavering faith at a young age; and

WHEREAS, Lady JoAnna has been a faithful servant leader in ministry, education, and community advancement for over 20 years; and

WHEREAS, she accepted her call to ministry in 1998 and was licensed under the leadership of Bishop Vernon Wayne Huffman of Kingdom Covenant Church; and

WHEREAS, since that time, she has consistently preached, taught, and lived the Gospel with power, purpose, compassion, and conviction; and

WHEREAS, as a student, Lady JoAnna founded Bible study groups and gospel choirs at Seneca Vocational High School and Niagara University, setting the stage for a lifetime of discipleship, worship leadership, and community building; and

WHEREAS, in the broader faith community, Lady JoAnna has held numerous leadership roles, including past Recording Secretary and past President of the Ministers' Wives and Widows of Buffalo and Vicinity, where she currently serves as Secretary; and

WHEREAS, she is also the President of the Great Lakes Baptist Association Ministers' Wives and Widows and Chaplain of the Women's Auxiliary of the Empire Baptist Missionary Convention of New York—roles in which she advocates for clergy families and uplifts women in ministry throughout the region and state; and

WHEREAS, in recognition of her service and professional accomplishments, Lady JoAnna was honored in March 2025 by the City of Buffalo during Women's History Month with the Education Award, and in May 2025 with the Excellence in Education Assistant Principal's Award—both affirming her role as an outstanding educator and community leader; and

WHEREAS, during the historic 2022 Blizzard of Buffalo, she helped coordinate a citywide prayer movement that brought unity, spiritual strength, and hope to countless residents in crisis; and

WHEREAS, today, *Lady JoAnna* is a highly sought-after preacher, speaker, and intercessor, having led numerous workshops, women's conferences, worship services, and prayer gatherings across Western New York; and

WHEREAS, *Lady JoAnna* has also developed as a mentor, servant and community activist while working with youth, adults and other community leaders; and

WHEREAS, her ordination is a sacred and public milestone, representing decades of spiritual labor, advocacy, and unwavering commitment to God's people; and

WHEREAS, today, we are joined together to help celebrate *Lady JoAnna Lonell Wingo*, an outstanding and religious servant, along with commending her for her steadfast Christian leadership over the years; and

WHEREAS, this Honorable Body appreciates, recognizes and give thanks to active leaders in our community such as *Lady JoAnna Lonell Wingo*, an individual who has demonstrated excellence in her calling as a "Woman of God".

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature pauses in our deliberations to honor and recognize the ordainment of *Lady JoAnna Lonell Wingo*, an individual that has proudly served the Lord with outstanding character and sincere love to create hope, happiness and restore faith to our community.

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

Hon. Taisha St. Jean Tard
Erie County Legislator, 2nd District

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

KOOSHOIAN

Honoring The 150th Anniversary of The Buffalo Zoo

Attachments

25PROC. 10-4

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 22, 2025

Honoring The 150th Anniversary of The Buffalo Zoo

WHEREAS, the purpose of this Anniversary Proclamation is to honor the Buffalo Zoo, an organization whose purposeful endeavors to secure a future where wildlife thrives, has served to enhance the quality of life of community residents and visitors for the last 150 years; and

WHEREAS, recognized as the third oldest institution of its kind in the United States, the Buffalo Zoo since its founding in 1875 has dedicated itself to the preservation of wildlife, offering a safe haven for endangered species, and contributing to local and global conservation efforts; and

WHEREAS, the Buffalo Zoo has evolved over the years, continually improving its facilities, exhibits and visitor experiences, while preserving its historically significant grounds and architecture, including landscapes, buildings, artwork and structures designed and completed by: the Works Progress Administration; Buffalo's first African American architect John E. Brent; and renown zoologist Marlin Perkins; and

WHEREAS, the Buffalo Zoo has played a vital role in the area economy by creating jobs, attracting tourists, and partnering with local schools, organizations, and other institutions to enrich the cultural and educational fabric of our community; and

WHEREAS, the Buffalo Zoo is committed to increasing access to ensure that everyone can experience the wonders of the natural world and be inspired by immersive educational programs that motivate conservation action; and

WHEREAS, through the dedication of its staff, volunteers, and supporters, the Buffalo Zoo has become a leader in animal care, sustainability, and community outreach, leaving a legacy for generations to come; and

WHEREAS, the 150th anniversary of the Buffalo Zoo marks an important milestone in the history of the City of Buffalo/Erie County/State of New York, a celebration of achievements, and a reminder of the continued importance of preserving the natural world for future generations; and

NOW, THEREFORE, BE IT

RESOLVED, that today, May 22nd, 2025, it is the desire of this Honorable Body to recognize The Buffalo Zoo on reaching the milestone anniversary of 150 years, and for their dedication to increase awareness for the importance of conservation for the benefit of both the animal kingdom and humanity.

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

BARGNESI

Happy 90th Birthday June Burgler

Attachments

25PROC. 10-5

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JUNE 6, 2025

Happy 90th Birthday June Burgler

WHEREAS, *June Burgler* bestowed discipline, emphasized education, and hard work to her loved ones; and

WHEREAS, *June Burgler, resident of Tonawanda*, graduated from Tonawanda Senior High School in 1953; and

WHEREAS, on February 23, 1957, June married Roger Burgler, also a graduate of Tonawanda Senior High School; and

WHEREAS, through their union, they became the proud parents of Roger J. Burgler Jr. and beloved grandparents of their only grandchild, Justin J. Burgler; and

WHEREAS, June and Roger shared 64 fruitful and vibrant years of marriage until the passing of Roger in 2021; and

WHEREAS, June was a loving and loyal wife to Roger throughout his storied career as a City of Tonawanda Fire Fighter for 37 years; and

WHEREAS, each year, June and Roger shared countless memories during their annual vacation to Cape Cod; and

WHEREAS, June loves antiques and at once belonged to an antique club; and

WHEREAS, June enjoyed collecting Tiffin glass; and

WHEREAS, today, we honor ***June Burgler***, a woman who has graced us and all of those around her; and

WHEREAS, this Honorable Body celebrates ***June Burgler*** who is idolized by many for the person she is and for sharing her gifts with the community.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby honor ***June Burgler*** on this occasion in celebrating her 90th birthday and sincerely appreciates her love for life and devotion to Tonawanda and Erie County; and be it further

RESOLVED, that the Erie County Legislature wishes ***June Burgler*** a very blessed 90th birthday as well as health, love, happiness in all her years to come.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Chad R. Stockwell as a Clarence Veterans
Memorial Wall Honoree

Attachments

25PROC. 10-6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Chad R. Stockwell
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of the Erie County Legislature of New York is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top and "STATE OF NEW YORK" are at the bottom, separated by stars. The entire seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of ***Chad R. Stockwell***, who served in the ***United States Army*** from ***2004 to 2010***, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Leroy W. Bender as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-7

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Leroy W. Bender
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "1792" is on the left. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Leroy W. Bender*, who served in the *United States Army* from *1939 to 1945*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing George W. Bluhman as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-8

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing George W. Bluhman
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is flanked by two crossed anchors. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "OF" is in the center. The entire seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *George W. Bluhman*, who served in the *United States Army* from *1941 to 1945*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Gary A. Bugenhagen as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-9

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Gary A. Bugenhagen As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "OF" is in the center. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Gary A. Bugenhagen*, who served in the *United States Air Force* from *1968 to 1973*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Kenneth H. Bugenhagen as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-10

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Kenneth H. Bugenhagen As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "OF" is in the center. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of ***Kenneth H. Bugenhagen***, who served in the ***United States Marine Corps*** from ***1957 to 1963***, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Arnold D. Castren as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-11

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Arnold D. Castren
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of the Erie County Legislature of New York is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "LEGISLATURE" is on the left. The shield is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Arnold D. Castren*, who served in the *United States Navy* from *1953 to 1959*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Joseph N. Currie as a Clarence Veterans Memorial
Wall Honoree

25PROC. 10-12

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Joseph N. Currie
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a castle, a river, and a bridge. The shield is flanked by two crossed anchors. The words "ERIE COUNTY" are arched over the top of the shield, and "STATE OF NEW YORK" is arched along the bottom. The entire seal is surrounded by a decorative border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Joseph N. Currie*, who served in the *United States Army* from *1966 to 1972*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Eric J. Draves as a Clarence Veterans Memorial
Wall Honoree

25PROC. 10-13

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Eric J. Draves
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a bridge, a river, and a city. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "1792" is on the right side. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Eric J. Draves*, who served in the *United States Army* from *1993 to 2003*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Charles R. Fiegl as a Clarence Veterans Memorial
Wall Honoree

25PROC. 10-14

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Charles R. Fiegl
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top and "STATE OF NEW YORK" are at the bottom, separated by stars. The entire seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Charles R. Fiegl*, who served in the *United States Navy* from *1944 to 1946*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

HON. CHRISTOPHER D. GREENE

Erie County Legislator, District 6

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Michael W. Gibson as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-15

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Michael W. Gibson As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and

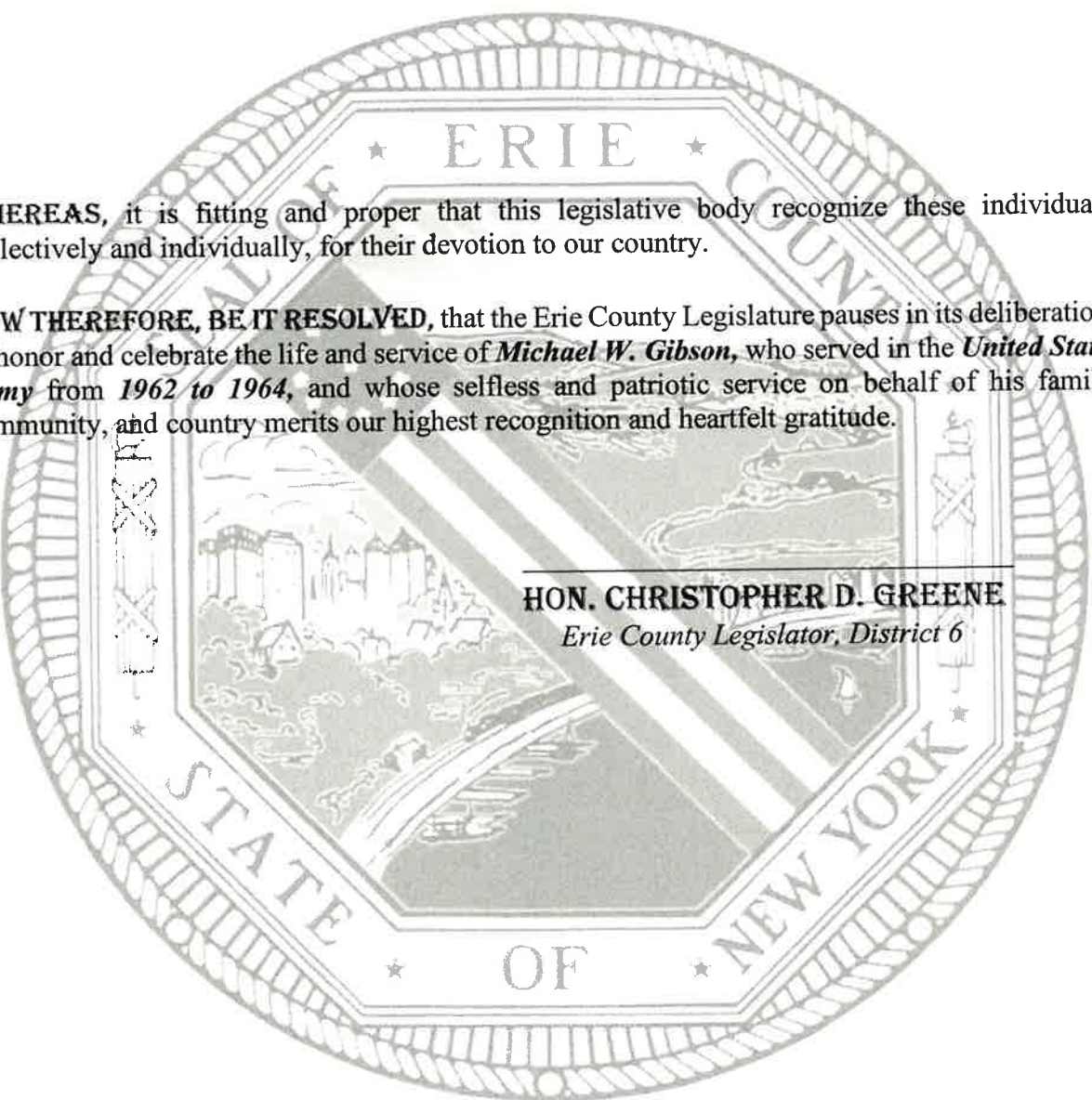
WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "OF" is in the center. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Michael W. Gibson*, who served in the *United States Army* from *1962 to 1964*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Robert "Jim" J. Gustafson as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-16

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Robert "Jim" J. Gustafson
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "OF" is in the center. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of **Robert "Jim" J. Gustafson**, who served in the **United States Army** from **1941 to 1945**, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Walter P. Leising as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-17

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Walter P. Leising
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a bridge, a river, and a city. The shield is divided by a diagonal band. The words "ERIE COUNTY" are arched over the top of the shield, and "STATE OF NEW YORK" is arched along the bottom. The entire seal is surrounded by a decorative rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Walter P. Leising*, who served in the *United States Army* from *1942 to 1946*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Justin J. Lex as a Clarence Veterans Memorial
Wall Honoree

25PROC. 10-18

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Justin J. Lex
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and

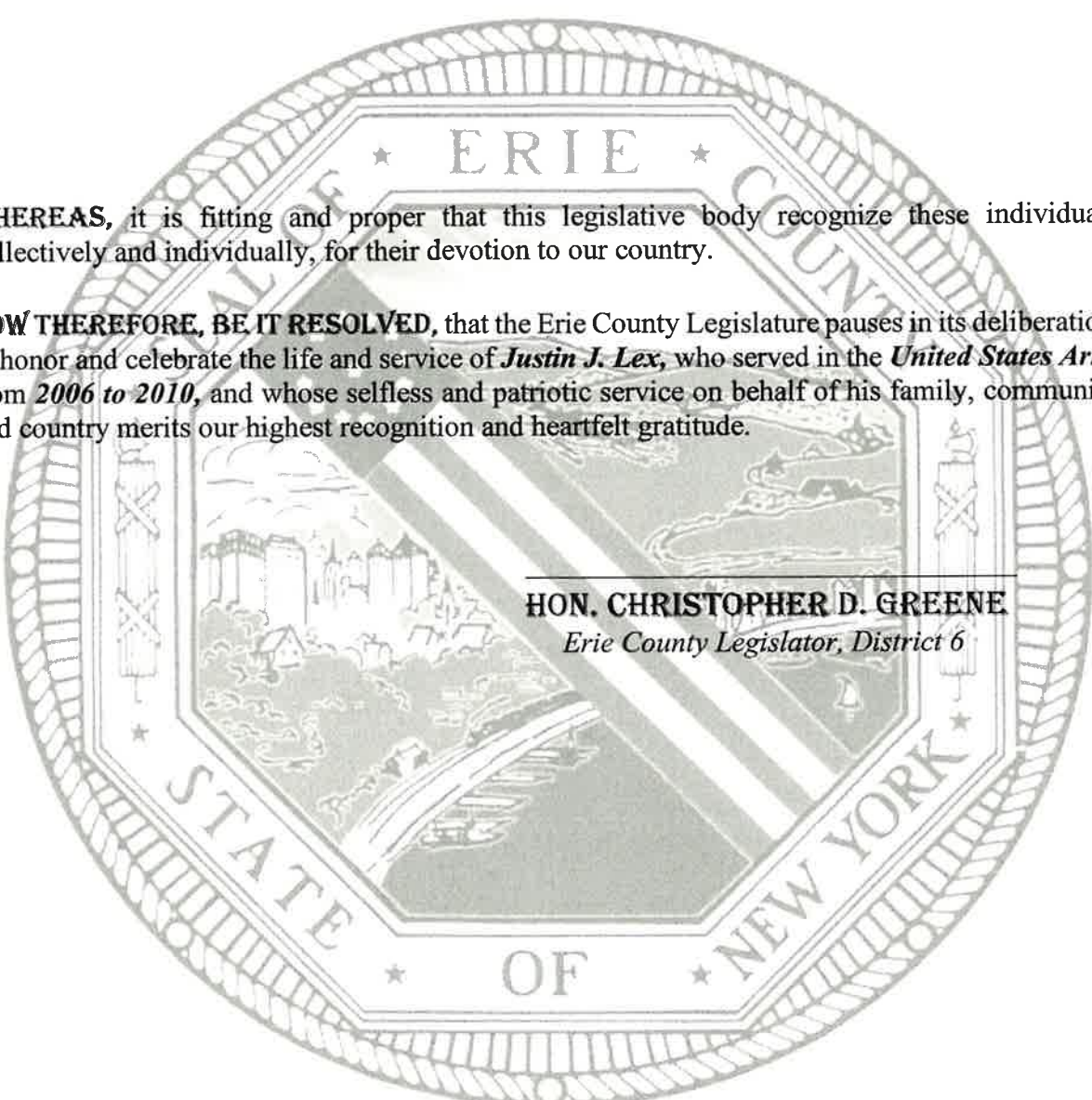
WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top and "STATE OF NEW YORK" are at the bottom, separated by stars. The entire seal is surrounded by a decorative border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *Justin J. Lex*, who served in the *United States Army* from *2006 to 2010*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing R. Kenneth Miller as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-19

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing R. Kenneth Miller As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and

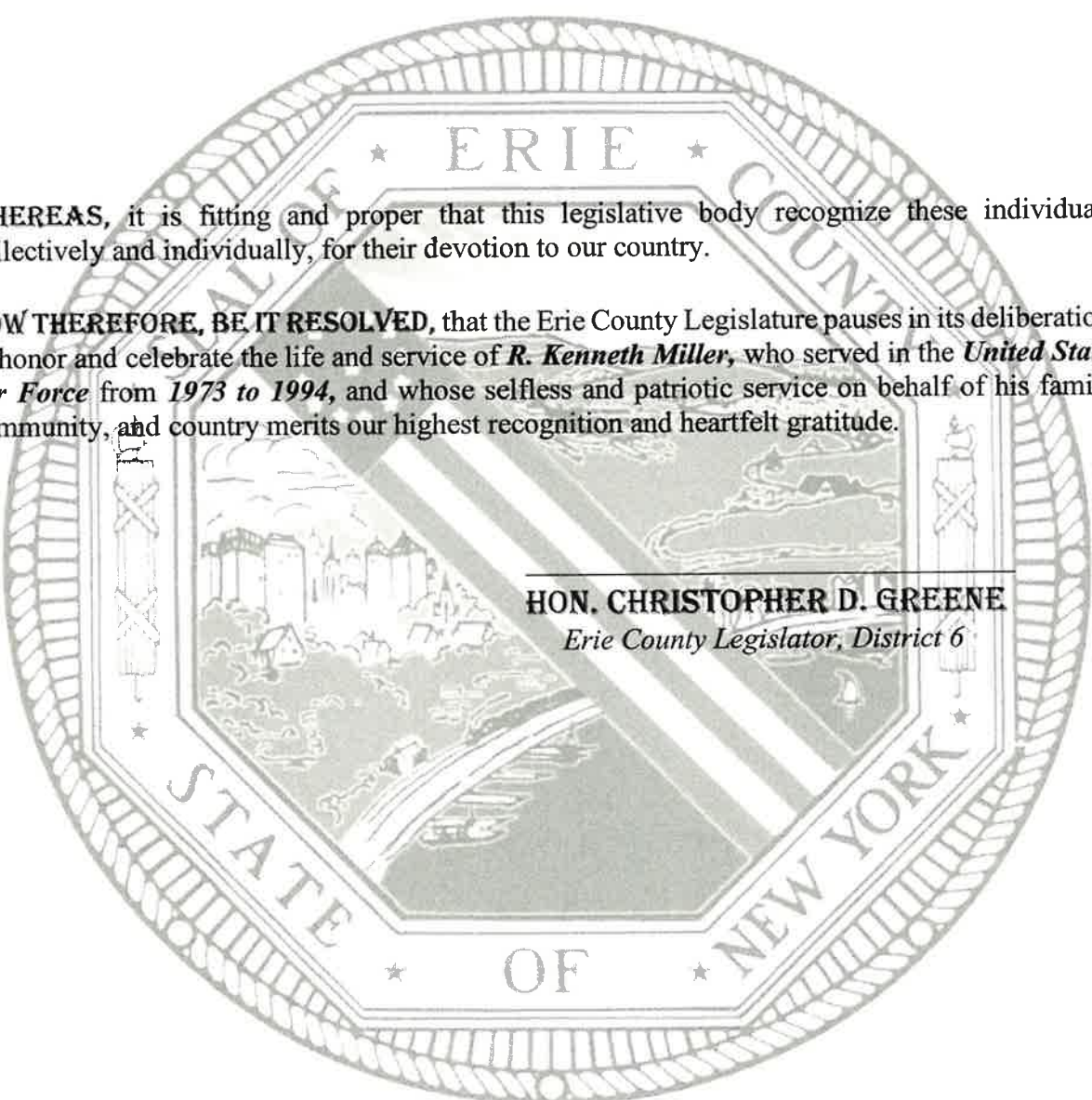
WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are at the top, "STATE OF NEW YORK" are at the bottom, and "1792" is on the left. The seal is surrounded by a rope-like border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of ***R. Kenneth Miller***, who served in the ***United States Air Force*** from ***1973 to 1994***, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

HON. CHRISTOPHER D. GREENE

Erie County Legislator, District 6

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Joseph A. Morgante as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-20

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Joseph A. Morgante As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a city skyline, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are arched across the top, and "STATE OF NEW YORK" is arched across the bottom. The entire seal is surrounded by a decorative border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of ***Joseph A. Morgante***, who served in the ***United States Marine Corps*** from ***1959 to 1966***, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing John D. O'Neil as a Clarence Veterans Memorial
Wall Honoree

25PROC. 10-21

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing John D. O'Neil As a Clarence Veterans Memorial Wall Honoree

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of Erie County, New York, is a circular emblem. It features a central shield with a landscape scene including a bridge, a body of water, and a city skyline. The shield is flanked by two vertical banners, each with a cross. The outer ring of the seal contains the text "ERIE COUNTY" at the top and "STATE OF NEW YORK" at the bottom, separated by stars.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of *John D. O'Neil*, who served in the *United States Coast Guard* from *1944 to 1946*, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

HON. CHRISTOPHER D. GREENE

Erie County Legislator, District 6

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GREENE

Recognizing Robert H. Schurr as a Clarence Veterans
Memorial Wall Honoree

25PROC. 10-22

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Robert H. Schurr
As a Clarence Veterans Memorial Wall Honoree**

WHEREAS, the greatest tribute we can offer to those who have safeguarded our freedoms is to honor the service and sacrifice of our veterans, many of whom have paid the ultimate price to uphold the liberties we cherish; and

WHEREAS, the freedoms we enjoy as Americans have been secured and preserved through generations of courage, commitment, and sacrifice; and


WHEREAS, since the founding of the original thirteen colonies, brave Americans have stood ready to defend the principles enshrined in the United States Constitution and the Bill of Rights, even at the cost of their own lives; and

WHEREAS, our nation's veterans—through love of country and devotion to duty—have endured hardship, separation, and personal loss in service to a cause greater than themselves, understanding deeply the true cost of liberty and bearing it each day since the birth of our Republic; and

WHEREAS, Erie County proudly recognizes and honors the more than 52,000 veterans who call our community home—Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who placed the well-being of others above their own with unwavering dedication and valor; and

WHEREAS, as a meaningful tribute to these heroes, the Clarence Rotary Club established the *Clarence Veterans Memorial Wall*—an enduring monument to honor the service and sacrifice of Clarence residents who served in the Armed Forces of the United States; and

WHEREAS, in 2021, the names of 503 service members were engraved on the wall, ensuring that their contributions to our nation are remembered with gratitude and respect for generations to come, with 17 names being added this year; and

The seal of the Erie County Legislature of New York is a circular emblem. It features a central shield with a landscape scene including a city, a river, and a bridge. The shield is divided by a diagonal band. The words "ERIE COUNTY" are arched over the top of the shield, and "STATE OF NEW YORK" is arched along the bottom. The entire seal is surrounded by a decorative border.

WHEREAS, it is fitting and proper that this legislative body recognize these individuals, collectively and individually, for their devotion to our country.

NOW THEREFORE, BE IT RESOLVED, that the Erie County Legislature pauses in its deliberations to honor and celebrate the life and service of ***Robert H. Schurr***, who served in the ***United States Navy*** from ***1943 to 1946***, and whose selfless and patriotic service on behalf of his family, community, and country merits our highest recognition and heartfelt gratitude.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

TODARO

Recognizing Harry "Bud" Milligan for His Contributions to
the Alden Veterans Memorial

Attachments

25PROC. 10-23

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd Day of May 2025, A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Harry “Bud” Milligan for his
Contributions to the Alden Veterans Memorial**

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

WHEREAS, in 2016, the **Alden Veterans Memorial** was erected to honor heroes from the Alden community who have made the ultimate sacrifice in defense of our nation, so that the people of Alden may remember and show their respect to these fallen heroes at any time they see fit; and

WHEREAS, the **Alden Veterans Memorial** currently honors 70 Alden residents who served their country in the United States, Europe, Korea, Vietnam, the Persian Gulf, Iraq, and Afghanistan; and

WHEREAS, the **Alden Veterans Memorial** was funded entirely by the community of Alden through fundraisers and the sale of bricks to build this magnificent memorial, and did not use taxpayer dollars; and

WHEREAS, while the **Alden Veterans Memorial** was a community effort, it would not have been possible without the efforts of **Judge Al Gerhart**, designer **Conrad Borucki**, former Alden town supervisor **Harry “Bud” Milligan**, and **Phillip Arnold**, all of whom served or had family members who have served and felt a need to commemorate the fallen heroes of Alden; and

WHEREAS, it is especially important to recognize the efforts of **Harry “Bud” Milligan**, who was the Supervisor of Alden for 24 years, moving to the town in 1970 after his service in the Army. He has three children and eight grandchildren, and every year for Memorial Day, Bud secures the flags for the graves, waters the flowers, and organizes the entire town’s celebrations.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Bud Milligan** for his contribution to the **Alden Veterans Memorial** and thank the Town of Alden for continuing this hallowed tradition in honor of our fallen service members.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

TODARO

Recognizing Conrad Borucki for His Contributions to the
Alden Veterans Memorial

25PROC. 10-24

Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd Day of May 2025, A.D., a resolution was adopted, of which the following is a true copy:

Recognizing Conrad Borucki for his Contributions to the Alden Veterans Memorial

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

WHEREAS, in 2016, the **Alden Veterans Memorial** was erected to honor heroes from the Alden community who have made the ultimate sacrifice in defense of our nation, so that the people of Alden may remember, and show their respect to these fallen heroes at any time they see fit; and

WHEREAS, the **Alden Veterans Memorial** currently honors 70 Alden residents who served their country in the United States, Europe, Korea, Vietnam, the Persian Gulf, Iraq, and Afghanistan; and

WHEREAS, the **Alden Veterans Memorial** was funded entirely by the community of Alden through fundraisers and the sale of bricks to build this magnificent memorial, and did not use taxpayer dollars; and

WHEREAS, while the **Alden Veterans Memorial** was a community effort, it would not have been possible without the efforts of **Judge Al Gerhart**, designer **Conrad Borucki**, former Alden town supervisor **Harry "Bud" Milligan**, and **Phillip Arnold**, all of whom served or had family members who have served and felt a need to commemorate the fallen heroes of Alden; and

WHEREAS, it is especially important to recognize the efforts of **Conrad Borucki**, a retired middle school science teacher, award-winning painter, and Alden Historical Society trustee who designed the memorial, drawing inspiration from his late father and father-in-law, who both served in WWII.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Conrad Borucki** for his contributions to the **Alden Veterans Memorial** and thank the Town of Alden for continuing this hallowed tradition in honor of our fallen service members.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

TODARO

Honoring Gregg Smith for 50 Years of Service with The
Lancaster Volunteer Fire Department

25PROC. 10-25

Attachments

STATE OF NEW YORK LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:

Honoring Gregg Smith for 50 Years of Service with The Lancaster Volunteer Fire Department

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

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

WHEREAS, Gregg Smith first began volunteering for the Lancaster Fire Department in 1975 after being inspired by his grandfather Cy Smith, who served as a firefighter; and

WHEREAS, Gregg Smith's 50-year career is full of accolades, including receiving the Lancaster Firefighter of the Year Award in 2016 and the Chiefs Award in 2020; and

WHEREAS, Gregg Smith has also held many titles during his tenure, such as being the Citizens Hose President for over 30 years and being the Lancaster Fire Department President from 2001 until 2008; and

WHEREAS, Gregg Smith has selflessly dedicated much of his life serving others, inspiring others within and outside of the fire service to give back to their community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Gregg Smith for 50 Years of Service** with the Lancaster Fire Department and thank him for his lifelong dedication to Lancaster and its community.

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

TODARO Celebrating Olio Bellissimo Grand Opening

25PROC. 10-26 Attachments

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:

Celebrating Olio Bellissimo Grand Opening

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

WHEREAS, oils and vinegar are two of the oldest ingredients known to mankind, with both being mentioned in the Bible on multiple occasions; and

WHEREAS, olive oil was first produced in the Middle East over eight thousand years ago, and vinegar has been mentioned as a condiment and preservative since the dawn of civilization in ancient Babylon; and

WHEREAS, **Olio Bellissimo** was founded by **Joe Lauricella**, the company's president, in Lancaster, New York, and celebrated its grand opening on May 16, 2025; and

WHEREAS, **Olio Bellissimo** specializes in high-quality olive oils, sourced globally to account for seasonal shifts in the climate and to ensure the highest grade of oil; and

WHEREAS, **Olio Bellissimo** carefully selects its balsamic vinegar from a farm that can trace its roots back to the late 1800s in Modena, Italy; and

WHEREAS, olive oil and balsamic vinegar can and often are used for cooking, however, the highest quality oils and vinegars are also used as a garnish; and

WHEREAS, **Joe Lauricella** is proud to serve his community with these high-grade products, and this location marks the first brick-and-mortar location he has opened for **Olio Bellissimo**.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate **Olio Bellissimo** on its Grand Opening in Lancaster, New York, and wishes **Joe Lauricella** many years of success.

HON. FRANK J. TODARO

Erie County Legislature, District 8

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

GILMOUR

Honoring Keith D. Mobley on His 11th Pastoral Anniversary
of Mt. Olive Missionary Baptist Church, Lackawanna, New
York

Attachments

25PROC. 10-27

EC LEG MAY 26 '25 10:00

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

LACKAWANNA, NY, MAY 25, 2025

***Honoring Keith D. Mobley on his 11th Pastoral Anniversary of
Mt. Olive Missionary Baptist Church, Lackawanna, New York***

WHEREAS, Mt. Olive Missionary Baptist Church in Lackawanna is proud to have served the community for over 80 years as a faith-filled community of religious; and

WHEREAS, Mt. Olive Missionary Baptist Church in Lackawanna commemorates its ministry while remaining committed to the future work ahead in ministering to the people; and

WHEREAS, ***Pastor Keith D. Mobley*** is celebrating his 11th ***pastoral anniversary*** as the 8th Pastor of the Mt. Olive Missionary Baptist Church, Lackawanna, NY on Sunday, May 25, 2025; and

WHEREAS, Pastor Mobley received a master's degree in Christian studies from Bible Centre College of Rochester in Rochester, NY; and

WHEREAS, in April 2003, Pastor Mobley was licensed to preach the Gospel at the Mt. Olive Missionary Baptist Church, Lackawanna, New York, and in 2003 was ordained at Mt. Olive Missionary Baptist Church, Lackawanna, under the leadership of Pastor Dion J. Watkins; and

WHEREAS, Pastor Mobley has proudly served as Sunday School Teacher and served as Assistant Pastor for 10 years at Mt. Olive Missionary Baptist Church, Lackawanna, NY under Pastor Dion J. Watkins, and

WHEREAS, in May 2014, Pastor Mobley was called to serve as the eighth pastor of the Mt. Olive Missionary Baptist Church in Lackawanna; and

WHEREAS, under the direction of the Holy Spirit, Pastor Mobley has fervently embraced the visions of each of the dynamic trailblazers who preceded him as leaders of Mt. Olive church over the past 80 years; and

WHEREAS, by God's blessing and approval, Pastor Mobley has been married, loved, and supported dearly by his Wife and 1st Lady of the church, Elizabeth and together, they have blessed to be the proud parents to four outstanding children: Tyson, Talia, Tevin, and Troy; and

WHEREAS, Pastor Mobley has developed as a mentor, servant and community activist while working with youth, adults and other community leaders and is currently serving as the President of the Baptist Minister's Conference of Buffalo and Vicinity as well as 2nd Vice Moderator of the Great Lakes Baptist Association; and

WHEREAS, the parishioners of Mt. Olive Missionary Baptist Church, as well as Pastor Mobley's family, friends, fellow pastors, and congregations are joining together to help celebrate the service of this outstanding religious servant and to commend him for his steadfast Christian leadership over the years; and

WHEREAS, he continues to provide the strong leadership needed to help improve and enrich the Mt. Olive church family, helping them to advance and grow to progressive heights; and

WHEREAS, throughout the month of May, special guests and ministers have joined together to give praise and well-deserved blessings as we celebrate Pastor Keith Mobley's Pastoral Anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, NY; and

WHEREAS, over the past decade, Pastor Mobley's congregation is very proud to call him their Pastor, Spiritual Leader, friend, genuine Man of God, and will continue to look forward to his continued spiritual guidance for many years to come; and

WHEREAS, this Honorable Body appreciates, recognizes and give thanks to active leaders in our community such as ***Pastor Keith Mobley***, an individual who has demonstrated excellence in his calling as a "Man of God", and the members of the Mt. Olive Missionary Baptist Church congregation in Lackawanna, New York, extend special thanks to him and to his wife Elizabeth for their sincerest love and appreciation.

RESOLVED, that the Erie County Legislature pauses in our deliberations to honor and recognize ***Pastor Keith D. Mobley*** on his ***11th pastoral anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, NY*** and to wish him and his wife Elizabeth our very best regards and felicitations for his 11th pastoral anniversary on May 25, 2025. Job well done Pastor!

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GILMOUR

Honoring Principal John Crangle on National Principal's Day

25PROC. 10-28

Attachments

EC LEG MAY 8 '25 9:18:33

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 8, 2025

Honoring Principal John Crangle on National Principal's Day

WHEREAS, strong leadership in our schools is essential to the success of our students, our teachers, and our community; and

WHEREAS, throughout his tenure as Principal, John has proudly represented students and faculty at Hamburg High School through his unwavering dedication, integrity, and vision; and

WHEREAS, Mr. Crangle has been an administrator in the Hamburg Central School District since 2011, serving as an Assistant Principal at the High School and the Middle School; and

WHEREAS, in addition, John was also the Acting High School Principal during the Spring of 2021; and

WHEREAS, through his leadership, John has maintained a standard of academic excellence, fostered a culture of faith and respect, and built a strong, supportive community; and

WHEREAS, Principal Crangle is known not only for his administrative skill, but also for his compassion, his commitment to student growth, and his presence as a steady and encouraging leader.

NOW, THEREFORE, BE IT

RESOLVED, that today, May 8th, 2025, it is the desire of this Honorable Body, in recognition of *National Principal's Day*, to honor Principal *John Crangle* for his outstanding service and enduring impact and express our sincere gratitude for all that he does and continues to do in shaping the minds and lives of students.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GILMOUR & MEYERS

Recognizing Apraxia Awareness Day

25PROC. 10-29

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 22, 2025

Recognizing Apraxia Awareness Day

ES LEG MAY 16 '25 #17:40

WHEREAS, May 14, 2025, marks Childhood Apraxia of Speech Day during which awareness will be raised throughout Erie County about childhood apraxia of speech, an extremely challenging speech disorder that affects 1-in-1,000 children; and

WHEREAS, childhood apraxia of speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children; and

WHEREAS, children diagnosed with apraxia generally have a good understanding of language and know what they want to say, despite having some difficulty learning or carrying out the complex movements that underlie speech; and

WHEREAS, without appropriate speech therapy intervention, children with apraxia will have diminished communication skills, and are also placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills; and

WHEREAS, increasing public awareness about childhood apraxia of speech in Erie County is essential for families of children with childhood apraxia of speech and the professionals who support them to best advocate for needed services to assist children learning to use their own voice; and

WHEREAS, our children with childhood apraxia of speech are our heroes and heroines showing us the endless supply of strength they must live their lives with happiness and joy; and

WHEREAS, our highest respect goes to these children, as well as their families, for their effort, determination, and resilience in the face of such obstacles.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body recognizes *Apraxia Awareness Day* and the young people and adults of our community who selflessly act to educate themselves and others to become active and supportive role models in our community; and be it further

RESOLVED, May 14, 2025, is “Apraxia Awareness Day” and citizens of Erie County and surrounding counties are encouraged to work within their communities to increase awareness and understanding of childhood apraxia of speech; and be it further

RESOLVED, that the Erie County Legislature recognizes Courtney Malicki and her family as a strong advocate for Apraxia Awareness, for her commitment to building education around this disorder and for her effort, determination and resilience to improve the lives of all live with Apraxia.

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

Timothy J. Meyers
Chair of the Erie County Legislature
Erie County Legislator, 7th District

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

GILMOUR

Honoring Jeanne O'Connor During National Teacher
Appreciation Week

25PROC. 10-30

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, MAY 8, 2025

EC LEG MAY 7 '25 PM 3:02

*Honoring Jeanne O'Connor during
National Teacher Appreciation Week*

WHEREAS, *National Teachers Week* is a time to recognize and honor the dedicated educators who shape the minds and hearts of our future; and

WHEREAS, as a teacher, Jeanne O' Connor, has demonstrated unwavering commitment to the students, families, and mission of Martin Road Elementary in Lackawanna; and

WHEREAS, through her passion for teaching, creativity in the classroom, and genuine care for her students, Jeanne has created a lasting impact that reaches far beyond academics; and

WHEREAS, her leadership, professionalism, and devotion to education reflect the highest standards of excellence; and

WHEREAS, through her role with the Martin Road's Student Success Team, Jeanne has been able to help implement interventions to help students' many different needs; and

WHEREAS, Jeanne exemplifies the spirit of National Teachers Week by inspiring a love of learning and serving as a role model to both students and colleagues.

NOW, THEREFORE, BE IT

RESOLVED, that today, May 8th, 2025, it is the desire of this Honorable Body to recognize Jeanne O' Connor for her outstanding contributions to Martin Road Elementary, the Lackawanna community and thank her for her service, celebrate her dedication, and acknowledge the difference she makes every day.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LORIGO

Recognizing Catherine Caligiuri as a Greater East Aurora
Chamber of Commerce 2025 Educator of the Year

25PROC. 10-31

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Catherine Caligiuri as a Greater
East Aurora Chamber of Commerce 2025
Educator of the Year**

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

WHEREAS, each year, the Greater East Aurora Chamber of Commerce receives nominations from the East Aurora, Holland, Iroquois, and Erie BOCES school districts and recognizes educators who have contributed in remarkable ways to their students' lives and the educational field; and

WHEREAS, **Catherine Caligiuri**, a first-grade teacher at Parkdale Elementary in the East Aurora Union-Free Central School District, has been nominated as an **Educator of the Year for 2025**; and

WHEREAS, **Catherine Caligiuri** is a positive role model and inspiration to her students, colleagues, and educational community, fostering a supportive learning environment and being significantly involved in her school community; and

WHEREAS, a strong education system is the cornerstone of a thriving community, with exceptional educators committing their time in and out of the classroom to ensure their students' success; and

WHEREAS, as a dedicated teacher at Parkdale Elementary, **Catherine Caligiuri** has impacted the lives of thousands of students through her dedication to equipping the next generation of learners with the life skills essential to future success.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Catherine Caligiuri** on being named a **2025 Educator of the Year by the Greater East Aurora Chamber of Commerce** and thank her for providing an exceptional standard of education to her students.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LORIGO

Recognizing Timothy Gastle as a Greater East Aurora Chamber
of Commerce 2025 Educator of the Year

25PROC. 10-32

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Timothy Gastle as a
Greater East Aurora Chamber of Commerce
2025 Educator of the Year**

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

WHEREAS, each year, the Greater East Aurora Chamber of Commerce receives nominations from the East Aurora, Holland, Iroquois, and Erie BOCES school districts and recognizes educators who have contributed in remarkable ways to their students' lives and the educational field; and

WHEREAS, **Timothy Gastle**, a music teacher at Iroquois High School in Elma, New York, has been nominated as an **Educator of the Year for 2025**; and

WHEREAS, **Timothy Gastle** is a positive role model and inspiration to his students, colleagues, and educational community, fostering a supportive learning environment and being significantly involved in his school community; and

WHEREAS, a strong education system is the cornerstone of a thriving community, with exceptional educators committing their time in and out of the classroom to ensure their students' success; and

WHEREAS, as a dedicated teacher at Iroquois High School, **Timothy Gastle** has impacted the lives of thousands of students through his dedication to equipping the next generation of learners with the life skills essential to future success.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Timothy Gastle** on being named a **2025 Educator of the Year by the Greater East Aurora Chamber of Commerce** and thank him for providing an exceptional standard of education to his students.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LORIGO

Recognizing Scott Sitarek as a Greater East Aurora Chamber of
Commerce 2025 Educator of the Year

Attachments

25PROC. 10-33

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Scott Sitarek as a
Greater East Aurora Chamber of Commerce
2025 Educator of the Year**

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

WHEREAS, each year, the Greater East Aurora Chamber of Commerce receives nominations from the East Aurora, Holland, Iroquois, and Erie BOCES school districts and recognizes educators who have contributed in remarkable ways to their students' lives and the educational field; and

WHEREAS, **Scott Sitarek**, an automotive technology teacher at the Wallace B. Ormsby Educational Center of the Erie 2-Chautauqua-Cattaraugus BOCES program, has been nominated as an **Educator of the Year for 2025**; and

WHEREAS, **Scott Sitarek** is a positive role model and inspiration to his students, colleagues, and educational community, fostering a supportive learning environment and being significantly involved in his school community; and

WHEREAS, a strong education system is the cornerstone of a thriving community, with exceptional educators committing their time in and out of the classroom to ensure their students' success; and

WHEREAS, as a dedicated teacher at the Ormsby Educational Center, **Scott Sitarek** has impacted the lives of thousands of students through his dedication to equipping the next generation of learners with the life skills essential to future success.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Scott Sitarek** on being named a **2025 Educator of the Year by the Greater East Aurora Chamber of Commerce** and thank him for providing an exceptional standard of education to his students.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LORIGO

Recognizing Pamela Patterson as a Greater East Aurora
Chamber of Commerce 2025 Educator of the Year

25PROC. 10-34

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Pamela Patterson as a
Greater East Aurora Chamber of Commerce
2025 Educator of the Year**

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

WHEREAS, each year, the Greater East Aurora Chamber of Commerce receives nominations from the East Aurora, Holland, Iroquois, and Erie BOCES school districts and recognizes educators who have contributed in remarkable ways to their students' lives and the educational field; and

WHEREAS, Pamela Patterson, a science teacher at Holland High School in Holland, New York, has been nominated as an **Educator of the Year for 2025**; and

WHEREAS, Pamela Patterson is a positive role model and inspires her students, colleagues, and educational community, fostering a supportive learning environment and being significantly involved in her school community; and

WHEREAS, a strong education system is the cornerstone of a thriving community, with exceptional educators committing their time in and out of the classroom to ensure their students' success; and

WHEREAS, as a dedicated teacher at Holland High School, **Pamela Patterson** has impacted the lives of thousands of students through her dedication to equipping the next generation of learners with the life skills essential to future success.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Pamela Patterson** on being named a **2025 Educator of the Year by the Greater East Aurora Chamber of Commerce** and thank her for providing an exceptional standard of education to her students.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

LORIGO

Proclaiming July 1st as "National Postal Workers Day"

Attachments

25PROC. 10-35

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Proclaiming July 1st as
“National Postal Workers Day”**

WHEREAS, July 1st is recognized as **National Postal Workers Day** to honor the nearly half a million postal workers in the United States diligently working to deliver mail each day; and

WHEREAS, the Postal Service Act of 1792 established the first Post Office Department of the United States, making it the second oldest federal department in U.S. history, and laying the foundation for today's United States Postal Service; and

WHEREAS, postal workers have long stood as a vital part of our communities, delivering letters, packages, and essential information to homes and businesses across the nation every single day, upholding a proud tradition of public service; and

WHEREAS, while modern technology has made communicating messages easier than ever, the postal service remains critically important for delivering goods and providing communication to rural villages and small towns; and

WHEREAS, **National Postal Workers Day** was first established by Seattle-area postal carriers in 1997 to honor their fellow employees who work through rain, snow, heat, and hardship to ensure all Americans stay connected and informed; and

WHEREAS, **National Postal Workers Day** is an opportunity to express our gratitude for the perseverance, professionalism, and daily commitment by those who help power this essential service.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proclaim July 1st as **National Postal Workers Day** and encourages all citizens to recognize the hard work and invaluable contributions of postal workers across the country.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

LORIGO

Recognizing NFTA Officer Ed Carney on Receiving the West Seneca Police Department Lifesaving Award

25PROC. 10-36

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing NFTA Officer Ed Carney on Receiving the
West Seneca Police Department Lifesaving Award**

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

WHEREAS, on June 1, 2024, Detective Lieutenant Michael Bowen of the West Seneca Police Department was off duty playing ice hockey with friends at Holiday Twin Rinks in Cheektowaga, New York, when one of the players fell to the ice and became unresponsive; and

WHEREAS, when it was discovered that the victim, Christopher Freeman, was not breathing and had no pulse, off-duty **NFTA Officer Ed Carney**, who was also present at the scene, sprang into action to assist Det. Lt. Bowen with removing Mr. Freeman's hockey equipment; and

WHEREAS, **Officer Carney** prepared the AED while Det. Lt. Bowen performed CPR and continued to administer shocks between chest compressions for approximately eight minutes until first responders and medical personnel arrived; and

WHEREAS, there is no doubt that **Officer Carney** and Det. Lt. Bowen's actions were critical in saving Mr. Freeman's life, who suffered from a heart attack but made a full recovery after emergency surgery, and was able to celebrate Father's Day with his family two weeks later; and

WHEREAS, the heroic actions of **NFTA Officer Carney** and Detective Lieutenant Bowen while off-duty reflect their outstanding character and adeptness in handling emergency situations and are a credit to their training.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **NFTA Officer Ed Carney** for earning the **West Seneca Police Department Lifesaving Award** for his exceptional actions in saving the life of one of his fellow community members.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

LORIGO	Recognizing Detective Lieutenant Michael Bowen on Receiving the West Seneca Police Department Lifesaving Award
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25PROC. 10-37	Attachments
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STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing Detective Lieutenant Michael Bowen on Receiving
the West Seneca Police Department Lifesaving Award**

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

WHEREAS, on June 1st, 2024, **Detective Lieutenant Michael Bowen** of the West Seneca Police Department was off duty playing ice hockey with friends at Holiday Twin Rinks in Cheektowaga, New York, when one of the players fell to the ice and became unresponsive; and

WHEREAS, when it was discovered that the victim, Christopher Freeman, was not breathing and had no pulse, **Det. Lt. Bowen** yelled for an AED and was able to remove the upper portion of Mr. Freeman's hockey equipment with the help of fellow off-duty NFTA Officer Ed Carney; and

WHEREAS, **Det. Lt. Bowen** performed CPR while Officer Carney prepared the AED, and continued to perform chest compressions after the shock was administered for approximately 8 minutes until first responders and medical personnel arrived; and

WHEREAS, there is no doubt that **Det. Lt. Bowen** and Officer Carney's actions were critical in saving Mr. Freeman's life, who suffered from a heart attack but made a full recovery after emergency surgery, and was able to celebrate Father's Day with his family two weeks later; and

WHEREAS, the heroic actions of **Detective Lieutenant Bowen** and NFTA Officer Carney while off-duty reflect on their outstanding character and adeptness in handling emergency situations and are a credit to the training they received as part of the West Seneca Police Department.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Detective Lieutenant Michael Bowen** for earning the **West Seneca Police Department Lifesaving Award** for his exceptional actions in saving the life of one of his fellow community members.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

MILLS

Recognizing the 200th Anniversary of the Marquis de
Lafayette's Visit to Buffalo and Erie County

Attachments

25PROC. 10-38

STATE OF NEW YORK LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the 200th Anniversary of the Marquis de Lafayette's Visit to Buffalo and Erie County

WHEREAS, Marquis de Lafayette, a young French nobleman, came to assist in the war for American Independence; and

WHEREAS, he enlisted in the Continental Army and served valiantly alongside General George Washington during several critical military campaigns, including the winter at Valley Forge; and

WHEREAS, Marquis de Lafayette, along with our Founding Fathers, pledged their lives, fortunes, and sacred honor for the cause of American freedom; and

WHEREAS, Lafayette's unwavering commitment, bravery, and dedication to the ideals of liberty helped bring forth a new and independent nation; and

WHEREAS, Lafayette's close personal relationship with General Washington led him to join the Masonic Fraternity, a bond that deepened his connection to American values and brotherhood; and

WHEREAS, his profound respect for the Masonic Fraternity inspired him to return to America in 1824–1825, during which time he visited Buffalo and Erie County to reunite with his Masonic brethren; and

WHEREAS, 2025 marks the **200th Anniversary** of this historic visit, a moment of deep significance for the Erie Masonic District and for all who honor the enduring legacy of freedom and fraternity.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and commemorate the **200th Anniversary of Marquis de Lafayette's visit to Buffalo and Erie County** and congratulates the Brothers of the Erie Masonic District of The Grand Lodge of Masons in the State of New York for honoring this patriot's extraordinary legacy.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

MILLS

Celebrating May 18--24, 2025 as Emergency Medical Services
(EMS) Week and Honoring Eden Emergency and Rescue
Squad

Attachments

25PROC. 10-39

EC LEG MAY 20 '25 an031

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 a resolution was adopted, of which the following is a true copy:*

**Celebrating May 18–24, 2025 as Emergency Medical Services (EMS) Week and
Honoring Eden Emergency and Rescue Squad**

WHEREAS, Emergency Medical Services (EMS) professionals are vital to the health and safety of every community, providing immediate, compassionate, and expert care in times of urgent need; and

WHEREAS, the theme of **EMS Week 2025 - “We Care for Everyone”** - honors the unwavering commitment of EMS providers to deliver high-quality care to all individuals, regardless of background, age, or circumstance, with equity and empathy; and

WHEREAS, the **Eden Emergency and Rescue Squad** is a volunteer, non-profit organization, which has exemplified this mission for over 50 years, responding with dedication and professionalism to those in crisis throughout the Eden community; and

WHEREAS, formed in 1968, **Eden Emergency and Rescue Squad** has grown into a team of more than 70 active members, providing ambulance and rescue services 24 hours a day, seven days a week; and

WHEREAS, the Squad responds to an average of 700 emergency medical and rescue calls each year, demonstrating a tireless commitment to service, rapid response, and community well-being; and

WHEREAS, the Erie County Legislature recognizes the **Eden Emergency and Rescue Squad** as a pillar of excellence in volunteer EMS, with over five decades of heroic and selfless contributions to public safety and emergency care; and

WHEREAS, **Eden Emergency and Rescue Squad** inspires future generations, builds public trust, and leads with compassion, embodying the spirit of **“We Care for Everyone”** in every call they answer.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Eden Emergency and Rescue Squad** and its members for their life-saving skills, dedication to service, and unwavering commitment to respond to all emergencies with courage and compassion.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

MILLS

Celebrating May 18--24, 2025 as Emergency Medical Services (EMS) Week by Honoring EMS Professionals and the Historic All-Female Crew in Evans, NY

Attachments

25PROC. 10-40

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., MAY 22, 2025, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 22nd day of May 2025 a resolution was adopted, of which the following is a true copy:*

**Celebrating May 18–24, 2025 as Emergency Medical Services (EMS) Week by
Honoring EMS Professionals and the Historic All-Female Crew in Evans, NY**

WHEREAS, Emergency Medical Services (EMS) professionals are at the frontline of public health and safety, providing life-saving care in homes, on roadsides, and during times of crisis throughout Erie County and beyond; and

WHEREAS, EMS Week is celebrated annually to honor the dedicated individuals who serve as paramedics, emergency medical technicians, dispatchers, firefighters, and other emergency personnel; and

WHEREAS, the theme for **EMS Week 2025 - "We Care for Everyone"** - highlights the compassion and commitment of EMS professionals to provide equitable, skilled, and timely care to all individuals, regardless of age, background, or circumstance; and

WHEREAS, Emergency Medical Technicians (EMTs) and paramedics serve their communities with courage and skill, often under intense pressure and in hazardous conditions, helping to preserve life, reduce suffering, and restore hope in the most urgent of situations; and

WHEREAS, the **Evans Center Volunteer Fire Company** in the Village of Angola, New York, recently made local history when it fielded the **first-ever all-female EMS crew**, comprised of **Emma Gian, Kristan Kleep, and Teri Buczkowski**, a decisive moment that showcased both professional excellence and meaningful progress in the evolution of emergency services; and

WHEREAS, this milestone serves as an inspiration to young women across Western New York and reflects the growing diversity, strength, and unity of our emergency medical community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Evans Center Volunteer Fire Company** and its members for their life-saving skills and abilities and their selfless, life-giving readiness to respond to all situations.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

MILLS

Celebrating May 18--24, 2025 as Emergency Medical Services
(EMS) Week and Honoring Orchard Park Fire District EMS

25PROC. 10-41

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., MAY 22, 2025, 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 22nd day of May 2025 a resolution was adopted, of which the following is a true copy:*

**Celebrating May 18–24, 2025 as Emergency Medical Services (EMS) Week and
Honoring Orchard Park Fire District EMS**

WHEREAS, Emergency Medical Services (EMS) professionals are vital to the health and safety of every community, providing immediate, compassionate, and expert care in times of urgent need; and

WHEREAS, the theme of **EMS Week 2025 - “We Care for Everyone”** - honors the unwavering commitment of EMS providers to deliver high-quality care to all individuals, regardless of background, age, or circumstance, with equity and empathy; and

WHEREAS, **Orchard Park Fire District EMS** was formed in 2009 in response to increasing call volumes, rising training requirements, and a decline in volunteer availability—challenges faced by EMS agencies across the nation; and

WHEREAS, through innovation and dedication, **Orchard Park Fire District EMS** has built a highly trained and professional team of career and part-time providers, who together possess hundreds of years of combined prehospital care experience; and

WHEREAS, this exceptional agency operates solely through donations and insurance reimbursements, and remains committed to providing a paramedic-level response to every call, ensuring that each patient receives the highest quality of care; and

WHEREAS, through their outreach efforts, **Orchard Park Fire District EMS** trains first responders and the public in life-saving skills such as CPR, ACLS, and PALS; and

WHEREAS, **Orchard Park Fire District EMS** exemplifies the values of professionalism, compassion, and excellence in service to others.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor the **Orchard Park Fire District EMS** and its members for their life-saving skills, dedication to service, and unwavering commitment to respond to all emergencies with courage and compassion.

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

LL INTRO. 2-1 (2024)	LORIGO	The Tax Dollar Disclosure Act
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	Attachments
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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: 05/22/2025

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

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: 05/22/2025

SUBJECT

LL INTRO. 7-1 (2024)	KOOSHOIAN	The STUNT Law
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Attachments

LL INTRO. 7-1

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 7-1 -2024

LOCAL LAW NO. ____-2024

A Local Law, named the “STUNT Law”, requiring Erie County to expand penalties for speed contests, stunt behavior, and other reckless driving behaviors that endanger Erie County residents.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Title.

This Local Law shall be known as the “STUNT Law: Safeguarding Traffic, Unlawful Racing, and Noise Transgressions.”

Section 2. Legislative Purpose and Intent.

This Legislature recognizes that speeding has been a significant factor in numerous motor vehicle fatalities over the past decades, with motor vehicle accidents being one of the leading causes of death for individuals aged 1 to 54.

The Legislature acknowledges the rise in popularity of illegal vehicle sideshows, demonstrations, and contests; often shared on social media, which pose a great risk to participants and spectators, leading to severe physical injuries and even death.

Moreover, illegal vehicle sideshows, contests, street racing, and related stunt behavior not only endanger lives and property but also create excessive noise during night hours, causing disturbances for residents in neighboring areas.

The current penalties for these illegal activities are insufficient in deterring individuals from participating in them.

Therefore, the purpose of this Local Law is to protect Erie County residents by expanding and strengthening laws and penalties related to unlawful speed contests, sideshows, and related stunt behavior.

Section 3. Definitions.

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

“Burnout” – To spin a vehicle’s wheel(s) while keeping the vehicle stationary, causing the tires to heat up and emit smoke.

“Drifting” – The intentional oversteering of a vehicle with loss of traction while maintaining control, resulting in a controlled skid or power slide through a turn.

“Doughnut” – A maneuver performed by rotating the rear or front of a vehicle around the opposite set of wheels, creating a circular skid mark pattern on the road surface.

“Revving” – To rapidly increase the engine speed while a vehicle is stationary or in neutral, producing loud noise and/or causing the vehicle to jerk or lurch.

“Sideshow” – An event in which vehicles gather and engage in reckless behavior, such as performing stunts, burnouts, doughnuts/wheelies, drifting, and/or other dangerous maneuvers.

“Street Racing” – The act of racing or competing with one or more vehicles on a public highway, street, or road, whether prearranged or spontaneous.

“Stunt Behavior” – Performing any maneuver with a vehicle that is not part of normal driving or exceeds the safe limits of the vehicle; including but not limited to stunts, revving, burnout, drifting, doughnuts, acrobatic maneuvers, jumps, and other similar actions.

“Wheelie” -- Raising a vehicle to the degree that one or more wheels lose contact with the ground.

Section 4. Prohibitions.

(A) No person shall knowingly participate in, engage in, organize, facilitate, coordinate, plan, aid, or abet any street race, sideshow, contest, exhibition, or stunt behavior involving vehicles upon any public highway, street, sidewalk, public parking lot or area, or any other public property within Erie County.

(B) No person shall knowingly obstruct or attempt to obstruct any public highway, street, or road with a motor vehicle, or any other object used as a blockade for the purpose of permitting any such race, sideshow, contest, exhibition, or stunt behavior.

Section 5. Enforcement and Penalties for Offenses.

(A) Any person who violates any provision of this article shall be guilty of a violation, punishable by a fine not exceeding \$500 for a first offense, and a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 15 days, or both, for each subsequent offense.

(B) Any person who causes physical injury to another person or damage to real or personal property while violating any provision of this article shall be liable for the payment of restitution, as determined by a court of competent jurisdiction.

Section 6. Severability.

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

Section 7. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 8. Effective Date.

This local law shall take effect immediately following its filing with the Office of the Secretary of State.

Sponsor:
Michael Kooshoian

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

LL INTRO. 1-1 (2025)	MILLS & TODARO	Prohibiting the Sale and Use of Sky Lanterns in Erie County
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	Attachments
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LL INTRO. 1-1 (2025)

**LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE
LOCAL LAW INTRO. – NO. 1-1 - 2025
LOCAL LAW – NO. _____ - 2025**

A LOCAL LAW prohibiting the sale and use of Sky Lanterns in Erie County.

SECTION 1. Title

This law shall be entitled and known as “The Sky Lantern Prohibition Act.”

SECTION 2. Legislative Intent

The Erie County Legislature (“Legislature”) recognizes, determines, and finds as follows:

Sky lanterns have become popular in recent years. These devices are sometimes released in mass launches to commemorate events such as holidays, funerals, birthdays, and weddings.

Among the powers granted to counties by the New York State legislature, pursuant to Section 10(a)(12) of the New York State Municipal Home Rule Law, a county may adopt a local law that protects the safety, health, and well-being of persons and property within the boundaries of the county.

The Legislature understands that these devices are intended to float in the air whereby the device is akin to a miniature hot air balloon comprised of oiled rice paper, fire retardant paper, fabric, or similar materials pulled over a frame with a small candle fuel cell or similar heat source within the frame. The small candle or fuel cell heats the air inside the lantern causing the lantern to rise into the air.

The Legislature recognizes that the release of these devices creates a serious fire and safety hazard due to the potential for unintended fires, and the ability of such devices to travel significant distances from the point of release. Pursuant to the NYS Office of Fire Prevention and Control, these devices, once dispatched, constitute a Recreational Fire. Such devices must be “constantly attended until the fire is extinguished.” Upon the release or dispatch of the device, it is considered an Unattended Fire and may remain lit when the device lands in a neighborhood, agricultural field, or other undesirable location.

The Legislature recognizes that these devices also pose serious risks to small children, wildlife and livestock animals. Such devices are commonly constructed with bamboo, wire, or similar materials which create risks of entrapment and harm due to ingestion.

The Legislature hereby determines that such devices present a serious threat to the safety of Erie County residents and their property and further finds there is a need to prohibit the release of such devices to protect the safety, health, and well-being of persons and property within the boundaries of the County.

SECTION 3. Definitions

SKY LANTERN

Any unmanned airborne device including, but not limited to, those constructed from oiled rice paper, fire retardant paper or fabric on a bamboo or wire frame or other such similar materials, and which contain a small candle or fuel cell composed of a waxy flammable material or other similar materials which heat, directly or indirectly, the air inside the device, thus lowering its density causing the device to rise into the air. These devices may also be known as candle kites, Chinese candle kites, Kongming lanterns, wish lanterns, lantern kites, fire balloons, sky candles, candle balloons, mini hot air balloons, flying lanterns, Chinese lanterns, or candle balloons.

SECTION 4. Prohibition of sale

No natural person, company, corporation, limited liability company, firm, partnership, business organization, or other legal entity in Erie County shall sell, offer for sale, or permit the sale of a sky lantern.

SECTION 5. Prohibition of use

Sky lanterns shall not be used, released, or dispatched into the air in Erie County.

SECTION 6. Penalties

The first violation of Section 4 or Section 5 of this Article shall constitute an offense punishable by a fine not to exceed \$250.

Any subsequent violation of Section 4 or Section 5 of this Article shall constitute an unclassified misdemeanor, punishable by a fine not to exceed \$1,000, or both.

SECTION 7. Enforcement

This article shall be enforced by the Erie County Sheriff's Department and shall be enforced by any other law enforcement agency having jurisdiction to act in the County of Erie, which shall enforce the provisions of this Article by the issuance of a summons to a party violating the provisions of this Article.

SECTION 8. 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 9. Effective date and applicability

This law shall apply to all actions occurring on or after its effective date, which is upon filing with the New York State Secretary of State.

SPONSORS: Legislator Mills and Legislator Todaro

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

Report No. 5

PUBLIC SAFETY COMMITTEE

Attachments

Report No. 5

May 15, 2025

PUBLIC SAFETY COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR GILMOUR.
CHAIR MEYERS PRESENT AS EX-OFFICIO MEMBER

1. RESOLVED, the following items are hereby received and filed:
- a. INTRO. 3-2 (2025)
ST. JEAN TARD “Dissolution of the ECCSAB & Reappointment of Members Within 30 Days”
(Chair’s Ruling)
- b. COMM. 9E-26 (2025)
MEYERS “Invitation to Interview - ECCSAB”
(Chair’s Ruling)
- c. COMM. 9M-6 (2025)
PEACEPRINTS OF WNY “Appointment to the ECCSAB”
(Chair’s Ruling)
2. COMM. 9E-21 (2025)
COUNTY EXECUTIVE
WHEREAS, the New York State Division of Criminal Justice Services (DCJS) will provide a grant award in the amount of \$2,155,699 to the County for purposes of providing aid for discovery reform to support indigent defense services; and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$2,155,699 in funding from the New York State Division of Criminal Justice Services in order to aid indigent defense discovery reform in the form of a multi-year grant within the Department of Law (Fund 281, Funds Center 16010) as follows:

Erie County Department of Law
DCJS Aid to Defense for Discovery Reform
160ADDR2325
April 1, 2023 to March 31, 2025

REVENUES	BUDGET
409000 State Aid Revenues	\$2,155,699.00
TOTAL	\$2,155,699.00

APPROPRIATIONS	BUDGET
516601 Legal Aid Bureau Indigent Defense	\$711,380.67
516602 EC Bar Association Indigent Defense	\$1,444,318.33
TOTAL	\$2,155,699.00

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services; and be it further

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

RESOLVED, that the County Executive be authorized to enter into no-cost contract amendments and extensions related to the underlying grant; and be it further

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

3. COMM. 9E-22 (2025)
COUNTY EXECUTIVE
Dear Honorable Members:

Pursuant to Local Law 3-2019, Section 2, I do hereby appoint and submit for your confirmation the appointment of the following individual to the Erie County Corrections Specialist Advisory Board for a term expiring April 15, 2028.

Appointee
Daniel Castle, Commissioner
County of Erie
Department of Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202

Should you have any questions regarding this reappointment, please feel free to contact my office at (716) 858-8500. Thank you in advance for your courtesies.

Sincerely yours,
Mark C. Poloncarz, Esq.
Erie County Executive

(5-0)

4. COMM. 9D-1 (2025)
EC COMMISSIONER OF MENTAL HEALTH
Dear Honorable Members:

Pursuant to Local Law 3-2019, Section 2, I do hereby appoint and submit for your confirmation the appointment of the following individual to the Erie County Corrections Specialist Advisory Board for a term expiring April 15, 2028.

Appointee
Julianna Everdyke, LMSW
Erie County Office of Mental Health
95 Franklin Street, 12th Floor
Buffalo, NY 14202

Should you have any questions regarding this reappointment, please feel free to contact my office at (716) 858-8530. Thank you in advance for your courtesies.

Sincerely yours,
Sarah A. Bonk, LMSW
Erie County Commissioner of Mental Health

(5-0)

5. COMM. 9D-2 (2025)
EC COMMISSIONER OF PROBATION
Dear Honorable Members:

Pursuant to Local Law 3-2019, Section 2, I do hereby appoint and submit for your confirmation the appointment of the following individual to the Erie County Corrections Specialist Advisory Board for a term expiring April 15, 2028.

Appointee
Michelle K. Flynn
County of Erie-Dept. of Probation 1 Niagara Plaza, Rm. 112
Buffalo, NY 14202

Should you have any questions regarding this reappointment, please feel free to contact my office at (716) 858-8200. Thank you in advance for your courtesies.

Richard Robillard
Erie County Commissioner of Probation

(5-0)

6. COMM. 9M-5 (2025)
LEGAL AID BUREAU
Dear Legislator Taisha St. Jean Tard:

The Criminal Defense Unit (CDU) of the Legal Aid Bureau of Buffalo provides mandated legal representation to indigent individuals facing criminal charges in the City of Buffalo. This includes misdemeanors under both the New York State Penal Law and the Vehicle and Traffic Law, as well as D and E felony offenses. In 2024 alone, the CDU represented approximately 7,000 individuals, many of whom were held at the Erie County Holding Center or the Erie County Correctional Facility. Our dedicated team works tirelessly to advocate for our clients and minimize the time they spend in custody.

I would like to recommend the Chief Attorney of the Criminal Defense unit, Sarah Ryan, to participate in the Erie County Corrections Specialist Advisory Board. She has twelve years of experience in criminal defense, along with valuable institutional knowledge.

If you have any questions or concerns, I may be reached at (716) 853-9555 Ext 450. Thank you for your anticipated courtesy and cooperation.
(5-0)

MICHAEL H. KOOSHOIAN
ACTING CHAIR

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

Report No. 7 ECONOMIC DEVELOPMENT COMMITTEE

Attachments

Report No. 7

May 15, 2025

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 7

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

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 9M-2 (2025)
NFTA “17A Report & Capital Expenditure Reports”
(Chair’s Ruling)
2. COMM. 9E-12 (2025)
COUNTY EXECUTIVE
WHEREAS, there is a need for large culvert and pedestrian bridge condition inspections to be performed by an engineering firm specializing in such services; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Popli Design Group has the appropriate expertise and experience in large culvert and pedestrian bridge condition inspections through a Request for Proposal process; and

WHEREAS, Legislative approval is required for the County Executive to execute an agreement with Popli Design Group for large culvert and pedestrian bridge condition inspections for the 2025-2026 period; and

WHEREAS, at the conclusion of the 2025-2026 period, the contract may be extended for an additional 2-year period covering 2027-2028, subject to renegotiated costs and Legislative approval.

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 Popli Design Group for the 2025-2026 Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspection Services project for an amount of \$547,000; and be it further

RESOLVED, that sufficient funds are available for the Project from the following SAP projects in Fund 420, Funds Center123:

B.21155 - 2021 Culvert & Bridge Inspection	\$2,679
B.23055 - 2023 Culvert & Bridge Inspection	\$165,451
B.24054 - 2024 Culvert & Bridge Inspection	\$378,870
TOTAL PROJECT	\$547,000

and be it further

RESOLVED, that the contract may be extended for an additional 2-year period covering 2027-2028, subject to renegotiated costs and Legislative approval; and be it further

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

RESOLVED, that five (5) 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 Division of Purchase.
(5-0) CHAIR MEYERS NOT PRESENT FOR VOTE.

3. COMM. 9E-13 (2025)
COUNTY EXECUTIVE
WHEREAS, authorization is being requested for the County Executive to execute an amendment for additional design engineering services to the Professional Services Agreement involving the replacement of the Sharp Street Bridge (PIN 5763.79) (the "Agreement"), authorized by COMM. 9E-8 on May 26, 2022 with Greenman-Pedersen, Inc. (GPI); and

WHEREAS, the total cost of the amendment shall not exceed \$61,450; and

WHEREAS, the funds are available in Fund 420, Funds Center 123, through Capital Project - B.18014 -2018 Fed Aid Project Bridge NY Program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an amendment to the existing Agreement with GPI in an amount not to exceed \$61,450; and be it further

RESOLVED, that sufficient funding of \$61,450 is available in B.18014 -2018 Fed Aid Project Bridge NY Program, Fund 420, Fund Center 123; 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 be instructed to forward two (2) certified copies of this resolution to the Department of Public Works, Commissioner's Office, and one copy each to the County

Executive's Office, Comptroller's office, and Division of Budget and Management.
(5-0) CHAIR MEYERS NOT PRESENT FOR VOTE.

4. COMM. 9E-14 (2025)
COUNTY EXECUTIVE
WHEREAS, the County of Erie has received the award of seven bridge replacement projects through the Bridge NY Program; and

WHEREAS these projects are as follows; PIN 5765.31 - Glenwood E. Concord Road over Graff Brook in the Town of Concord, PIN 5765.32 - Glenwood E. Concord Road over Sprague Brook in the Town of Concord, PIN 5765.33 - Versailles Plank Road over Big Sister Creek in the Town of Evans, PIN 5765.34- Concord Road over Spooner Creek in the Town of Concord, PIN 5765.35 - Bagdad Road over Clear Creek in the Town of Collins, PIN 5765.36- Ketchum Road over North Branch Clear Creek in the Town of North Collins, and PIN 5765.37 - Meahl Road over Branch Murder Creek in the Town of Newstead; and

WHEREAS, these projects are eligible for funding under Title 23, U.S. Code, as amended, 23CFR as amended PUB.L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL) that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, agreements need to be executed with New York Dept. of Transportation for these projects enabling the disbursement of the funding from Bridge NY; and

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

WHEREAS, in advancing these projects the Department of Public Works desires to award design contracts to each of the engineering consultants selected for the projects through the Federal Aid request for proposal process; and

WHEREAS, the funding for these projects is available in BA 123, Fund 420, SAP project B.25006, Federal Aid Bridge Replacement - BridgeNY - Design, the cost of these projects being bore by the County are \$3,347,800 in a Federal Aid reimbursable share and \$176,200 in non- federal share for a total of \$3,524,000 for these projects.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves projects PIN 5765.31 - Glenwood E. Concord Road over Graff Brook in the Town of Concord, PIN 5765.32 - Glenwood E. Concord Road over Sprague Brook in the Town of Concord, PIN 5765.33 - Versailles Plank Road over Big Sister Creek in the Town of Evans, PIN 5765.34- Concord Road over Spooner Creek in the Town of Concord, PIN 5765.35 -

Bagdad Road over Clear Creek in the Town of Collins, PIN 5765.36 - Ketchum Road over North Branch Clear Creek in the Town of North Collins, and PIN 5765.37 - Meahl Road over Branch Murder Creek in the Town of Newstead awarded to the County of Erie through the Bridge NY Program; and be it further

RESOLVED, that authorization is hereby given to County Executive to enter into and execute the state and local agreements with the New York State Department of Transportation for these projects; and be it further

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

RESOLVED, that authorization is hereby given to the County Executive to execute agreements with the following engineering firms selected using the Federal Aid RFP process for the projects as listed:

Project	Engineering Firm	Contract (not to exceed)
PIN 5765.31	Mott MacDonald	\$468,000
PIN 5765.32	Mott MacDonald	\$510,000
PIN 5765.33	Popli Design Group	\$500,000
PIN 5765.34	Greenman Pedersen, Inc.	\$415,000
PIN 5765.35	CHA Solutions	\$510,000
PIN 5765.36	DiDonato Associates	\$596,000
PIN 5765.37	Watts Architects & Engineers	\$525,000

and be it further

RESOLVED, that funding for these projects is available in BA 123, Fund 420, SAP project B.25006, Federal Aid Bridge Replacement - BridgeNY - Design, the cost of these projects being bore by the County are \$3,347,800 in a Federal Aid reimbursable share and \$176,200 in non-federal share for a total of\$3,524,000 for these projects.

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the Project budget for all increases or reductions in Federal and/or Non-Federal revenue that are made available for this Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the projects in the agreement, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into and execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or non-federal Aid on

behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreements; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County of Erie hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; 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 a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and one (1) copy each to the County Executive's Office, Comptroller's Office, Division of Budget and Management.
(5-0) CHAIR MEYERS NOT PRESENT FOR VOTE.

5. COMM. 9E-15 (2025)
COUNTY EXECUTIVE

WHEREAS, the Buffalo and Erie County Botanical Gardens Society ("Botanical Gardens Society") is pursuing a large-scale addition to the existing Buffalo and Erie County Botanical Gardens known as the Buffalo and Erie County Botanical Gardens Expansion Plan (hereinafter referred to as the "Expansion Plan"); and

WHEREAS, the purpose behind the Expansion Plan is to improve sustainability of the Botanical Gardens by increasing event space allowing for more revenue-generating events; provide more efficient operation workflow; provide additional training, classroom and education space as well as promote growth south of Buffalo by attracting tourism and business to the area; and

WHEREAS, Turner Construction Company LLC ("Turner") was previously selected to serve as the Construction Manager as Advisor ("Construction Manager") for the Expansion Project; and

WHEREAS, as part of their role as Construction Manager, Turner advertised and publicly opened bids for construction services related to the Expansion Project; and

WHEREAS, Turner has reviewed the bid proposals and made a recommendation to the County and the Botanical Gardens Society to award to the lowest responsible bidders in each trade; and

WHEREAS, the County and the Botanical Gardens Society are in agreement with the recommendations made by Turner; and

WHEREAS, the County is seeking approval for the award of the construction contracts to the lowest responsible bidders named herein and to enter into contracts with the Botanical Gardens Society and respective contractors in order to advance the construction portion of the Expansion Project.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature approves awarding construction contracts for the Buffalo and Erie County Botanical Gardens Expansion Plan to the lowest responsible bidders named herein; and be it further

RESOLVED, that the County Executive is authorized to take all necessary steps to have agreements with the Botanical Gardens Society awarded to the following lowest responsible bidders, as recommended by Turner Construction Company, LLC, for purposes of advancing the Expansion Project:

1. Miller Construction (Site Contractor) - \$3,994,860;
2. Huber Construction (General Contractor) - \$8,860,000;
3. MKS Plumbing (Plumbing Contractor) - \$1,090,000.00;
4. John W. Danforth (Mechanical Contractor) - \$3,560,000;
5. CIR Electrical (Electrical Contractor) - \$2,416,000; and
6. T.G.R. Enterprise, Inc. (Window Contractor) - \$544,955

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, Department of Environment and Planning, County Attorney's Office, and one copy each to the County Executive's Office, Division of Budget and Management, the Botanical Gardens Society c/o Erin Grajek.
(6-0)

TAISHA ST. JEAN TARD
CHAIR

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

Report No. 5 HEALTH & HUMAN SERVICES COMMITTEE

Attachments

Report No. 5

May 15, 2025

HEALTH & HUMAN SERVICES
COMMITTEE
REPORT NO. 5

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

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 6E-24 (2025)
DUPRE “Invite to Health & Human Services Committee Meeting”
(Chair’s Ruling)

b. COMM. 7D-8 (2025)
COMMISSIONER OF ECDSS “COMM. 12E-24 Compliance Report”
(Chair’s Ruling)

c. COMM. 7M-7 (2025)
ECMCC “2024 Annual Report of ECMCC”
(Chair’s Ruling)

d. COMM. 9E-25 (2025)
MINORITY CAUCUS “Erie County PPE Stockpile Management”
(Chair’s Ruling)

e. COMM. 9M-1 (2025)
ECBOH CHAIR “ECBOHN Meeting Minutes and Meeting Agenda”
(Chair’s Ruling)
2. COMM. 9E-8 (2025)
COUNTY EXECUTIVE
WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2025 summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2025 adopted budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult-supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevents delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposal (RFP #2025-001VF) was distributed for this program and 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 or Deputy County Executive to enter into contracts with the community providers noted in RFP #2025-001VF for Operation Primetime; and be it further

RESOLVED, that sufficient funding exists within the Youth Bureau's 2025 Operating Budget (Fund 110, Funds Center 12530) Account 517749 - Operation Primetime to cover the costs of the agency awards; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Social Services and Division of Budget and Management.
(6-0)

3. COMM. 9E-9 (2025)
COUNTY EXECUTIVE
WHEREAS, a key provision of the Preventing Sex Trafficking and Strengthening Families Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

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

WHEREAS, Child and Family Services is the only local agency with the expertise and existing resources to carry out the program; and

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

WHEREAS, Child and Family Services is the current contract holder for the Safe Harbour program; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$40,000 in State Aid from the NYS Office of Child and Family Services to provide Safe Harbour services and amend the Department of Social Servies 2025 Operating Budget (Fund 110, Funds Center 1209010) as follows:

Department of Social Services
Fund 110, Funds Center 1209010

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	\$40,000
	TOTAL	\$40,000

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516400	Preventative Agencies-Child and Family Services	\$40,000
	TOTAL	\$40,000

and be it further

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

RESOLVED, that authorization hereby given to the Director 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. 9E-10 (2025)
COUNTY EXECUTIVE

WHEREAS, Erie County, on average, generates over 4 tons of cardboard and 10 tons of paper every month; and

WHEREAS, the previous county-wide collection and recycling contract has expired; and

WHEREAS, a Request for Proposal (RFP) #2024-044VF was issued seeking proposalsfrom qualified firms interested in providing Erie County with paper and cardboard collection and recycling services; and

WHEREAS, Erie County assembled a Proposal Selection Committee, which has conducted a review and selection process for the proposals that have been received; and

WHEREAS, considering the scope of specified services, and the results from the tallied matrices, it was the unanimous recommendations of the Committee members to award the Paper Collection Shredding/Recycling contract to Shred Text, Inc. and the Cardboard Collection and Recycling contract to Waste Management.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to enter into contract with Waste Management to provide Erie County with cardboard collection and recycling in the amount of \$10,000; and be it further

RESOLVED, that authorization is hereby given to amend the existing contract with Shred Text, Inc to expand paper collection and shredding services to additional county locations at an estimated cost of \$40,000; and be it further

RESOLVED, that authorization is hereby given to amend the Department of Social Services 2025 Operating Budget (Fund 110, Funds Center 120) to account for the expansion of paper collection and shredding services and the new cardboard collecting and recycling services as follows:

Department of Social Services Fund 110, Funds Center 1200000

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Professional Svcs Contracts & Fees	\$50,000
530000	Other Expenses	(\$50,000)
	TOTAL	\$0

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)

5. COMM. 9E-11 (2025)
COUNTY EXECUTIVE
WHEREAS, in Erie County on average 45 youth age out of foster care each year; and

WHEREAS, the largest number of youth exiting foster care are between the ages of 18-19; and

WHEREAS, these youth are at higher risk for an array of risk factors that include but are not limited to; homelessness, high school and secondary/vocational drop out, pregnancy at a young age, criminal justice system involvement, mental health disorders, and a variety of health and socioeconomic disparities; and

WHEREAS, the Department of Social Services issued a Request for Proposal (RFP) #2024-046VF from qualified vendors interested in providing supports to youth that have aged out of foster care; and

WHEREAS, the Department of Social Services assembled a Proposal Selection Committee, which has conducted a review and selection process for the proposals that have been received: and

WHEREAS, considering the scope of specified services, and the results from the tallied matrices, it was decided to contract with Gateway Longview and the Community Action Organization of Western New York (CAO) to provide services to youth who have aged out of foster care.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to establish contracts with Gateway Longview in the amount of \$250,000 and Community Action Organization of Western New York in the amount of \$150,000; and be it further

RESOVED, that sufficient funding exists within the Department of Social Services 2025 Operating Budget (Fund 110, Funds Center 120) Account 516020 - Professional Services, Contracts & Fees; and be it further

RESOLVED, that authorization is hereby given to the Director 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)

LAWRENCE J. DUPRE
CHAIR

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

Report No. 7 ENERGY & ENVIRONMENT COMMITTEE

Attachments

Report No. 7

May 15, 2025

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT EXCEPT LEGISLATOR GILMOUR.
CHAIR MEYERS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM 9E-18 (2025)
COUNTY EXECUTIVE “ECSD Nos. 2, 3, 6, & 8 – Construction Inspection Term Contract Agreement”
(Chair’s Ruling)

b. COMM 9E-19 (2025)
COUNTY EXECUTIVE “ECSD No. 3 – Engineering Term Contract Agreement (Work Order: BC-3)”
(Chair’s Ruling)
2. COMM. 9E-16 (2025)
COUNTY EXECUTIVE - AS AMENDED
WHEREAS, the Erie County Legislature adopted the Community Climate Action Plan in February 2024 (Comm. 2E-1 9), which calls for improving active transportation options in the community to reduce climate pollution and improve health; and

WHEREAS, Shared Mobility, Inc. (Reddy) has implemented the Reddy Bikeshare shared bicycle network, bicycle racks, and maintenance infrastructure in the City of Buffalo including a rack at the Rath Building; and

WHEREAS, Reddy offers a Corporate Membership for businesses, allowing staff to have unlimited free membership, which would cost the County \$6,500 for all County staff for five years (2025-2029); and

WHEREAS, the County Legislature appropriated a Climate Action Fund in the 2025 budget to further climate action initiatives (account #516315), and which would be used to fund the Reddy Corporate Membership; and

WHEREAS, to offer unlimited Reddy Bikeshare memberships to County staff requires the execution of a Corporate Membership Agreement with Reddy.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or Deputy County Executive to execute a Corporate Membership Agreement with Shared Mobility, Inc. for \$6,500 to allow for unlimited Reddy Bikeshare memberships for County staff from 2025 to 2029; and be it further

RESOLVED, that sufficient funding exists within the Department of Environment and Planning' s 2025 Operating Budget (Fund 110, Funds Center 16210) Account # 516315 - Community Climate Resiliency Fund; and be it further

RESOLVED, that certified copies of this resolution shall be furnished to the County Executive's Office, Division of Budget and Management, Department of Law, and Department of Environment and Planning. (5-0)

3. COMM. 9E-17 (2025)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 2E-3 (2023), Contract Nos. 76-A and 76-B were awarded to Weaver Metal & Roofing, Inc. and D. V. Brown & Associates, Inc., respectively for general construction associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof Replacement and Effluent Heating/Ventilation Unit (HVV) Replacement Project in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 76-A between the County of Erie and Weaver Metal & Roofing, Inc. (40 Appenheimer Ave., Buffalo, NY 14214) is accepted in the final contract amount of \$3,493,167.00 which includes Change Order No. 1 (final), a decrease of \$86,833.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 76-A to Weaver Metal & Roofing, Inc. for a total contract amount of \$3,493,167.00; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 76-B between the County of Erie and D.V. Brown & Associates, Inc. (567 Vickers St., Tonawanda, NY 14150) is accepted in the final contract amount of \$2,020,228.00 which includes Change Order No. 1 (final), a decrease of \$38,172.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 76-B to D.V. Brown & Associates, Inc. for a total contract amount of \$2,020,228.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Division of Sewerage Management.
(5-0)

JOHN A. BARGNESI
CHAIR

SUBJECT

INTRO. 10-1	ST. JEAN TARD	Protect the Bailey Ave. Bus Rapid Transit Project from Federal Disinvestment Under the Trump Admin.
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25INTRO. 10-1	Attachments
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A RESOLUTION SUBMITTED BY**LEGISLATOR ST. JEAN TARD****Re: Protect the Bailey Avenue Bus Rapid Transit Project from Federal Disinvestment Under the Trump Administration**

WHEREAS, the Bailey Avenue Bus Rapid Transit Project is a transformative transportation initiative designed to deliver efficient, reliable, and necessary transit service along one of Buffalo's most heavily used corridors; and

WHEREAS, the Bailey Avenue Bus Rapid Transit Project is in urgent need of this investment to strengthen and support Buffalo's East Side, as the corridor runs south to north and will provide East Side residents with improved access to higher-paying industrial jobs, higher education institutions, and healthcare services, as many of which are located outside the immediate area; and

WHEREAS, Senator Charles Schumer and Congressman Timothy Kennedy have been consistent champions of federal investment in regional infrastructure, and I have joined in this effort by allocating \$500,000 in County Urban Infrastructure Funds to support a complementary project aligned with the Bailey Avenue BRT initiative; and

WHEREAS, a provision in the transportation section of the Trump Administration's proposed tax legislation would claw back previously awarded grants from the Neighborhood Access and Equity Program, jeopardizing the funding for Buffalo's Bailey Avenue transformation project;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature strongly supports the full allocation of the \$103 million in federal funding for the Bailey Avenue Bus Rapid Transit Project; and be it further

RESOLVED, that the Erie County Legislature urges the Federal Transit Administration and all relevant agencies to expedite the release of these funds to advance both the planning and implementation phases of the project; and be it further

RESOLVED, that the Erie County Legislature calls on all members of the Western New York Congressional delegation to oppose the Trump Administration's tax legislation and any provisions that threaten to rescind funding for the Bailey Avenue Bus Rapid Transit Project; and be it further

RESOLVED, that the Erie County Legislature condemns any support for the Trump Administration's Tax Bill as doing so would further economically disenfranchise Buffalo's East Side and erode trust within the community; and be it further

RESOLVED, that the Clerk of the Legislature shall send copies to Senate Minority Leader Charles Schumer, Senator Kirsten Gillibrand, Representative Timothy Kennedy, Representative Nick Langworthy, the Federal Transit Administration, and the Niagara Frontier Transportation Authority (NFTA) to affirm our full support for this critical infrastructure investment.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-1

COUNTY CLERK

Data Disclosure In External Audit of County
Clerk's Office

Attachments

25COMM. 10E-1



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

IMMEDIATE CONSIDERATION REQUESTED

May 12, 2025

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

Re: Data Disclosure In External Audit of County Clerk's Office

Dear Honorable Members:

I write to follow up on two letters I filed with this Honorable Body on May 8, 2025 directed to the County Attorney and the Chief Information Officer of the Division of Information Services ("DISS"), respectively. Those letters concerned the improper disclosure of sensitive information from the Erie County Clerk's Office during the external audit being conducted by Weaver. This Honorable Body ordered the County Attorney to initiate the audit via resolution INTRO. 16-1 (2024) adopted on September 26, 2024, a copy of which is enclosed herein.

To summarize the situation- DISS has turned over approximately 52,000 records to the County Attorney, who is understood to be disseminating the records to Weaver under the guise of being necessary to the external audit. The records almost certainly contain personally-identifiable information that is both statutorily and contractually protected data, posing a security and privacy risk to Erie County residents and taxpayers as well as potential liability against the County. Potential statutes and contracts that may have been violated include the following:

- Section 33.13 of the Mental Hygiene Law;
- Use & Dissemination Agreement between New York State Division of Criminal Justice Services ("DCJS") and Erie County Clerk – Pistol Permit Department; and
- The New York State Secure Ammunition and Firearms Enforcement ("SAFE") Act's Opt-Out provision (Penal Law 400.00(5)(b)).

In addition, the records also likely contain numerous inter-agency and intra-agency communications with fellow County employees, civil servants, and elected officials that are exempted from disclosure under the Freedom of Information Law ("FOIL").

Neither DISS, nor the Law Department, nor Weaver sent any request for such records to the County Clerk's Office. When the issues were presented to the Law Department, a legal opinion was promised to the Clerk's Office as to what could be turned over to a professional services provider. No such opinion has been received to date, and the Law Department stated its intent to disseminate the records to Weaver via email on May 8, 2025.

Based upon the May 8, 2025 email, my Office reported a potential breach to DCJS as required by the terms of our Use & Dissemination Agreement on May 9, 2025.

According to the INTRO 16-1 (2024), both the County Clerk and the Comptroller's Offices were to be consulted throughout this audit. As pertains to the Clerk's Office, that collaboration has simply not occurred. We would be interested to learn if the Comptroller's Office has had a similar experience.

Following conversations with both the Erie County Sheriff and Erie County District Attorney's Office, I am respectfully requesting this Honorable Body hold hearings, either publicly or privately with the Majority and Minority Caucuses, to assess the status of this audit, the justification for the disclosure of 52,000 records, the continued use of the phrase "criminal conduct" in Weaver's Engagement Letter, and a timetable for completion of this audit.

I note that at the March 15, 2024 press conference announcing the arrest of former Finance Deputy Clerk Alexander McDougall, the following statements were made by the Erie County District Attorney and the Erie County Sheriff:

District Attorney John Flynn: "I think it is important to note that 55-year old Alex McDougall has been arrested today. No one else from the Clerk's Office has been arrested today. **And there is no indication that anyone else in the Clerk's Office is involved in this at all or has anything to do with the thefts.**"

Sheriff John C. Garcia: "And this is not a reflection upon the great work that our County Clerk Michael "Mickey" Kearns and his people are doing day-in and day-out. There are millions and millions of dollars as the District Attorney said going through the Clerk's Office. **And one bad apple has been removed, and the public is, can rest assure, that there is no other person involved.**"

Video of the 32-minute conference is available at the following link:

<https://www.wivb.com/news/local-news/erie-county/fired-erie-county-deputy-clerk-charged-with-stealing-over-215k-from-clerks-office/>

District Attorney Flynn's statement occurs at the 9:52 minute mark. Sheriff Garcia's statement occurs at the 21:48 minute mark.

I ask that this Honorable Body weigh these statements against this external audit, which is now in its seventh (7th) month, and consider how much time and taxpayer money is truly warranted in proceeding further with virtually no timetable or guardrails.

Allowing dissemination of over 52,000 records to the Law Department and an outside agency will set a dangerous precedent, not to mention likely violate the above-referenced statutes and agreements and further erode the public's trust in government.

Respectfully submitted,



MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

Cc: Hon. John Garcia, Erie County Sheriff
Hon. Michael Keane, Erie County District Attorney
Hon. Kevin Hardwick, Erie County Comptroller
Jeremy Toth, Erie County Attorney
Michael C. Breeden, DISS Chief Information Officer

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS GILMOUR, BARGNESI, AND VINAL**

Re: Call for an External Forensic Audit of the County Clerk's Office

WHEREAS, the Erie County Comptroller's Office recently conducted two audits of the County Clerk's Office - Registrar Division between January 1, 2022 and December 31, 2022; and

WHEREAS, the audits found some troubling issues in the Clerk's office, including the use of outdated software in managing public funds; and

WHEREAS, the use of outdated software and outdated office managing practices have led to errors in reporting, collecting, and distributing mortgage tax revenues; and

WHEREAS, those revenues are important to the towns and cities within the County, the Niagara Frontier Transportation Authority, and the State of New York Mortgage Agency; and

WHEREAS, throughout the course of the audit, the Comptroller's office has found many instances of inconsistencies and discrepancies within the Office of the County Clerk, and for that reason have recommended an external audit be conducted; and

WHEREAS, an external audit will allow for an independent, full-service, professional audit agency to build upon the internal audits that have been conducted and provide expert recommendations to ensure our residents' County tax dollars are protected to the highest degree; and

WHEREAS, this Honorable Body previously approved Intro. 5-4 (2024) and Intro. 9-6 (2024) calling for an external audit of the office of County Clerk; and

WHEREAS, this Honorable Body's authority to call for such external audit lies in the County Charter, Article 2, Section 201(8) which provides the Legislature to "make studies and investigations it deems in the best interest of the County, and in connection therewith to obtain professional and technical advice..."; and

WHEREAS, the call on the County Attorney to conduct an RFP to conduct an external audit on the office of the County Clerk is the Legislature acting to make an investigation in the best interest of the County, due to previous findings of improper use of taxpayer dollars, by obtaining professional and technical advice from an independent, external auditor with the expertise and capacity to complete a thorough audit of the office of the County Clerk.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body rescinds Intro. 5-4 (2024) calling on the County Clerk to conduct an RFP for an external audit of the office of the County Clerk; and be it further

RESOLVED, that the County Attorney is authorized to hire an accountant to perform an audit, as articulated in the request for proposals issued to various accounting firms on June 20 by the County Attorney, with the specific scope of work to be an audit of the Erie County Clerk's Concentration Account for the time period starting in 2017 and ending in 2021 in order to discover any further criminal conduct by any county employee, to discover if the Clerk's office has accurately and appropriately distributed monies collected by the Registrar's office and to recommend more effective controls over this account; and be it further

RESOLVED, that the Erie County Clerk and the Erie County Comptroller be consulted during the audit, including but not limited to, participation as a subject in any interviews conducted by the external audit team, and the ability to review the external audit prior to its finalization; and be it further

RESOLVED, that the Erie County Clerk is directed to preserve any records, both paper and electronic, that have the potential to be lost as the Clerk begins its transition to a new software system; and be it further

RESOLVED, the Clerk of the Legislature is directed to send copies of this resolution to the Erie County Clerk, the Erie County Comptroller, the Erie County Executive, the County Attorney, the Budget Director, the New York State Comptroller, and any other parties deemed necessary.



October 10, 2024

Jeremy Toth
Erie County Attorney, Erie County (NY)
Erie County Department of Law
95 Franklin St., 1634
Buffalo, NY 14202

Re: Forensic Audit of the Erie County Clerk's Office

Dear Mr. Toth:

This engagement letter confirms that the County of Erie ("you" and "your"), has retained Weaver and Tidwell, L.L.P. ("our", "us", and "we") to provide professional services in the above-referenced matter.

The objective of our engagement will be to conduct a forensic audit of the Erie County Clerk's Office "Concentration Account" during the time period from 2017 to 2021. The objectives of the forensic audit include:

1. To discover any further criminal conduct by any County employee;
2. To discover if the Clerk's office is accurately and appropriately distributing funds collected by the Registrar's Division; and
3. To recommend more effective controls of the Concentration Account.

We will communicate regularly with you to receive direction on the specific nature of the services we are to perform and the subject matter of any opinions you wish us to consider.

At the conclusion of our engagement, we will summarize our findings in a written report and other formats that most clearly communicate the issues. Typically, we report the results of our engagements in oral presentations and spreadsheets in addition to written reports, as appropriate.

Fees and Invoicing

We estimate the fee for this engagement will be \$140,000. We will charge for our time at our discounted hourly rates set forth below. The total fee for our services will be determined by the complexity of the work performed and the tasks required. Individual hourly rates vary according to the degree of responsibility involved and the skills required. The rates are subject to periodic review and may change at the beginning of each of our fiscal years (June 1st). It is understood that neither our fees nor the payment thereof will be contingent upon the results of this engagement.

Staff Level	Discounted Hourly Rate
Managing Director / Partner	\$375 - \$485
Senior Manager / Director	\$325 - \$350
Supervisor / Manager	\$240 - \$315
Associate / Senior Associate	\$190 - \$225
Intern	\$170

Our fee estimate is based on anticipated cooperation from all involved and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss the reasons with you and arrive at a new fee estimate before we incur the additional costs.

Our invoices are payable on presentation and will be rendered (generally monthly) as work progresses. Each invoice will include our administrative and technology charge referenced in the General Terms. The charge is currently

Weaver and Tidwell, L.L.P.

CPAs AND ADVISORS | WEAVER.COM

October 10, 2024

calculated as a percentage (5.0%) of our fees and is subject to periodic review and change. The obligation to pay for our services exists whether arising from your request or if otherwise identified by us during the course of this engagement and is not contingent on the results obtained as we do not warrant or predict results or the final outcome of the engagement.

Our Responsibilities

In conducting our research or reaching our conclusions, we may rely on representations made by you and others acting on your behalf.

Our services will be performed pursuant to the Statement on Standards for Forensic Services No. 1, promulgated by the American Institute of Certified Public Accountants ("AICPA"). As part of this engagement, we will not be performing attest services as defined by the AICPA and therefore these services will not include the compilation, review, or audit of financial records or financial statements.

Third-Party Service Providers

Depending on the requirements of this engagement, we may use the services of our affiliate, Weaver and Tidwell India LLP, a limited liability partnership incorporated in India, or one or more other third-party service providers to assist us. Before sharing confidential information with those service providers, we will (i) secure agreements to maintain the confidentiality of confidential information and ensure the confidential information is only used for the purpose of assisting us with the performance of this engagement and (ii) take commercially reasonable precautions to determine the service providers have appropriate procedures in place to prevent the unauthorized disclosure of confidential information. If we use such service providers, we will remain responsible for all work performed and any breach of our confidentiality arrangements by those service providers.

Your Responsibilities

You will determine the nature of the services we are to perform and keep us informed of material changes to the scope or objectives of our services. If this engagement includes testifying expert services, you agree to provide us with reasonable advance notice of any requirement for appearance at a deposition or court hearing and all applicable deadlines. You will also inform us promptly of any legal proceeding (such as an objection or motion) challenging the admissibility or basis of the opinion or testimony of any of our professionals assigned to this engagement. The notice shall be in writing and include the style of the case, the case number, and court in which the challenge has been asserted, as well as the nature of the challenge. We reserve the right to take all steps necessary to respond to any such challenge, including interceding on the professional's behalf with written motion and briefing, and you agree to cooperate with us to facilitate our response. Such efforts by us though will not be taken on your behalf or otherwise supplant efforts which you may decide are appropriate and necessary to protect your interests.

Additional Ethical Conflict Terms

We provide services to many attorneys, companies, and individuals in various industries and geographic locations, including services of a similar nature to this engagement. We have reviewed the information you have provided to us about the parties and related persons and entities participating in or connected to this engagement and we are not aware of any conflicts of interests which would impact our ability to perform the requested services. You agree to inform us if there is a change or addition of any parties or related persons and entities—including attorneys—participating in or connected to this engagement. We reserve the right to withdraw from this engagement if, in our professional judgment, our continued involvement in this engagement would be inappropriate due to a conflict of interest.

October 10, 2024

Documentation and Deliverable

The documentation we prepare pertaining to and in support of this engagement, along with any resulting work product, is your property and constitutes confidential information.

Any work product we prepare as a result of this engagement will be submitted directly to you.

If our documentation is subject to a protective order or confidentiality agreement, you agree to provide a copy of the same to us. We agree to abide by such restrictions we sign.

No (i) disclosure of our work product from this engagement or any portion, abstract, or summary thereof or (ii) reference to any opinions we may offer, shall be made orally or in writing (including without limitation by inclusion or reference in a discovery response, motion, or reply) without your prior written consent; except where compelled by a court or required to comply with a legal or regulatory obligation. To the extent disclosure of our work product is permitted, it shall only be made in the original, complete, and unaltered form provided by us with all restrictive legends and other agreements intact.

All documents provided by you that we do not need to retain in our files will be returned to you if requested in writing within ninety (90) days of completion of this engagement. We reserve the right to destroy the documents if there are no instructions from you within ninety (90) days of the completion of the engagement.

Incorporated General Terms

Attached are our General Terms that provide additional terms (including but not limited to provisions on confidentiality, limitations on liability, dispute resolution, jury waiver, etc.) for this engagement, limitations on liability, indemnifications, dispute resolution, jury waiver, etc.) for this engagement. Those terms are incorporated and apply to all services described herein.

We appreciate the opportunity to assist you and look forward to working with you and your team.

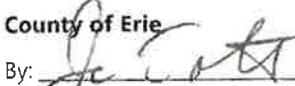
Sincerely,

Weaver and Tidwell, L.L.P.

WEAVER AND TIDWELL, L.L.P.

Please sign and return a copy of this letter.

By signing below, the signatory indicates your acknowledgment of, and agreement with, the arrangements for our engagement described herein, as well as authority to execute this agreement.

County of Erie
By: 
Printed Name: Jeremy Toth
Title: Barish County Attorney
Date: 10-11-24

GENERAL TERMS

1. **Expenses.** In addition to the fee for our services, reasonable and necessary out-of-pocket expenses we incur (such as parking, reproduction and printing, postage and delivery, and out-of-market travel, meals, and accommodations) will be invoiced at cost. The total amount stated on each invoice will include a separate administrative and technology charge. The charge represents an estimated allocation of our support personnel, telecommunication, and technology infrastructure expenses. The amount stated on each invoice will also include any sales, use, gross receipts, excise, or other transaction tax imposed on our fees or expenses.

2. **Payment.** Any disagreement with the charges must be communicated to us in writing within thirty (30) days of the invoice date, after which any right to contest the invoices will be waived. For invoices not paid within sixty (60) days of the invoice date, a late charge will be added to any uncontested outstanding balance. The late charge will be assessed at a rate of half a percent (0.5%) of the unpaid balance per month. If invoices are not paid within ninety (90) days of the invoice date, this engagement (and any other engagements for the same party) will be placed on hold and we will stop work until the balance is brought current, or we may withdraw, and we will not be liable for any damages that may result.

3. **Term.**

A. This engagement ends at the earlier of the completion of our services described above, the provision of any deliverables described above, or the termination of this engagement. Any party may earlier terminate this engagement at any time with ten (10) days' written notice to the other party. If the engagement is terminated, our engagement will be deemed to have been completed upon written notification of termination, and we will be paid for our time expended and expenses incurred through the date of termination.

B. If we are requested to perform additional services not addressed in this engagement letter, we will communicate our ability to perform the services, the scope of additional services we agree to perform, and the fee arrangements we would use. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting the arrangement for performance of such additional services, those services will continue to be governed by the terms of this engagement letter.

4. **Ethical Conflict Resolution.** In the unlikely event that circumstances occur which we in our sole discretion believe could create a conflict with either the ethical standards of

our firm or the ethical standards of our profession in continuing our engagement, we may suspend our services until a satisfactory resolution can be achieved or we may resign from the engagement. We will provide notice of such conflict as soon as practicable and discuss any possible means of resolving the conflict prior to suspending our services.

5. [Intentionally Omitted]

6. **Confidentiality.**

A. During the course of this engagement, the parties may disclose to each other, orally, in writing, or otherwise, information that is identified as or which is otherwise categorized by law as proprietary, confidential, or privileged ("Confidential Information"). Confidential Information does not include material which (i) is in the public domain through no fault of the receiving party, (ii) was already known to the receiving party before it was first disclosed to the receiving party by or on behalf of the disclosing party related to this engagement, (iii) is received by the receiving party from third-parties without confidentiality restrictions, unless those third-parties were acting for or on behalf of the disclosing party related to this engagement, or (iv) is developed by the receiving party independently of, and without reference to, any Confidential Information communicated to the receiving party by or on behalf of the disclosing party. We will use the Confidential Information disclosed to us during this engagement solely to perform services for which we have been engaged.

B. We may be requested to make the Confidential Information available to regulators and other government agencies, pursuant to authority given by law or regulation. Responding to many such requests is mandatory. In those cases, we will follow C below. Access to such Confidential Information thereafter will be provided under our supervision and we may, upon their request, provide the regulator or agency with copies of all or selected portions of the Confidential Information. The requesting party may intend or decide to distribute the copies or information contained therein to others, including other regulators or agencies.

C. Unless otherwise stated herein, prohibited by law or direction of law enforcement, or agreed in writing, the parties will (i) provide prompt notice of any request received to make Confidential Information pertaining to this engagement, including any of our work product, available to outside parties not involved in the performance of these services and (ii) obtain written consent from the affected party before disclosing the Confidential Information in response to the request. If consent is withheld, the parties

will cooperate with any lawful efforts taken to minimize the disclosure or protect the Confidential Information.

D. We will invoice for reasonable and necessary time and out-of-pocket expenses we incur to respond to any request (such as a subpoena, summons, court order, or administrative investigative demand) pertaining to this engagement in a legal matter to which we are not a party. Our time to facilitate the response will be charged at our then-current standard hourly rates, our expenses (including attorney's fees) will be invoiced at cost, and our administrative and technology charge will be applied. If we agree to perform additional substantive services related to or arising out of the request, such matters may be the subject of a new engagement letter.

E. The parties agree to maintain Confidential Information using the same standard of care each uses to protect its own information of like importance but in no case less than a reasonable standard of care.

F. All rights to Confidential Information (including patent, trademarks, copyrights, or other intellectual property rights) shall remain vested in the disclosing party, and no rights in the Confidential Information are vested in the receiving party, except the limited right to use the Confidential Information solely to perform its obligations or exercise its rights under this engagement letter.

G. We will return or destroy the Confidential Information upon the disclosing party's request within a reasonable period of time, except that we will maintain any copies of the Confidential Information for the period necessary to comply with any applicable laws or professional standards and our own document retention policy (e.g. we will maintain our workpapers for seven (7) years from the date of any attest report we issue). Following such a period, we may destroy the Confidential Information without notice.

H. We may at times provide documents marked as drafts. Those documents are for review purposes only and should not be relied upon. They should not be distributed and should be destroyed, unless otherwise required by law.

I. We may transmit and store data via email, the cloud, or other electronic and Internet-based mechanisms to facilitate this engagement. Please be aware that those mediums inherently pose a risk of misdirection or interception of Confidential Information. Any request to limit such transmissions or use a different means of transmission or storage must be made in writing and we will not be responsible for any resulting compromise in data security.

J. We do not act as the host or repository of financial or non-financial information or as an information back-up service provider for our clients. It is the responsibility of our

clients to maintain a complete set of their own financial and non-financial data and records. If some portion of the data and records is contained only within our files, inform us before the issuance of our deliverable and we will provide a copy.

K. Unless otherwise stated herein or agreed in writing, neither this engagement nor engagement letter is intended for the benefit of any third party. Any party may inform us of any third party who will receive our deliverable. If we are not informed in writing by a party, we are not aware of the identity of such third parties and we do not anticipate their reliance upon our professional services or deliverable unless otherwise agreed in writing.

7. Limitations on Liability.

A. Each party to this engagement letter other than us gives the following releases to us and our partners, employees, and contractors, and each of their heirs, executors, personal representatives, successors and assigns ("Our Representatives"). We and Our Representatives are hereby released from and against any liability and costs, including related liabilities, losses, damages, costs, expenses, and attorneys' fees, resulting from or arising out of: (i) knowing misrepresentations or unintentional or unauthorized disclosures to us or Our Representatives by any party (other than us) or their officers or employees (except those of the Erie County Clerk's Office), (ii) disclosure of our work product to anyone not a party to this engagement letter who we were not informed of in advance, or (iii) misdirection, interception, or failed delivery of information connected with this engagement during transmission, submission, or storage.

B. Our and Our Representatives' total aggregate liability pertaining to this engagement and engagement letter shall be limited to one (1) times the amount of our fees (excluding any reimbursable expenses) the party bringing the claim paid to us for the services in question. In no event shall we or Our Representatives be liable for indirect, incidental, consequential, special, multiple, exemplary, or punitive losses or damages—even if advised of their possible existence.

C. Satisfaction of a claim or cause of action arising from nonattest services (if any) which are part of this engagement or performed pursuant to this engagement letter shall only be sought from the limited liability partnership, Weaver and Tidwell, L.L.P. In no event will our partners, directors, employees, or agents be individually liable for any liability, damages, expenses, or losses of any nature, caused by or resulting from the engagement, engagement letter, or use of our work product. While we are entering into this

engagement letter on our own behalf, this paragraph is also intended for the benefit of Our Representatives.

D. All limitations on liability contained herein shall apply to the fullest extent permissible by applicable laws and professional standards (including, without limitation, any applicable rules and interpretations of the AICPA, PCAOB, and SEC), regardless of the cause of action (whether contract, negligence, or otherwise), except as finally determined to have resulted solely from our fraud, gross negligence, or willful misconduct.

8. Dispute Resolution Procedure.

A. No claim arising out of or relating to this engagement or engagement letter shall be filed more than two (2) years after the earlier of the termination of this engagement or the date of the delivery of our work product in question, if any. This limitation applies and begins to run even if no damage or loss has been suffered, or the injured or damaged party has not become aware of the existence or possible existence of a dispute.

B. If a dispute arises out of or relates to this engagement or engagement letter, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by mediation before resorting to litigation. In such event, the parties will attempt to agree upon a location, mediator, and mediation procedures.

C. This engagement letter and all disputes between the parties shall be governed by, resolved, and construed in accordance with the laws of the State of New York, without regard to conflict-of-law principles. Any action arising out of or relating to this engagement or engagement letter shall only be brought in, and each party agrees to submit and consent to the exclusive jurisdiction of the federal or state courts in the State of New York and convenience of those situated in Erie County, New York.

D. [Intentionally Omitted]

E. Whenever possible, this engagement letter shall be interpreted in such a manner as to be effective and valid under applicable laws, regulations, or published interpretation, but if any term of this engagement letter is declared illegal, unenforceable, or unconscionable, that term shall be severed or modified, and the remaining terms of the engagement letter shall remain in force. The court should in such case modify any term declared to be illegal, unenforceable, or unconscionable in a manner that will retain the intended term as closely as possible.

F. If because of a change in status or due to any other reason, any of the terms of this engagement or any contract we have now or enter into in the future with any of the other parties, would be prohibited by, or would impair our

independence when required under laws, regulations or published interpretations by governmental bodies, professional organizations or other regulatory agencies, such provision shall, to that extent, be of no further force and effect and the contract shall consist of the remaining portions.

9. Miscellaneous.

A. We have non-CPA owners who may provide services pertaining to this engagement.

B. We do not provide legal advice or services. If necessary, refer to appropriate legal counsel for advice or services of that nature.

C. This engagement letter sets forth all agreed upon terms and conditions of our engagement with respect to the matters covered herein and supersedes any that may have come before. This engagement letter may not be amended or modified except by further writing signed by all the parties. Any provisions of this engagement letter which expressly or by implication are intended to survive its termination or expiration will survive and continue to bind the parties. The use of electronic signatures or multiple counterparts to execute this engagement letter shall have the same force and effect as a manually or physically signed original instrument.

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-2	COUNTY CLERK	COMM. 6E-9 Requested Supplemental Material
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25	COMM. 10E-2	Attachments
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COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 7, 2025

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

Re: COMM. 6E-9 Requested Supplemental Material

Dear Honorable Members:

I write to follow up on the discussion had with this Honorable Body and the Western New York Law Center ("WNYLC") regarding COMM. 6E-9, requesting approval to enter into a second and final extension of the contract with the WNYLC.

At that meeting, the WNYLC was tasked with providing supporting documentation regarding its work on the various Zombie properties in our area. It is my understanding that the requested supplemental material has been mailed by the WNYLC to each Legislator, however I am filing a copy of the material so that it is part of the record.

Included with this letter is the April 2025 Update to the Legislature and several letters of support from local Code Enforcement Officials. I am also attaching the previously filed proposed Resolution as a courtesy.

Once again, I thank this Honorable Body for its consideration of the important work the WNYLC has done with the Erie County Clerk's Office, and respectfully request that the contract be extended for a final two years, as recommended to me by the Division of Purchase. I look forward to continued discussions with this Honorable Body and the WNYLC at the next Committee meeting.

Very truly yours,

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

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.



Erie County Clerk
Michael P. Kearns



April 2025

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

Dear Erie County Legislators,

I have attached the requested data following our discussion on April 3, 2025, regarding the Zombies Initiative and the extension of our contract with the Erie County Clerk's Office. Additionally, I have included several letters of support from local Code Enforcement Officials, which highlight the positive impact of our work in their communities. If you have any questions, please feel free to contact me at (716) 828-8400 or via email at aknapp@wnylc.net.

Thank you.

Best regards,

Allison E. Knapp

Western New York Law Center



Erie County Clerk
Michael P. Kearns



Zombie Property Outreach Services

WNY Law Center: April 2025 Update to Erie County Legislature

The Erie County Clerk's ZOMBIES Initiative is a collaboration between the Office of Erie County Clerk Michael P. Kearns and the Western New York Law Center. The primary goal of this collaboration is to provide resources to Erie County municipalities and communities facing zombie foreclosures. Since 2019, the Western New York Law Center (the Law Center) has contracted with Erie County through the Clerk's Office to provide county-wide services to help address zombie properties. These services range from researching vacant properties to sharing information through our Stay in Your Home Campaign to prevent people from leaving homes before they must. We continue to provide services to keep people in their homes to avoid future vacancies and address current zombies to preserve neighborhoods across the county.

April 2025 Update:

From 2019 to 2025, the ZOMBIES Initiative conducted research on 678 properties in Erie County. Community members, neighbors, local code enforcement officials, and municipal officials reported these properties to us. The properties are categorized based on their status: Zombie, Vacant & Abandoned (not mortgaged but tax delinquent), Other (with no delinquent mortgage or taxes), or Estate cases. Out of the 678 properties we examined, 171 were identified as Zombie properties, where the servicer was responsible for maintenance and repairs.

How many properties sold?

We conducted research to determine how many properties have sold since they were reported to us and researched. This is based on the most recent data available via Erie County parcel search and online public records. Out of 678 properties, 469 of them did not sell or the homeowner retained ownership. 209 of the properties that we researched have sold. Per U.S

Census data for Erie County, the average household size is 2.26 (2019-2023), meaning that the Zombie's Initiative has assisted at least 609 individuals secure housing since the start of our work.

Breakdown by municipality:

Municipality:	Number of properties reported:
Akron (14001)	5
Alden (14004)	1
Amherst/East Amherst (14051,14068-14261)	16
Angola (14006)	9
Aurora (14052)	1
Blasdell (14219)	1
Boston (14025)	11
Buffalo (14201-14228)	263
Cheektowaga (14225)	29
Clarence (14031, 14032)	23
Colden (14033)	10
Collins (14034)	2
Concord (14141)	1
Depew (14043)	22
East Aurora (14052)	1
Eden (14057)	7
Elma (14059)	5
Evans (14006)	14
Getzville (14068)	1
Gowanda (14070)	3
Grand Island (14072)	22
Hamburg (14075)	15
Holland (14080)	7
Kenmore (14127)	10
Lackawanna (14218)	11
Lakeview (14085)	3
Lancaster (14043,14086)	17
North Collins (14111)	7
Orchard Park (14127)	9

Sanborn (14312)	1
Sardinia (14055)	1
Sloan (14212)	1
South Wales (14149)	1
Springville (14141)	3
Tonawanda (T & C) (14150,14223,14217)	117
West Seneca (14224)	21
Williamsville (14221)	8

**Any municipality not listed had no properties reported.

Community Reinvestment:

The work that we do explicitly leads to servicers and investors spending money on preserving and maintaining vacant properties; this is a direct investment in the community. Not counting any pending work or settlements, we have reinvested at least \$355,369.34 on sixteen properties that have been on our 'Priority property' list over the last six years.



VILLAGE OF ANGOLA

41 Commercial Street • Angola, NY 14006

(716) 549-1126

(716) 549-1180

Fax: (716) 549-5130

www.villageofangola.org

TDD 1-800-662-1220

April 17, 2025

Allison E. Knapp
Zombies Community Engagement Paralegal
Western New York Law Center
37 Franklin Street, Suite 210
Buffalo, NY 14202

Dear Allison,

On behalf of the Village of Angola, I am writing to express our strong support for continued funding of the Zombies Initiative through Erie County. Over the years, this program has proven to be an essential tool in our efforts to identify, monitor, and address vacant and abandoned properties that pose risks to our neighborhoods.

The Zombies Initiative has provided municipalities like ours with critical resources, technical guidance, and enforcement support to mitigate the negative impacts of "zombie" properties. These properties, often left in limbo during lengthy foreclosure processes, can quickly become health and safety hazards, diminish property values, and threaten the well-being of nearby residents.

Through the assistance provided by the Initiative, the Village of Angola has been able to take proactive steps in maintaining community standards, ensuring safer streets, and preserving the character of our neighborhoods. Without this program, our ability to address these issues would be significantly diminished, potentially leading to increased blight, public safety concerns, and greater costs to taxpayers in the long term.

We strongly encourage the Erie County Legislature to continue funding the Zombies Initiative. The benefits this program brings to our community—and to municipalities throughout the region—are both tangible and lasting. Discontinuing it would jeopardize years of progress and put communities at a disadvantage in dealing with these complex property issues.

Thank you for your efforts to advocate for this important initiative. I would be happy to provide additional information or speak further on this matter if needed.

Thomas M. Whelan

Thomas M. Whelan
Mayor
Village of Angola

Allison Knapp

From: David Albert <DALbert@clarence.ny.us>
Sent: Thursday, May 1, 2025 8:15 AM
To: Allison Knapp
Subject: RE: Zombie Initiative Updates: Roundtable & EC Legislature

Allison

Sorry for the late response, I was out of town.

Anyway, I have been working with the WNYLC and the Zombie Initiative since the beginning. They have been very helpful in finding information on abandoned and neglected homes and finding the banks or owners that are supposed to be taking care of them. With their help I have been able to either have the property maintained and/or demolished. Once these properties have been maintained or demolished it can be put back on the tax rolls and/or re built to enhance the neighborhood.

Without the help and support of the WNYLC and the Zombie Initiative I would have struggled to accomplish any of this.

Thank you very much for your help.

Dave Albert
Code Enforcement Officer
Town of Clarence

From: Allison Knapp <aknapp@wnylc.net>
Sent: Thursday, April 17, 2025 10:20 AM
To: Jean Blizzard <jblizzard@wnylc.net>; Allison Knapp <aknapp@wnylc.net>
Subject: RE: Zombie Initiative Updates: Roundtable & EC Legislature

Hi everyone,

I'm following up on my email from last week. If anyone is interested in supporting the Zombie's Initiative, please respond to this email with examples of how the program has been helpful or any successes you can recall. Your input is greatly appreciated.

Have a wonderful weekend!

Best regards,

Allison E. Knapp (she/her)
Zombies Community Engagement Paralegal
Western New York Law Center
37 Franklin Street, Suite 210
Buffalo, NY 14202
Telephone: 716-828-8400
Ext: 131

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Allison Knapp

From: Town of Boston Supervisor <supervisor@townofboston.com>
Sent: Thursday, April 17, 2025 12:20 PM
To: Allison Knapp
Subject: Re: Zombie Initiative Updates: Roundtable & EC Legislature

Hi Allison -

Please see below on behalf of Supervisor Jason Keding:

On behalf of the Town of Boston, I would like to express our full support for the continuation and funding of the Zombies Initiative. Since becoming a participant in this program, our town has seen firsthand the vital role it plays in addressing the challenges posed by vacant and abandoned properties. These properties, left in limbo during foreclosure, quickly deteriorate and contribute to neighborhood decline, safety concerns, and a reduced quality of life for our residents.

Through the support of the Zombies Initiative, the Town of Boston has been able to take proactive steps to identify, track, and address these properties before they become larger community issues. The technical assistance and training offered through the initiative have strengthened our code enforcement efforts, helped preserve property values, and, most importantly, improved the safety and appearance of our neighborhoods.

Losing this program would significantly hinder our ability to maintain this momentum and continue addressing problem properties in a timely and effective manner. The ripple effects would be felt not only in property values and community morale but also in the increased strain on our already limited municipal resources.

We strongly urge the Erie County Legislature to continue supporting and funding the Zombies Initiative. The return on investment in terms of community revitalization, safety, and municipal efficiency cannot be overstated. Thank you for your time and consideration. Please do not hesitate to reach out if additional information is needed or if there is an opportunity for the Town of Boston to speak further in support of this essential program.

Thank you,



Allison Koczur

Town of Boston, Executive Assistant to Supervisor

P: (716) 941-6518 | F: (716) 941-6116

8500 Boston State Road | Boston, New York 14025

www.townofboston.com | [Let's Connect!](#)

Thank you for not printing this e-mail!



Town of Lancaster

OFFICE OF THE SUPERVISOR

21 Central Avenue
Lancaster, New York 14086
(716) 683-1610
Fax: (716) 683-0512

ROBERT E. LEARY
Supervisor

April 4, 2025

Honorable Legislature,

On behalf of the Town of Lancaster, I want to join in with our Lancaster Building and Zoning Department to recognize and thank the Zombie Property Task Force for its efforts and the resources dedicated to partnering with Municipalities in servicing residents struggling with blight within their neighborhoods.

The Town of Lancaster has been a participant in the County Clerk's Office Zombie Property initiative since 2016, and it has been a great collaborative effort with the Erie County Clerk's office and the WNY Law Center in dealing with Mortgage Foreclosures, and now, Tax Delinquent properties.

Our Building Department has talked about the countless success stories throughout the years and highlighted the recent March 19, 2025, CEO Roundtable discussion, where effective open dialog related to Tax Delinquent properties was discussed and the available resources to assist owners in navigating and overcoming compounding expenses. Thus, providing an avenue for local input on parcels in jeopardy of tax foreclosure & revealing long standing "Tax Zombies" that evaded the foreclosure process to administer viable investment. It is great to hear how everyone works together.

On behalf of the Town of Lancaster I want to thank you because your continued support for these efforts lessens the strain on our Town Zoning & Code Enforcement Department to better serve our Lancaster residents.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert E. Leary", with a long, sweeping horizontal line extending to the right.

Robert E Leary



Town of Lancaster

BUILDING AND ZONING DEPARTMENT

21 Central Avenue
Lancaster, New York 14086
716-684-4171
Fax 685-5317

4/8/2025

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

RE: Zombie Property Task Force

Honorable Legislature,

The Lancaster Building and Zoning Department wishes to applaud efforts and resources dedicated to partnering with Municipalities in servicing residents struggling with blight within their neighborhoods.

As a participant in the County Clerk's Office Zombie Property initiative since 2016, there have been countless success stories and collaborative efforts with the Erie County Clerk's Office and WNY Law Center in dealing with Mortgage Foreclosures, and now, Tax Delinquent properties.

Our March 19, 2025, CEO Roundtable discussion sparked open dialog related to Tax Delinquent properties and available resources to assist owners navigate and overcoming compounding expenses, providing an avenue for local input on parcels in jeopardy of tax foreclosure, & revealing long standing "Tax Zombies" that evaded the foreclosure process to administer viable investment.

Your continued support for these efforts lessens the strain on Local Zoning & Code Enforcement Agencies to better service their communities within the region.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

March 12, 2025

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

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

Dear Honorable Members:

The attached proposed Resolution seeks authorization for the Erie County Executive to execute a third and final extension of the contract with Western New York Law Center, Inc., for a period of twenty-four (24) months, to provide zombie property outreach services. This Honorable Body previously authorized entry into the contract in December 2021 (COMM. 25-E-16 [2021]) and approved a first extension in June 2023 (COMM. 11E-33 [2023]) and an amendment and second extension in February 2024 (COMM. 2E-1 [2024]). A memorandum of support is also included.

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

Respectfully submitted,



MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

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

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

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

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

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

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

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

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

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

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

WHEREAS, the initial term of the contract ran from January 4, 2022 – January 4, 2023; and

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

WHEREAS, the first contract extension ran from January 4, 2023 – January 4, 2024; and

WHEREAS, on February 15, 2024, the Erie County Legislature approved COMM. 2E-1 (2024) authorizing the Erie County Clerk to amend and extend its contract with Western New York Law Center, Inc., in the amount of \$125,000, for zombie property outreach services for a period of twelve (12) additional months; and

WHEREAS, the second contract extension began on June 10, 2024 and is set to expire on June 10, 2025; and

WHEREAS, the contract has only been in effect for three (3) years to date, considering the initial term of twelve (12) months and the two extension of twelve (12) months each; and

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

WHEREAS, the Erie County Clerk consulted with the Division of Purchase and confirmed that a third and final extension of the contract for an additional two (2) years was appropriate, in light of the contract not exceeding the standard five (5) year limit for vendor contracts; and

WHEREAS, the Erie County Clerk is now requesting authorization from the Erie County Legislature for the third and final extension of the aforementioned contract with Western New York Law Center, Inc. to provide zombie outreach services for an additional term of twenty-four (24) months; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is hereby authorized to enter into a third and final contract extension for a period of twenty-four (24) months with Western New York Law Center, Inc., in the amount of \$125,000 per year, to provide zombie property outreach services; and be it further

RESOLVED, the source of these funds comprising payment under the contract to Western New York Law Center, Inc., in the amount of \$125,000 per year, shall be from and are currently

available in the following account: County Clerk- Registrar Division, Account No.: 516020- Professional Services Contracts and Fees; and be it further

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

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

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

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Michael P. Kearns, Erie County Clerk
RE: Third Extension for Contract With Western New York Law Center, Inc. for Zombie Property Outreach Services
Date: March 12, 2025

SUMMARY

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

The negative impacts of Zombie Properties transcend municipal boundaries and affect all Erie County taxpayers. The Agreement between the Erie County Clerk's Office and Western New York Law Center Inc. has been extended twice already, however the total amount of years the contract has been in effect is only three. The Erie County Clerk consulted with the Division of Purchase and confirmed that a third and final extension of the contract for an additional two (2) years was appropriate, in light of the contract not exceeding the standard five (5) year limit for vendor contracts.

FISCAL IMPLICATIONS

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

REASONS FOR RECOMMENDATION

Many individuals in Erie County are ninety days or more in arrears on their mortgage payments and Lis Pendens filings in foreclosure actions have been filed in 2024. A third extension of this initiative will help ensure continued cooperation amongst Erie County, local municipalities, and non-profits in addressing Zombie Property issues.

CONSEQUENCES OF NEGATIVE ACTION

Failure to extend the property outreach services would result in less guidance and technical support for municipalities across Erie County that are already struggling to effectively address Zombie Properties in their communities, thereby likely leading to increased numbers of blighted properties, decreased property values for neighboring properties, and less property, mortgage, and transfer taxes being collected in Erie County.

STEPS FOLLOWING APPROVAL

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-3

COUNTY CLERK

Proposed Resolution for Acceptance of Wall
of Honor Donation

Attachments

25COMM. 10E-3



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 7, 2025

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

Re: Proposed Resolution for Acceptance of Wall of Honor Donation

Dear Honorable Members:

The attached proposed Resolution seeks approval for acceptance of the donation of the “Wall of Honor” by the Buffalo & Erie County Naval & Military Park.

The Wall of Honor was granted a temporary home in Old County Hall in January 2019 as part of a joint agreement between the Erie County Clerk’s Office, Department of Public Works, and the Naval & Military Park (attached here for reference), and it has proudly been on display ever since. Now, in light of the Naval & Military Park seeking new ways to honor veterans, it has graciously offered to permanently donate the Wall of Honor to the Clerk’s Office. There are no new fiscal considerations in accepting this donation as the Wall of Honor would simply be staying where it is for the public to continue to view and celebrate the brave men and women who sacrifice for our country.

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

Respectfully submitted,

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

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

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

**A Resolution Submitted by the Erie County Clerk
Re: Acceptance of Wall of Honor for Erie County Clerk's Office**

WHEREAS, the Erie County Clerk's Office has long recognized the invaluable sacrifice of the men and women of the armed forces of the United States of America; and

WHEREAS, the Erie County Clerk's Office offers services in gratitude of local veterans including the Clerk's "S.A.L.U.T.E.S." Program; "Thank A Vet" Discount Program; the Gold Star Families Discount Programs; and recording in the William J. Donovan Purple Heart Recipients Book of Merit; and

WHEREAS, the Erie County Clerk's Office proudly collaborates with multiple veterans organizations throughout Western New York, including the Buffalo & Erie County Naval & Military Park; and

WHEREAS, the Buffalo & Erie County Naval & Military Park created a "Wall of Honor" in 2011 to allow Western New Yorkers the opportunity to pay tribute and remembrance to those veterans they hold dear; and

WHEREAS, those on the Wall of Honor need not be military heroes- although some certainly qualify- they simply need to have answered the call when our country needed them and served honorably; and

WHEREAS, the Wall of Honor was originally displayed on the second floor of the Naval Park's Museum Building, before being moved to the Naval Park's Hangar Building in 2015 due to its massive popularity; and

WHEREAS, over the years, dozens of ceremonies have been held honoring the names and legacies that the Wall of Honor holds; and

WHEREAS, in 2018, the Naval Park made plans to renovate the Hangar Building with construction slated to begin in the spring of 2019, requiring a new home for the Wall of Honor; and

WHEREAS, Erie County Clerk Michael P. Kearns generously offered a temporary home for the Wall of Honor in the lobby of Old County Hall during the construction period; and

WHEREAS, an agreement was signed in January 2019 between the Erie County Clerk's Office, the Erie County Department of Public Works, and the Buffalo & Erie County Naval & Military Park for the free, temporary loan of the Wall of Honor for display in the lobby of Old County Hall; and

WHEREAS, the Buffalo & Erie County Naval & Military Park is exploring new ways of honoring veterans and has graciously offered to donate the Wall of Honor to the Erie County Clerk's Office permanently; and

WHEREAS, the Erie County Clerk's Office is deeply honored and privileged to have the opportunity to make the Wall of Honor a permanent fixture in Old County Hall, where it has proudly been displayed since 2019, and to continue to honor the men and women that have served and sacrificed for our country; and

WHEREAS, there are no new fiscal considerations at issue as the Wall of Honor is being donated, and it is already on display in Old County Hall.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk's Office is hereby authorized to accept the donation of the Wall of Honor for continued public viewing in Old County Hall; and be it further

RESOLVED, that the Erie County Clerk's Office is hereby authorized to continue to work with the Erie County Department of Public Works as necessary to preserve the Wall of Honor; 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 Department of Public Works; and the Erie County Clerk.



County of Erie

January 8, 2019

Mr. Paul J. Marzello Sr., President & CEO
Buffalo & Erie County Naval & Military Park
Buffalo, New York 14202

Dear Mr. Marzello,

Thank you for the honor of allowing the County Clerk's Office to display the "Wall of Honor" while the new Hangar Building of the Buffalo & Erie County Naval and Military Park (hereafter "Park") is under construction.

This will acknowledge the agreement between the County of Erie's Clerk's Office and Department of Public Works (DPW), and the Park concerning the temporary loan to the Clerk's Office for display of the Wall of Honor in the lobby of Old County Hall. The County and the Park shall hold each other and their respective officers, agents, and employees harmless from and against any and all claims and liabilities for loss or damage other than losses or damages arising from the negligence or willful misconduct of the County or the Park resulting from or arising out of any act or omission by either the County or the Park, or its employees, agents, or other persons under either's control or supervision, and shall further agree to defend at their own respective cost and expense any action or proceeding commenced against them respectively arising out of this Agreement.

The display will be delivered to Old County Hall by the Park, mounted on the wall by DPW and upon completion of the construction or request of the Park, the display will be taken down by DPW and returned to the Park by Park personnel.

Again, thank you for the privilege of displaying the "Wall of Honor" in Erie County's Old County Hall.

Sincerely,

Michael P. Kearns
Erie County Clerk


William Geary, Commissioner
Erie County Department of Public Works

Agreement by the Buffalo & Erie County Naval & Military Park

Paul J. Marzello
President & CEO

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-4

COUNTY CLERK

Letter Regarding Data Disclosure In External
Audit of Erie County Clerk's Office

Attachments

25COMM. 10E-4



EC LEG MAY 8 '25 PM 4:47

COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 8, 2025

Jeremy C. Toth
Erie County Attorney
Department of Law
Edward A. Rath County Office Building
95 Franklin Street, Room 1634
Buffalo, New York 14202

Re: Data Disclosure In External Audit of Erie County Clerk's Office

Dear Attorney Toth:

I write concerning the disclosure of statutorily and contractually protected data in over 52,000 records of the former Finance Deputy Clerk. These records are being sent from the Division of Information and Support Services ("DISS") to the Erie County Law Department and an external auditor as part of the ongoing external audit of the Erie County Clerk's Office.

The production of over 52,000 records to an outside agency creates an almost-certain invasion of privacy rights and exposure of confidential information in violation of, at minimum, the following enclosed statutes and agreements:

- Section 33.13 of the Mental Hygiene Law;
- Use & Dissemination Agreement between New York State Division of Criminal Justice Services ("DCJS") and Erie County Clerk – Pistol Permit Department; and
- The New York State Secure Ammunition and Firearms Enforcement ("SAFE") Act's Opt-Out provision (Penal Law 400.00(5)(b)).

The former Finance Deputy Clerk had access to sealed records and data relating to pistol permits and criminal records, as well as personally-identifiable information and mental health records of Erie County residents. In addition, he was involved in numerous inter-agency and intra-agency communications with fellow County employees, civil servants, and elected officials that are exempted from disclosure under the Freedom of Information Law ("FOIL").

Neither DISS, the Law Department, nor the external auditor have unregulated access to Clerk's Office files without our approval or agreements with the proper New York State agencies.

In addition, the Clerk's Office had previously requested, and been promised, a legal opinion by the Law Department Liaison on February 13, 2025 as to the legality of the disclosure of these records to a professional services contractor. It is unknown if any such opinion was completed, however we were not provided any such opinion prior to learning of the disclosure of these records to the Law Department and the imminent disclosure to the outside auditor via email on May 8, 2025.

Allowing dissemination of over 52,000 records to the Law Department and an outside agency will set a dangerous precedent, not to mention likely violate the above-referenced statutes and agreements and further erode the public's trust in government.

Given that the Law Department failed to provide the requested and promised legal opinion for close to three (3) months, and has apparently elected to go forward with the dissemination of these records, we are requesting an outside legal opinion as to the legality of this process and the immediate pause of said dissemination until we receive the opinion.

Very truly yours,



MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

Cc: Erie County Legislature

McKinney's Consolidated Laws of New York Annotated
Mental Hygiene Law (Refs & Annos)
Chapter 27. Of the Consolidated Laws (Refs & Annos)
Title E. General Provisions (Refs & Annos)
Article 33. Rights of Patients (Refs & Annos)

McKinney's Mental Hygiene Law § 33.13

§ 33.13 Clinical records; confidentiality

Currentness

(a) A clinical record for each patient or client shall be maintained at each facility licensed or operated by the office of mental health or the office for people with developmental disabilities, hereinafter referred to as the offices. For the purposes of this section, the term "facility" shall mean "facility" as such term is defined in section 1.03 of this chapter, provided, however, such term shall also include any provider of services for individuals with mental illness or developmental disabilities which is operated by, under contract with, receives funding from, or is otherwise approved to render services by, a director of community services pursuant to article forty-one of this chapter or one or both of the offices, including any such provider which is exempt from the requirement for an operating certificate under article sixteen or article thirty-one of this chapter. The record shall contain information on all matters relating to the admission, legal status, care, and treatment of the patient or client and shall include all pertinent documents relating to the patient or client. The commissioners of such offices, by regulation, each shall determine the scope and method of recording information, including data pertaining to admission, legal matters affecting the patient or client, records and notation of course of care and treatment, therapies, restrictions on patient's or client's rights, periodic examinations, and such other information as he or she may require.

(b) [Eff. until June 30, 2027, pursuant to L.1999, c. 408, § 18. See, also, subd. (b) below.] The commissioners may require that statistical information about patients or clients be reported to the offices.

(b) [Eff. June 30, 2027, pursuant to L.1999, c. 408, § 18. See, also, subd. (b) above.] The commissioners may require that statistical information about patients or clients be reported to the offices. Names of patients treated at out-patient or non-residential facilities shall not be required as part of any such reports. Hospitals licensed by the office of mental health and general hospitals shall provide to the office of mental health, upon request, records relating to persons described in subdivision (j) of section 7.09 of this chapter who may be disqualified from possessing a firearm pursuant to 18 USC 422(4)(d).

(c) Such information about patients or clients reported to the offices, including the identification of patients or clients, clinical records or clinical information tending to identify patients or clients, and records and information concerning persons under consideration for proceedings pursuant to article ten of this chapter, at office facilities shall not be a public record and shall not be released by the offices or its facilities to any person or agency outside of the offices except as follows:

1. pursuant to an order of a court of record requiring disclosure upon a finding by the court that the interests of justice significantly outweigh the need for confidentiality, provided, however, that nothing herein shall be construed to affect existing rights of employees in disciplinary proceedings.

2. to the mental hygiene legal service.

3. to attorneys representing patients or clients in proceedings in which the patients' or clients' involuntary hospitalization or assisted outpatient treatment is at issue.

4. to the justice center for the protection of people with special needs.

5. to the medical review board of the state commission of correction when such board has requested such information with respect to the death of a named person, or, with the consent of a patient or client when such board has requested information about the patient or client providing that such board requires such information in the exercise of its statutory functions, powers and duties. Information, books, records or data which are confidential as provided by law shall be kept confidential by the state commission and any limitation on the release thereof imposed by law upon the party furnishing the information, books, records or data shall apply to the medical review board.

6. to an endangered individual and a law enforcement agency when a treating psychiatrist or psychologist has determined that a patient or client presents a serious and imminent danger to that individual. The reasons for any such disclosures shall be fully documented in the clinical record. Nothing in this paragraph shall be construed to impose an obligation upon a treating psychiatrist or psychologist to release information pursuant to this paragraph.

7. with the consent of the patient or client or of someone authorized to act on the patient's or client's behalf, to persons and entities who have a demonstrable need for such information and who have obtained such consent, provided that disclosure will not reasonably be expected to be detrimental to the patient, client or another provided, however, that release of such information to a patient or client shall not be governed by this subdivision.

8. to the state board for professional medical conduct or the office of professional discipline or their respective representatives when such persons or entities request such information in the exercise of their statutory function, power and duties provided, however, that no such information shall be released when it concerns the subject of an inquiry who is also a patient or client, except pursuant to paragraph one of this subdivision.

9. with the consent of the appropriate commissioner, to:

(i) governmental agencies, insurance companies licensed pursuant to the insurance law and other third parties requiring information necessary for payments to be made to or on behalf of patients or clients pursuant to contract or in accordance with law, such information to be kept confidential and limited to the information required.

(ii) persons and agencies needing information to locate missing persons or to governmental agencies in connection with criminal investigations, such information to be limited to identifying data concerning hospitalization.

(iii) qualified researchers upon the approval of the institutional review board or other committee specially constituted for the approval of research projects at the facility, provided that the researcher shall in no event disclose information tending to identify a patient or client.

(iv) a coroner, a county medical examiner, or the chief medical examiner for New York city upon the request of a facility director that an investigation be conducted into the death of a patient or client for whom such record is maintained.

(v) appropriate persons and entities when necessary to prevent imminent serious harm to the patient or client or another person, provided, however, nothing in this subparagraph shall be construed to impose an obligation to release information pursuant to this subparagraph.

(vi) a district attorney when such request for information is in connection with and necessary to the furtherance of a criminal investigation of patient or client abuse.

(vii) appropriate persons and entities when necessary to protect the public concerning a specific sex offender requiring civil management under article ten of this chapter.

(viii) to the attorney general, case review panel, or psychiatric examiners described in article ten of this chapter, when such persons or entities request such information in the exercise of their statutory functions, powers and duties under article ten of this chapter.

10. to a correctional facility, when the chief administrative officer has requested such information with respect to a named incarcerated individual of such correctional facility as defined by subdivision three of section forty of the correction law or to the department of corrections and community supervision, when the department has requested such information with respect to a person under its jurisdiction or an incarcerated individual of a state correctional facility, when such incarcerated individual is within four weeks of release from such institution to community supervision. Information released pursuant to this paragraph may be limited to a summary of the record, including but not limited to: the basis for referral to the facility; the diagnosis upon admission and discharge; a diagnosis and description of the patient's or client's current mental condition; the current course of treatment, medication and therapies; and the facility's recommendation for future mental hygiene services, if any. Such information may be forwarded to the department of corrections and community supervision staff in need of such information for the purpose of making a determination regarding an incarcerated individual's health care, security, safety or ability to participate in programs. In the event an incarcerated individual is transferred, the sending correctional facility shall forward, upon request, such summaries to the chief administrative officer of any correctional facility to which the incarcerated individual is subsequently incarcerated. The office of mental health and the office for people with developmental disabilities, in consultation with the commission of correction and the department of corrections and community supervision, shall promulgate rules and regulations to implement the provisions of this paragraph.

11. to a qualified person pursuant to section 33.16 of this chapter.

12. to a director of community services as defined in article nine of this chapter or his or her designee, provided that such director or his or her designee (i) requests such information in the exercise of his or her statutory functions, powers and duties pursuant to section 9.37, 9.45, 9.47, 9.48, 9.60 or 41.13 of this chapter; or (ii) the disclosure of information is required pursuant to section 9.46 of this chapter.

13. to the state division of criminal justice services for the sole purposes of:

(i) providing, facilitating, evaluating or auditing access by the commissioner of mental health to criminal history information pursuant to subdivision (i) of section 7.09 of this chapter; or

(ii) providing information to the criminal justice information services division of the federal bureau of investigation by the commissioner of mental health or the commissioner of developmental disabilities, for the purposes of responding to queries to the national instant criminal background check system regarding attempts to purchase or otherwise take possession of firearms, in accordance with applicable federal laws or regulations.

14. to the criminal justice information services division of the federal bureau of investigation, for the purposes of responding to queries to the national instant criminal background check system, regarding attempts to purchase or otherwise take possession of firearms, in accordance with applicable federal laws or regulations.

15. to the division of criminal justice services, names and other non-clinical identifying information for the sole purpose of implementing the division's responsibilities and duties under sections 400.00 and 400.02 of the penal law.

16. to a mental health incident review panel, or members thereof, established by the commissioner pursuant to section 31.37 of this title, in connection with incident reviews conducted by such panel.

17. to the agency designated by the governor pursuant to subdivision (b) of section 558 of the executive law to provide protection and advocacy services and administer the protection and advocacy system as provided for by federal law. Such agency shall not be charged any fee for copies of records obtained from a facility under this article.

18. to the board of correction of the city of New York when such board has requested such information with respect to the death of a named person, or, with the consent of a patient or client when such board has requested information about the patient or client providing that such board requires such information in the exercise of its functions, powers and duties. Information, books, records or data which are confidential as provided by law shall be kept confidential by the board of correction of the city of New York and any limitation on the release thereof imposed by law upon the party furnishing the information, books, records or data shall apply to the board of correction of the city of New York.

(d) [Eff. until June 30, 2027, pursuant to L.1999, c. 408, § 18. See, also, subd. (d) below.] Nothing in this section shall prevent the electronic or other exchange of information concerning patients or clients, including identification, between and among (i) facilities or others providing services for such patients or clients pursuant to an approved local services plan, as defined in article forty-one of this chapter,¹ or pursuant to agreement with the department, and (ii) the department or any of its licensed or operated facilities. Neither shall anything in this section prevent the exchange of information concerning patients or clients, including identification, between facilities and managed care organizations, behavioral health organizations, health homes or other entities authorized by the department or the department of health to provide, arrange for or coordinate health care services for such patients or clients who are enrolled in or receiving services from such organizations or entities. Provided however, written patient or client consent shall be obtained prior to the exchange of information where required by 42 USC 290dd-2 as amended, and any regulations promulgated thereunder. Furthermore, subject to the prior approval of the commissioner of mental health, hospital emergency services licensed pursuant to article twenty-eight of the public health law² shall be authorized to exchange information concerning patients or clients electronically or otherwise with other hospital emergency services licensed pursuant to article twenty-eight of the public health law and/or hospitals licensed or operated by the office of mental health; provided that such exchange of information is consistent with standards, developed by the commissioner of mental health, which

are designed to ensure confidentiality of such information. Additionally, information so exchanged shall be kept confidential and any limitations on the release of such information imposed on the party giving the information shall apply to the party receiving the information.

(d) [Eff. June 30, 2027, pursuant to L.1999, c. 408, § 18. See, also, subd. (d) above.] Nothing in this section shall prevent the exchange of information concerning patients or clients, including identification, between (i) facilities or others providing services for such patients or clients pursuant to an approved local services plan, as defined in article forty-one,¹ or pursuant to agreement with the department and (ii) the department or any of its facilities. Neither shall anything in this section prevent the exchange of information concerning patients or clients, including identification, between facilities and managed care organizations, behavioral health organizations, health homes or other entities authorized by the department or the department of health to provide, arrange for or coordinate health care services for such patients or clients who are enrolled in or receiving services from such organizations or entities. Provided however, written patient or client consent shall be obtained prior to the exchange of information where required by 42 USC 290dd-2 as amended, and any regulations promulgated thereunder. Information so exchanged shall be kept confidential and any limitations on the release of such information imposed on the party giving the information shall apply to the party receiving the information.

(e) Clinical information tending to identify patients or clients and clinical records maintained at a facility not operated by the offices, shall not be a public record and shall not be released to any person or agency outside such facility except pursuant to subdivisions (b), (c) and (d) of this section. The director of such a facility may consent to the release of such information and records, subject to regulation by the commissioner, pursuant to the exceptions stated in subdivision (c) of this section; provided that, for the purpose of this subdivision, such consent shall be deemed to be the consent otherwise required of the commissioner pursuant to subdivision (c) of this section. Nothing in this subdivision shall be construed to limit, restrict or otherwise affect access to such clinical information or records by the mental hygiene legal service, the commission on quality of care for the mentally disabled or the offices when such access is authorized elsewhere in law.

(f) All records of identity, diagnosis, prognosis, treatment, care coordination or any other information contained in a patient or client's record shall be confidential unless disclosure is permitted under subdivision (c) of this section. Any disclosure made pursuant to this section shall be limited to that information necessary and required in light of the reason for disclosure. Information so disclosed shall be kept confidential by the party receiving such information and the limitations on disclosure in this section shall apply to such party. Except for disclosures made to the mental hygiene legal service, to persons reviewing information or records in the ordinary course of insuring that a facility is in compliance with applicable quality of care standards, or to governmental agents requiring information necessary for payments to be made to or on behalf of patients or clients pursuant to contract or in accordance with law, a notation of all such disclosures shall be placed in the clinical record of that individual who shall be informed of all such disclosures upon request; provided, however, that for disclosures made to insurance companies licensed pursuant to the insurance law, such a notation need only be entered at the time the disclosure is first made.

Credits

(Formerly § 15.13, L.1972, c. 251. Amended L.1973, c. 495, § 1; L.1973, c. 641, § 1. Renumbered § 33.13, L.1977, c. 978, § 35. Amended L.1979, c. 66, § 1; L.1981, c. 688, § 1; L.1983, c. 530, § 1; L.1984, c. 912, §§ 1, 2; L.1984, c. 1005, § 12; L.1985, c. 196, §§ 1, 2; L.1985, c. 446, § 1; L.1985, c. 571, § 1; L.1985, c. 789, § 38; L.1986, c. 184, § 1; L.1986, c. 498, § 2; L.1987, c. 45, § 1; L.1988, c. 130, § 1; L.1990, c. 229, §§ 1 to 3; L.1993, c. 330, § 2; L.1995, c. 181, § 3; L.1999, c. 408, § 12, eff. Aug. 9, 1999; L.2005, c. 158, § 5, eff. June 30, 2005; L.2005, c. 571, § 1, eff. Aug. 23, 2005; L.2007, c. 7, §§ 4, 5, eff. April 13, 2007; L.2008, c. 230, § 1, eff. July 7, 2008; L.2008, c. 491, § 4; L.2008, c. 491, §§ 5, 6, eff. Nov. 1, 2008; L.2010, c. 111, pt. E, §§ 3, 4, eff. July 1, 2010; L.2010, c. 168, § 37, eff. July 13, 2010; L.2011, c. 37, § 47, eff. June 1, 2011; L.2011, c. 62, pt. C, subpt. B, § 118-i, eff. March 31, 2011; L.2013, c. 1, § 25, eff. March 16, 2013; L.2013, c. 56, pt. L, § 2, eff. May 27, 2013; L.2015, c. 247, §§

1, 2, eff. Sept. 25, 2015; L.2016, c. 59, pt. M, §§ 1, 3, eff. April 13, 2016; L.2016, c. 59, pt. M, § 2; L.2016, c. 453, § 1, eff. Nov. 28, 2016; L.2020, c. 312, § 1, eff. Dec. 2, 2020; L.2021, c. 36, §§ 1, 2, eff. Dec. 2, 2020; L.2021, c. 322, § 77, eff. Aug. 2, 2021.)

Footnotes

1 Mental Hygiene Law § 41.01 et seq.

2 Public Health Law § 2800 et seq.

McKinney's Mental Hygiene Law § 33.13, NY MENT HYG § 33.13

Current through L.2025 chapters 1 to 49, 61 to 117. Some statute sections may be more current, see credits for details.

End of Document

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USE & DISSEMINATION AGREEMENT
between
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
and
ERIE COUNTY CLERK – PISTOL PERMIT DEPARTMENT

Pursuant to Executive Law §837(6) and/or §837(8-a), the New York State Division of Criminal Justice Services (DCJS) hereby agrees to allow **Erie County Clerk – Pistol Permit Department, Buffalo, NY**, the ("User Agency") access to criminal history and wanted and/or missing persons data as may be contained in DCJS and, if applicable, federal Criminal Justice Information Services (CJIS) data files and other state repository files, as available through the Interstate Identification Index (hereinafter referred to as "III"), in accordance with the following terms and conditions:

DUTIES OF DCJS

DCJS will process authorized criminal history record inquiries, as specified in the Inquiry Specification list (attached hereto and hereinafter referred to as "Appendix A"), by searching its files and returning related criminal history, wanted and/or missing persons' information, as permitted by New York State law, DCJS administrative regulations, applicable federal statutes and regulations, and CJIS policies and procedures.

DCJS will allow the User Agency to access criminal history data electronically by allowing on-line searches of its files and, if applicable, CJIS files only for those authorized criminal justice purposes specified in Appendix A, and will return related criminal history, wanted and/or missing person's information, as permitted by New York State law, DCJS administrative regulations, applicable federal statutes and regulations, and CJIS policies and procedures.

DCJS will provide such information only to the extent that public funds are made available for that purpose.

DCJS will not allow the User Agency to access criminal history data for research purposes or any other purpose that is not specifically authorized by this Agreement.

DUTIES OF THE USER AGENCY

The User Agency will collect, receive, use, and report, when applicable, all information covered by this Agreement in compliance with all applicable state laws and regulations, and all applicable federal laws, regulations, policies and procedures, and restrict inquiries to only those specified in Appendix A.

The User Agency agrees to not access criminal history data for research purposes or any other purpose that is not specifically authorized by this Agreement. The User Agency must submit an official written request for access to criminal history data for purposes not specified in the Appendix A.

For employment and/or licensing purposes, the User Agency agrees to retain criminal history record information supplied by DCJS only for the duration of the appointment and/or licensing investigation process, including any subsequent administrative or judicial appeal of denial of the appointment and/or license. Thereafter, such information must be destroyed in a secure manner so as to preclude unauthorized access/use.

For electronic access, the User Agency must have and maintain the necessary computer and associated equipment. In addition to the aforementioned laws, regulations, policies and procedures, the User Agency must also comply with the Electronic Access Guidelines attached as Appendix B. Electronic access allows the User Agency to extract criminal history record information from DCJS criminal history files and, if applicable, CJIS for inclusion in a separate report, provided such information shall not be compiled by the User Agency into a separate data file(s), in either printed or electronic form, for: (i) the creation of a separate database in lieu of submitting a new inquiry to DCJS; (ii) secondary dissemination unless specifically authorized by law; (iii) research purposes; or (iv) any other purpose that is not specifically authorized by this Agreement.

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The User Agency agrees to protect the security of criminal history record information that is contained in either printed or electronic form and comply with any and all provisions concerning the confidentiality of criminal history record information and the physical security of terminals, printers and other electronic devices, including, where applicable, mobile devices¹, enabled to electronically access the files of DCJS and, if applicable, the National Crime Information Center (NCIC)/III. All terminals, printers and other electronic devices, including mobile devices, under the control of the User Agency, which allow access to criminal history record information from DCJS files and, if applicable, NCIC/III files, must be in secure locations whether they are within the confines of the User Agency or the User Agency vehicles, or on the persons of the User Agency staff. Access to the locations must be restricted to authorized employees, or, if applicable, visitors - such as vendors - necessary for business purposes. Visitors to computer sites or terminal areas must be accompanied by User Agency staff.

The User Agency will familiarize its personnel with, and adhere to, 34 U.S.C. §10231 and the applicable regulations (see, 28 CFR Part 20; Appendix C) and, when applicable, the CJIS Security Policy, as updated, the NCIC Manual, and the III Operational and Technical Manual, which are incorporated into this Agreement by reference. The User Agency will also familiarize its personnel with, and ensure adherence to, all physical and personnel security, and other relevant provisions, as specified in the Electronic Access Guidelines in Appendix B. This includes, but is not limited to, provisions concerning the confidentiality of criminal history record information and the physical security of terminals enabled to electronically access the files of DCJS and, if applicable, CJIS.

The User Agency will make records available that support and justify criminal history record inquiries to DCJS and, if applicable, CJIS for the purpose of conducting routine, periodic audits to ensure compliance with all applicable laws, regulations, policies, and procedures regarding the information furnished by DCJS and/or CJIS pursuant to this Agreement. The User Agency agrees to keep such records as DCJS may require including a log of all non-fingerprint inquiries, whether made by electronic and non-electronic means, to facilitate audits. The log will reflect, at a minimum, a record of each inquiry showing the date, time, name of subject, specific reason for the inquiry, file or case number, name of person requesting the inquiry, and the terminal operator. In those cases, for which an inquiry is made on behalf of another authorized agency, the ORI code of the requesting agency must be recorded. Fingerprint-based inquiries need not be logged.

The User Agency will appoint a Terminal Agency Coordinator (TAC) who will be responsible for ensuring compliance with this Agreement, and DCJS and, if applicable, CJIS regulations and policies. The TAC will train and affirm the proficiency of terminal operators who access the criminal history files of DCJS, and, if applicable, the criminal history record files of CJIS, prior to the operator being permitted access. For those User Agencies that access CJIS information, in addition to ensuring that training and testing of each terminal operator has been completed pursuant to NCIC policies and procedures, the TAC will also ensure that DCJS-approved training of each terminal operator has been completed and will maintain each operator's certification attesting to such training. For those User Agencies with access to only NYS criminal history, the TAC will ensure that DCJS-approved training of each terminal operator has been completed and will maintain each operator's certification attesting to such training. The TAC will also maintain a complete, accurate, and current listing of all terminal operators and their user identifications. The head of the User Agency will officially notify DCJS upon the appointment of any TAC by submitting a form supplied by DCJS. The User Agency agrees to provide sufficient time during normal business hours for the TAC to perform the duties and responsibilities associated with the position, as explained in the *TAC Guidelines (DCJS-EXT 2422)*.

Upon initial assignment or employment of all personnel who will have access to DCJS or CJIS criminal history record data, including programmers, technicians and other persons who will be utilized to effectuate access to, or initiate transmission of, DCJS or CJIS data, the User Agency will submit the fingerprints of those

¹ Mobile devices are to be used by law enforcement and partnering agencies only.

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persons and the required state, and, if applicable, federal fee(s) in accordance with DCJS and CJIS criteria for a fingerprint-based criminal history record search. The User Agency shall not permit access of any kind until the User Agency receives and reviews the fingerprint-based search results and makes a determination if access/employment is appropriate. New York State Correction Law §§752-753 provides factors to be considered in making such determinations when an individual has prior criminal convictions. If deemed acceptable, the individual may be granted access. If a felony conviction of any kind is found, access shall be denied, and the User Agency will be responsible for immediately notifying DCJS' Office of Criminal Justice Records (OCJR). Where applicable, a further review may be conducted to determine whether extenuating circumstances exist to grant access to an individual with a felony conviction. Access to CJIS information by an individual with a felony conviction shall be determined pursuant to the federal CJIS Security Policy; and access to NYS-only criminal history information by an individual with a felony conviction shall be determined after a review by the DCJS Commissioner, or his or her designee. The User Agency will be notified upon a completion of such review whether such user shall be permitted access. If an individual approved for access is subsequently arrested, the User Agency will be notified. The User Agency will be responsible for notifying OCJR if such arrest results in a felony conviction. If a felony conviction results from such arrest, the User Agency agrees to review the individual's access in the manner outlined above.

In the event the User Agency believes there was a breach of the security of the System, i.e., the unauthorized acquisition of Criminal History Record Information (CHRI) data or any other criminal justice data provided to the User Agency as granted through this U&D, the User Agency shall initially and immediately notify the DCJS Director of Audit Services. The User Agency shall then immediately commence an investigation, in cooperation with the DCJS Director of Audit Services, to determine if a breach occurred, the scope of the breach and to restore the security of the System to prevent any further breaches. Upon completion DCJS, as the state entity owning the System, will determine if such breach is applicable to State Technology Law §208 STL §208 and GBL §899-aa.

ACCESS RESTRICTIONS

Access to criminal history and wanted and/or missing persons' data as may be contained in DCJS and, if applicable, CJIS data files and other state repository files, as available through III, shall only be used for authorized purposes.

Inquiries for employment and/or licensing purposes via telephone, computer to computer, remote terminal, correspondence, or other methods of non-fingerprint inquiry are prohibited. Fingerprints must be submitted for employment and/or licensing purposes.

Secondary dissemination of criminal history record information received from DCJS and/or CJIS is not permitted for any reason unless specifically authorized by law. Secondary dissemination means the transmission of criminal history record information in any form, printed or otherwise, to another agency or individual.

SUBSEQUENT QUERY REQUIREMENT

If the User Agency has a subsequent need for criminal history record information pertaining to an individual for whom a previous inquiry was made, the User Agency must submit a new inquiry to DCJS to ensure that it has the most current, complete, and accurate criminal history record report available for that individual. A criminal history record must never be used for research purposes or any other purpose that is not specifically authorized by this Agreement. Further, a criminal history record must not be used again in connection with an extension of the original purpose, or in connection with a new and different purpose. The criminal history record should be retained only so long as is necessary. Criminal history may be retained if: (i) it is a key

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element in a case; (ii) there is a possibility that the record could be challenged; (iii) all levels of appeals have not been exhausted; or (iv) it is necessary to document the circumstances of the case/investigation at the time of the inquiry. Thereafter, such information must be destroyed in a secure manner.

Any criminal history record information electronically extracted and saved in a separate report by the User Agency must not be used for research purposes or any other purpose that is not specifically authorized by this Agreement. Further, any criminal history record information electronically extracted and saved in a separate report by the User Agency must not be used to create a separate database in lieu of submitting a new inquiry to DCJS.

SUSPENSION OF SERVICE, CANCELLATION, FINES

DCJS may suspend provision of all/part of the service covered by this Agreement to the User Agency for a known violation of any applicable state or federal laws, rules, regulations, policies, procedures, or this Agreement. The User Agency recognizes that a known violation of 34 USC 10231 and/or the applicable regulations by the User Agency, or its employees, may, if applicable, subject the User Agency to fines up to \$10,000, and may, if applicable, result in suspension of all federal funds. DCJS may resume furnishing any information authorized hereunder when it is satisfied that all violations have been eliminated. Either DCJS or the User Agency may, on 30 days written notice, terminate this Agreement for any reason.

INDEMNIFICATION OF DCJS

The User Agency, to the extent permitted by State or federal law, agrees to indemnify and hold DCJS, its officers and employees, harmless from and against any and all claims, demands, actions, suits, and proceedings brought by others arising out of the terms of this Agreement founded upon the negligence or other tortious conduct of the User Agency including, but not limited to, any liability for loss or damage by reason of any claim of false imprisonment or false arrest.

VALIDATION OF INACTIVE NON-CRIMINAL FINGERPRINTS/SWITCH TO INACTIVE STATUS

If DCJS retains the User Agency's non-criminal applicant fingerprints in its files for the purpose of issuing reports to the User Agency upon the subsequent arrest of the subject of the retained fingerprints, the User Agency agrees to provide DCJS with:

- (1) The names and NYSID numbers of individuals whose fingerprints were sent to DCJS for identification processing and retention, but whose applications were not approved for employment or licensure by the User Agency; and
- (2) The names and NYSID numbers of individuals who subsequently left the User Agency's employment or relinquished the licensure.

The User Agency agrees to provide these notifications as often as practicable, at least once per year. Once so notified by the User Agency, DCJS agrees to designate as "inactive" the fingerprints of individuals who are no longer in the employment or licensure situation for which they were fingerprinted.

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EFFECTIVE DATE

This Agreement shall supersede any prior Use and Dissemination Agreement between the parties and shall become effective when signed by the Commissioner of DCJS, or his or her designee, and the official of the User Agency having authority to bind the User Agency to the terms and conditions enumerated herein.

**NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES**

**USER AGENCY: ERIE COUNTY CLERK – PISTOL
PERMIT DEPARTMENT**

BY: 
Signature

BY: 
Signature

Printed Name: Brendan Barry Printed Name: Thomas E Smith Jr

Title: Director Title: Supervisor of Data Processing
Office of Criminal Justice Records

Date: 01/31/2025 Date: 1/30/2025

Appendix A

Authorized Inquiry Specification List

User Agency: Erie County Clerk's Office – Pistol Permit Department

ORI Number: NY931040Z

On-Line Inquiry Reason Code	Purpose of Inquiries	Enabling Authority
	NON CRIM FINGERPRINT CARD Non-criminal fingerprint submissions pertaining to pistol permit license applicants* (NY State and Federal CHRI response)	Penal Law §400.00(4)
	NON CRIM FINGERPRINT CARD Non-criminal fingerprint submissions for employees who have access to NY State or Federal Criminal History Record Information (CHRI), whether hard copy or electronic form, in the course of their job duties* (NY State CHRI response)	9 NYCRR 6051.1(a)(3)

Remarks:

* Fingerprint processing fee required pursuant to Executive Law §837(8-a)

Agencies that are authorized to conduct an FBI fingerprint background check on an applicant (i.e. employment, license, permit, adoption) are obligated to ensure the applicant is provided certain notice. Refer to <https://www.fbi.gov/services/cjis/compact-council> for the following documents regarding the privacy protection of a non-criminal fingerprint submissions:

- Privacy Act Statement
- Guiding Principles: Agency Privacy Requirements for Noncriminal Justice Applicants
- Guiding Principles: Noncriminal Justice Applicants Privacy Rights

APPENDIX B

GUIDELINES FOR ELECTRONIC ACCESS TO CRIMINAL HISTORY RECORD INFORMATION

Employees who electronically access computer systems and the available information databases are the most important link in system security. Regardless of how well managers plan and document security rules and guidelines, it is the employee who directly accesses a computer system who must adhere to and work with the security rules and guidelines. Each employee with access to a computer system should have a thorough understanding of his/her responsibilities in accessing and disseminating information, recording transactions, and disposing of data printouts. Each employee should have access to written procedures on the subject of data security, including those issued by all State agencies that make information available through DCJS. If an employee is unsure of any of his/her legal responsibilities in these areas, a supervisor should be contacted immediately for assistance.

Operator Identification/Authorization:

DCJS maintains a list of individuals who are authorized to access criminal history record information as part of their work duties (Users). Each User is assigned a unique and secret Password which he/she must use at logon to authenticate the User. Once authenticated, a session is established and a User log is automatically maintained by the system to establish a record of who transacted each inquiry. Because the User is responsible for all inquiries made during that session, the terminal should not be left unattended once the User has logged on. The User should not inform anyone else of his/her Password, or use another person's Usercode and Password. Under no circumstances should a list of Users and Passwords be written or posted where anyone may see them, such as near the terminal or in written procedures. Passwords should be changed regularly or whenever the User feels his/her Password has been compromised.

Supporting Documentation/Audits:

DCJS, as the manager of electronic software services, will conduct routine periodic audits of a User Agency to ensure compliance with relevant State and Federal confidentiality policies, and all applicable State and Federal laws. An audit may also be conducted if there is reason to suspect that a security violation may have been committed or attempted. As part of DCJS auditing requirements, a User Agency will be required to run a monthly utility program which will provide a log of all criminal history record transactions. It will be the responsibility of the User Agency's Terminal Agency Coordinator to review this log and validate the fact that usage was for official purposes and consistent with DCJS policy. The results of this review must be available to the DCJS Audit Unit on request and in the manner and form in which requested.

Failure to Adhere to Law and Regulations:

DCJS may conduct an audit when a breach of security is suspected or reported. Repeated and/or serious violations may result in suspension of service and the imposition of fines.

28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS (current as of 11/30/11)

Subpart A—General Provisions

- § 20.1 Purpose.
- § 20.2 Authority.
- § 20.3 Definitions.

Subpart B—State and Local Criminal History Record Information Systems

- § 20.20 Applicability.
- § 20.21 Preparation and submission of a Criminal History Record Information Plan.
- § 20.22 Certification of compliance.
- § 20.23 Documentation: Approval by OJARS.
- § 20.24 State laws on privacy and security.
- § 20.25 Penalties.

Subpart C—Federal Systems and Exchange of Criminal History Record Information

- § 20.30 Applicability.
 - § 20.31 Responsibilities.
 - § 20.32 Includable offenses.
 - § 20.33 Dissemination of criminal history record information.
 - § 20.34 Individual's right to access criminal history record information.
 - § 20.35 Criminal Justice Information Services Advisory Policy Board.
 - § 20.36 Participation in the Interstate Identification Index System.
 - § 20.37 Responsibility for accuracy, completeness, currency, and integrity.
 - § 20.38 Sanction for noncompliance.
- Appendix to Part 20—Commentary on Selected Sections of the Regulations on Criminal History Record Information Systems

Authority: 28 U.S.C. 534; Pub. L. 92–544, 86 Stat. 1115; 42 U.S.C. 3711, *et seq.*, Pub. L. 99–169, 99 Stat. 1002, 1008–1011, as amended by Pub. L. 99–569, 100 Stat. 3190, 3196; Pub. L. 101–515, as amended by Pub. L. 104–99, set out in the notes to 28 U.S.C. 534.

Source: Order No. 601–75, 40 FR 22114, May 20, 1975, unless otherwise noted.

Subpart A—General Provisions

Source: 41 FR 11714, Mar. 19, 1976, unless otherwise noted.

§ 20.1 Purpose.

It is the purpose of these regulations to assure that criminal history record information wherever it appears is collected, stored, and disseminated in a manner to ensure the accuracy, completeness, currency, integrity, and security of such information and to protect individual privacy.

[Order No. 2258–99, 64 FR 52226, Sept. 28, 1999]

§ 20.2 Authority.

These regulations are issued pursuant to sections 501 and 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, Public Law 93–83, 87 Stat. 197, 42 U.S.C. 3701, *et seq.* (Act), 28 U.S.C. 534, and Public Law 92–544, 86 Stat. 1115.

§ 20.3 Definitions.

Appendix C

As used in these regulations:

(a) *Act* means the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. 3701, *et seq.*, as amended.

(b) *Administration of criminal justice* means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(c) *Control Terminal Agency* means a duly authorized state, foreign, or international criminal justice agency with direct access to the National Crime Information Center telecommunications network providing statewide (or equivalent) service to its criminal justice users with respect to the various systems managed by the FBI CJIS Division.

(d) *Criminal history record information* means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records if such information does not indicate the individual's involvement with the criminal justice system.

(e) *Criminal history record information system* means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information.

(f) *Criminal history record repository* means the state agency designated by the governor or other appropriate executive official or the legislature to perform centralized recordkeeping functions for criminal history records and services in the state.

(g) *Criminal justice agency* means:

(1) Courts; and

(2) A governmental agency or any subunit thereof that performs the administration of criminal justice pursuant to a statute or executive order, and that allocates a substantial part of its annual budget to the administration of criminal justice. State and federal Inspector General Offices are included.

(h) *Direct access* means having the authority to access systems managed by the FBI CJIS Division, whether by manual or automated methods, not requiring the assistance of or intervention by any other party or agency.

(i) *Disposition* means information disclosing that criminal proceedings have been concluded and the nature of the termination, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings; or disclosing that proceedings have been indefinitely postponed and the reason for such postponement. Dispositions shall include, but shall not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed-civil action, found insane, found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial-defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(j) *Executive order* means an order of the President of the United States or the Chief Executive of a state that has the force of law and that is published in a manner permitting regular public access.

(k) *Federal Service Coordinator* means a non-Control Terminal Agency that has a direct telecommunications line to the National Crime Information Center network.

Appendix C

(l) *Fingerprint Identification Records System* or "FIRS" means the following FBI records: Criminal fingerprints and/or related criminal justice information submitted by authorized agencies having criminal justice responsibilities; civil fingerprints submitted by federal agencies and civil fingerprints submitted by persons desiring to have their fingerprints placed on record for personal identification purposes; identification records, sometimes referred to as "rap sheets," which are compilations of criminal history record information pertaining to individuals who have criminal fingerprints maintained in the FIRS; and a name index pertaining to all individuals whose fingerprints are maintained in the FIRS. See the FIRS Privacy Act System Notice periodically published in the Federal Register for further details.

(m) *Interstate Identification Index System* or "III System" means the cooperative federal-state system for the exchange of criminal history records, and includes the National Identification Index, the National Fingerprint File, and, to the extent of their participation in such system, the criminal history record repositories of the states and the FBI.

(n) *National Crime Information Center* or "NCIC" means the computerized information system, which includes telecommunications lines and any message switching facilities that are authorized by law, regulation, or policy approved by the Attorney General of the United States to link local, state, tribal, federal, foreign, and international criminal justice agencies for the purpose of exchanging NCIC related information. The NCIC includes, but is not limited to, information in the III System. See the NCIC Privacy Act System Notice periodically published in the Federal Register for further details.

(o) *National Fingerprint File* or "NFF" means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III System.

(p) *National Identification Index* or "NII" means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects about whom there are criminal history records in the III System.

(q) *Nonconviction data* means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; information disclosing that the police have elected not to refer a matter to a prosecutor, that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed; and information that there has been an acquittal or a dismissal.

(r) *State* means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(s) *Statute* means an Act of Congress or of a state legislature or a provision of the Constitution of the United States or of a state.

[Order No. 2258-99, 64 FR 52226, Sept. 28, 1999]

Subpart B—State and Local Criminal History Record Information Systems

Source: 41 FR 11715, Mar. 19, 1976, unless otherwise noted.

§ 20.20 Applicability.

(a) The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement Assistance Administration subsequent to July 1, 1973, pursuant to title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in subpart C.

(b) The regulations in this subpart shall not apply to criminal history record information contained in:

(1) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

Appendix C

(2) Original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis;

(3) Court records of public judicial proceedings;

(4) Published court or administrative opinions or public judicial, administrative or legislative proceedings;

(5) Records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operators' licenses;

(6) Announcements of executive clemency.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person, upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship.

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to OJARS by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a) *Completeness and accuracy.* Insure that criminal history record information is complete and accurate.

(1) Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2) To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end, criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b) *Limitations on dissemination.* Insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

(1) Criminal justice agencies, for purposes of the administration of criminal justice and criminal justice agency employment;

(2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;

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(3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;

(4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the violation thereof. These dissemination limitations do not apply to conviction data.

(c) *General policies on use and dissemination.* (1) Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.

(2) No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.

(3) Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d) *Juvenile records.* Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need of supervision (or the equivalent) to noncriminal justice agencies is prohibited, unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in paragraph (b) (3) and (4) of this section.

(e) *Audit.* Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f) *Security.* Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

(1) Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.

(2) Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.

(3)(i) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

(a) Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged, or overlaid in any fashion by non-criminal justice terminals.

(b) Operation programs are used that will prohibit inquiry, record updates, or destruction of records, from any terminal other than criminal justice system terminals which are so designated.

(c) The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.

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(d) Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file.

(e) The programs specified in paragraphs (f)(3)(i) (b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.

(f) Procedures are instituted to assure that an individual or agency authorized direct access is responsible for (1) the physical security of criminal history record information under its control or in its custody and (2) the protection of such information from unauthorized access, disclosure or dissemination.

(g) Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(ii) A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.

(4) The criminal justice agency will:

(i) Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct access to criminal history record information.

(ii) Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.

(iii) Institute procedures, where computer processing is not utilized, to assure that an individual or agency authorized direct access is responsible for

(a) The physical security of criminal history record information under its control or in its custody and

(b) The protection of such information from unauthorized access, disclosure, or dissemination.

(iv) Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(v) Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.

(5) Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.

(g) *Access and review.* Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—

(1) Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

(2) Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

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(3) The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4) Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5) The correcting agency shall notify all criminal justice recipients of corrected information; and

(6) The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by §20.3(b).

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61595, Dec. 6, 1977]

§ 20.22 Certification of compliance.

(a) Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b) The certification shall include—

(1) An outline of the action which has been instituted. At a minimum, the requirements of access and review under §20.21(g) must be completely operational;

(2) A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

(3) A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4) A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5) A listing setting forth categories of non-criminal justice dissemination. See §20.21(b).

§ 20.23 Documentation: Approval by OJARS.

Within 90 days of the receipt of the plan, OJARS shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by OJARS will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be fully operational and implemented by March 1, 1978. A final certification shall be submitted on March 1, 1978.

Where a State finds it is unable to provide final certification that all required procedures as set forth in §20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by OJARS upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the extension including a proposed timetable for full compliance must be submitted to OJARS by March 1, 1978. Where a State submits a request for an extension, the implementation date will be extended an additional 90 days while OJARS reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

(a) July 31, 1978—Submission of certificate of compliance with:

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(1) Individual access, challenge, and review requirements;

(2) Administrative security;

(3) Physical security to the maximum extent feasible.

(b) Thirty days after the end of a State's next legislative session—Submission to OJARS of a description of State policy on dissemination of criminal history record information.

(c) Six months after the end of a State's legislative session—Submission to OJARS of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by OJARS regulations in complying with the State policy on dissemination.

(d) Eighteen months after the end of a State's legislative session—Submission to OJARS of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with OJARS regulations.

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61596, Dec. 6, 1977]

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties.

Any agency or individual violating subpart B of these regulations shall be subject to a civil penalty not to exceed \$10,000 for a violation occurring before September 29, 1999, and not to exceed \$11,000 for a violation occurring on after September 29, 1999. In addition, OJARS may initiate fund cut-off procedures against recipients of OJARS assistance.

[41 FR 11715, Mar. 19, 1976, as amended by Order No. 2249-99, 64 FR 47102, Aug. 30, 1999]

Subpart C—Federal Systems and Exchange of Criminal History Record Information

Source: Order No. 2258-99, 64 FR 52227, Sept. 28, 1999, unless otherwise noted.

§ 20.30 Applicability.

The provisions of this subpart of the regulations apply to the III System and the FIRS, and to duly authorized local, state, tribal, federal, foreign, and international criminal justice agencies to the extent that they utilize the services of the III System or the FIRS. This subpart is applicable to both manual and automated criminal history records.

§ 20.31 Responsibilities.

(a) The Federal Bureau of Investigation (FBI) shall manage the NCIC.

(b) The FBI shall manage the FIRS to support identification and criminal history record information functions for local, state, tribal, and federal criminal justice agencies, and for noncriminal justice agencies and other entities where authorized by federal statute, state statute pursuant to Public Law 92-544, 86 Stat. 1115, Presidential executive order, or regulation or order of the Attorney General of the United States.

(c) The FBI CJIS Division may manage or utilize additional telecommunication facilities for the exchange of fingerprints, criminal history record related information, and other criminal justice information.

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total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§20.21(e) Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

§20.21(g)(1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§20.21(g)(5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§20.21(g)(6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement which create complex legislative and financial problems.

Note: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals, Report on the Criminal Justice System; Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems, Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information, Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

Subpart C—§20.31. This section defines the criminal history record information system managed by the Federal Bureau of Investigation. Each state having a record in the III System must have fingerprints on file in the FBI CJIS Division to support the III System record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for local, state, tribal, and federal agencies.

§20.32. The grandfather clause contained in paragraph (c) of this section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI's massive files the non-includable offenses that were stored prior to February, 1973. In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will also appear in the arrest segment of the III System record.

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§20.33(a)(3). This paragraph incorporates provisions cited in 28 CFR 50.12 regarding dissemination of identification records outside the federal government for noncriminal justice purposes.

§20.33(a)(6). Noncriminal justice governmental agencies are sometimes tasked to perform criminal justice dispatching functions or data processing/information services for criminal justice agencies as part, albeit not a principal part, of their responsibilities. Although such inter-governmental delegated tasks involve the administration of criminal justice, performance of those tasks does not convert an otherwise non-criminal justice agency to a criminal justice agency. This regulation authorizes this type of delegation if it is effected pursuant to executive order, statute, regulation, or interagency agreement. In this context, the noncriminal justice agency is servicing the criminal justice agency by performing an administration of criminal justice function and is permitted access to criminal history record information to accomplish that limited function. An example of such delegation would be the Pennsylvania Department of Administration's Bureau of Consolidated Computer Services, which performs data processing for several state agencies, including the Pennsylvania State Police. Privatization of the data processing/information services or dispatching function by the noncriminal justice governmental agency can be accomplished pursuant to §20.33(a)(7) of this part.

§20.34. The procedures by which an individual may obtain a copy of his manual identification record are set forth in 28 CFR 16.30–16.34.

The procedures by which an individual may obtain a copy of his III System record are as follows: If an individual has a criminal record supported by fingerprints and that record has been entered in the III System, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and federal administrative and statutory regulations. Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure. 1. All requests for review must be made by the subject of the record through a law enforcement agency which has access to the III System. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

2. If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the individual's record is available to that agency, it can make an on-line inquiry through NCIC to obtain his III System record or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Clarksburg, West Virginia, by mail. The individual will then be afforded the opportunity to see that record.

3. Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, it is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI, or, possibly, in the state's central identification agency.

4. The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy in his record or provide the information needed to make the record complete.

§20.36. This section refers to the requirements for obtaining direct access to the III System.

§20.37. The 120-day requirement in this section allows 30 days more than the similar provision in subpart B in order to allow for processing time that may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662–76, 41 FR 34949, Aug. 18, 1976, as amended by Order No. 1438–90, 55 FR 32075, Aug. 7, 1990; Order No. 2258–99, 64 FR 52229, Sept. 28, 1999]

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(d) The FBI CJIS Division shall maintain the master fingerprint files on all offenders included in the III System and the FIRS for the purposes of determining first offender status; to identify those offenders who are unknown in states where they become criminally active but are known in other states through prior criminal history records; and to provide identification assistance in disasters and for other humanitarian purposes.

(e) The FBI may routinely establish and collect fees for noncriminal justice fingerprint-based and other identification services as authorized by Federal law. These fees apply to Federal, State and any other authorized entities requesting fingerprint identification records and name checks for noncriminal justice purposes.

(1) The Director of the FBI shall review the amount of the fee periodically, but not less than every four years, to determine the current cost of processing fingerprint identification records and name checks for noncriminal justice purposes.

(2) Fee amounts and any revisions thereto shall be determined by current costs, using a method of analysis consistent with widely accepted accounting principles and practices, and calculated in accordance with the provisions of 31 U.S.C. 9701 and other Federal law as applicable.

(3) Fee amounts and any revisions thereto shall be published as a notice in the Federal Register .

(f) The FBI will collect a fee for providing noncriminal name-based background checks of the FBI Central Records System through the National Name Check Program pursuant to the authority in Pub. L. 101–515 and in accordance with paragraphs (e)(1), (2) and (3) of this section.

[41 FR 11715, Mar. 19, 1976, as amended at 75 FR 18755, Apr. 13, 2010; 75 FR 24798, May 6, 2010]

§ 20.32 Includable offenses.

(a) Criminal history record information maintained in the III System and the FIRS shall include serious and/or significant adult and juvenile offenses.

(b) The FIRS excludes arrests and court actions concerning nonserious offenses, e.g., drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, and traffic violations (except data will be included on arrests for vehicular manslaughter, driving under the influence of drugs or liquor, and hit and run), when unaccompanied by a §20.32(a) offense. These exclusions may not be applicable to criminal history records maintained in state criminal history record repositories, including those states participating in the NFF.

(c) The exclusions enumerated above shall not apply to federal manual criminal history record information collected, maintained, and compiled by the FBI prior to the effective date of this subpart.

§ 20.33 Dissemination of criminal history record information.

(a) Criminal history record information contained in the III System and the FIRS may be made available:

(1) To criminal justice agencies for criminal justice purposes, which purposes include the screening of employees or applicants for employment hired by criminal justice agencies;

(2) To federal agencies authorized to receive it pursuant to federal statute or Executive order;

(3) For use in connection with licensing or employment, pursuant to Public Law 92–544, 86 Stat. 1115, or other federal legislation, and for other uses for which dissemination is authorized by federal law. Refer to §50.12 of this chapter for dissemination guidelines relating to requests processed under this paragraph;

(4) For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses;

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(5) To criminal justice agencies for the conduct of background checks under the National Instant Criminal Background Check System (NICS);

(6) To noncriminal justice governmental agencies performing criminal justice dispatching functions or data processing/ information services for criminal justice agencies; and

(7) To private contractors pursuant to a specific agreement with an agency identified in paragraphs (a)(1) or (a)(6) of this section and for the purpose of providing services for the administration of criminal justice pursuant to that agreement. The agreement must incorporate a security addendum approved by the Attorney General of the United States, which shall specifically authorize access to criminal history record information, limit the use of the information to the purposes for which it is provided, ensure the security and confidentiality of the information consistent with these regulations, provide for sanctions, and contain such other provisions as the Attorney General may require. The power and authority of the Attorney General hereunder shall be exercised by the FBI Director (or the Director's designee).

(b) The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments, related agencies, or service providers identified in paragraphs (a)(6) and (a)(7) of this section.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the status of an investigation, the apprehension, arrest, release, or prosecution of an individual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

(d) Criminal history records received from the III System or the FIRS shall be used only for the purpose requested and a current record should be requested when needed for a subsequent authorized use.

§ 20.34 Individual's right to access criminal history record information.

The procedures by which an individual may obtain a copy of his or her identification record from the FBI to review and request any change, correction, or update are set forth in §§16.30–16.34 of this chapter. The procedures by which an individual may obtain a copy of his or her identification record from a state or local criminal justice agency are set forth in §20.34 of the appendix to this part.

§ 20.35 Criminal Justice Information Services Advisory Policy Board.

(a) There is established a CJIS Advisory Policy Board, the purpose of which is to recommend to the FBI Director general policy with respect to the philosophy, concept, and operational principles of various criminal justice information systems managed by the FBI's CJIS Division.

(b) The Board includes representatives from state and local criminal justice agencies; members of the judicial, prosecutorial, and correctional segments of the criminal justice community; a representative of federal agencies participating in the CJIS systems; and representatives of criminal justice professional associations.

(c) All members of the Board will be appointed by the FBI Director.

(d) The Board functions solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act, Title 5, United States Code, Appendix 2.

§ 20.36 Participation in the Interstate Identification Index System.

(a) In order to acquire and retain direct access to the III System, each Control Terminal Agency and Federal Service Coordinator shall execute a CJIS User Agreement (or its functional equivalent) with the Assistant Director in Charge of the CJIS Division, FBI, to abide by all present rules, policies, and procedures of the NCIC, as well as any rules, policies, and procedures hereinafter recommended by the CJIS Advisory Policy Board and adopted by the FBI Director.

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(b) Entry or updating of criminal history record information in the III System will be accepted only from state or federal agencies authorized by the FBI. Terminal devices in other agencies will be limited to inquiries.

§ 20.37 Responsibility for accuracy, completeness, currency, and integrity.

It shall be the responsibility of each criminal justice agency contributing data to the III System and the FIRS to assure that information on individuals is kept complete, accurate, and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

§ 20.38 Sanction for noncompliance.

Access to systems managed or maintained by the FBI is subject to cancellation in regard to any agency or entity that fails to comply with the provisions of subpart C of this part.

Appendix to Part 20—Commentary on Selected Sections of the Regulations on Criminal History Record Information Systems

Subpart A—§20.3(d). The definition of criminal history record information is intended to include the basic offender-based transaction statistics/III System (OBTS/III) data elements. If notations of an arrest, disposition, or other formal criminal justice transaction occurs in records other than the traditional "rap sheet," such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition, however, does not extend to other information contained in criminal justice agency reports. Intelligence or investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, and ownership of property and vehicles) is not included in the definition of criminal history information.

§20.3(g). The definitions of criminal justice agency and administration of criminal justice in §20.3(b) of this part must be considered together. Included as criminal justice agencies would be traditional police, courts, and corrections agencies, as well as subunits of noncriminal justice agencies that perform the administration of criminal justice pursuant to a federal or state statute or executive order and allocate a substantial portion of their budgets to the administration of criminal justice. The above subunits of noncriminal justice agencies would include, for example, the Office of Investigation of the Food and Drug Administration, which has as its principal function the detection and apprehension of persons violating criminal provisions of the Federal Food, Drug and Cosmetic Act. Also included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services, such as New York's Division of Criminal Justice Services.

§20.3(i). Disposition is a key concept in section 524(b) of the Act and in §§20.21(a)(1) and 20.21(b) of this part. It therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other, unspecified transactions concluding criminal proceedings within a particular agency.

§20.3(q). The different kinds of acquittals and dismissals delineated in §20.3(i) are all considered examples of nonconviction data.

Subpart B—§20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973. In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions

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The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus, announcements of arrest, convictions, new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in §20.21(b) may be disseminated without limitation.

§20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering §§20.21(b) and 20.21(f).

§20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is, however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(a)(1) is written with a centralized State criminal history repository in mind. The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive; it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently, comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

Appendix C

§20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission. Section 3(a) of 10450 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§20.21(b)(4). Under this subsection, any good faith researchers including private individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in §20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

The drafters of the regulations expressly rejected a suggestion which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states:

"Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to section 524(a) as soon as possible.

§20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in §20.21(b) shall actually receive criminal records. Under these regulations a State could place a

McKinney's Consolidated Laws of New York Annotated

Penal Law (Refs & Annos)

Chapter 40. Of the Consolidated Laws (Refs & Annos)

Part Four. Administrative Provisions

Title W. Provisions Relating to Firearms, Fireworks, Pornography Equipment and Vehicles Used in the Transportation of Gambling Records

Article 400. Licensing and Other Provisions Relating to Firearms (Refs & Annos)

McKinney's Penal Law § 400.00

§ 400.00 Licensing and other provisions relating to firearms

Currentness

1. Eligibility. No license shall be issued or renewed pursuant to this section except by the licensing officer, and then only after investigation and finding that all statements in a proper application for a license are true. No license shall be issued or renewed except for an applicant (a) twenty-one years of age or older, provided, however, that where such applicant has been honorably discharged from the United States army, navy, marine corps, air force or coast guard, or the national guard of the state of New York, no such age restriction shall apply; (b) of good moral character, which, for the purposes of this article, shall mean having the essential character, temperament and judgement necessary to be entrusted with a weapon and to use it only in a manner that does not endanger oneself or others; (c) who has not been convicted anywhere of a felony or a serious offense or who is not the subject of an outstanding warrant of arrest issued upon the alleged commission of a felony or serious offense; (d) who is not a fugitive from justice; (e) who is not an unlawful user of or addicted to any controlled substance as defined in section 21 U.S.C. 802; (f) who being a noncitizen (i) is not illegally or unlawfully in the United States or (ii) has not been admitted to the United States under a nonimmigrant visa subject to the exception in 18 U.S.C. 922(y)(2); (g) who has not been discharged from the Armed Forces under dishonorable conditions; (h) who, having been a citizen of the United States, has not renounced his or her citizenship; (i) who has stated whether he or she has ever suffered any mental illness; (j) who has not been involuntarily committed to a facility under the jurisdiction of an office of the department of mental hygiene pursuant to article nine or fifteen of the mental hygiene law, article seven hundred thirty or section 330.20 of the criminal procedure law or substantially similar laws of any other state, section four hundred two or five hundred eight of the correction law, section 322.2 or 353.4 of the family court act, has not been civilly confined in a secure treatment facility pursuant to article ten of the mental hygiene law, or has not been the subject of a report made pursuant to section 9.46 of the mental hygiene law; (k) who has not had a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the criminal procedure law or section eight hundred forty-two-a of the family court act; (l) in the county of Westchester, who has successfully completed a firearms safety course and test as evidenced by a certificate of completion issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor, except that: (i) persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are not required to have completed those hours of a firearms safety course pertaining to the safe use, carrying, possession, maintenance and storage of a firearm; (ii) persons who were licensed to possess a pistol or revolver prior to the effective date of this paragraph are not required to have completed a firearms safety course and test, provided, however, persons with a license issued under paragraph (f) of subdivision two of this section prior to the effective date of the laws of two thousand twenty-two which amended this paragraph shall be required to complete the training required by subdivision nineteen of this section prior to the recertification of such license; and (iii) persons applying for a license under paragraph (f) of subdivision two of this section on or after the effective date of the chapter of the laws of two thousand twenty-two which amended this paragraph who shall be required to complete the training required under subdivision nineteen of this section for such license; (m) who has not had a guardian appointed for him or her pursuant to any provision of state law, based on a determination that as a result of marked subnormal intelligence,

mental illness, incompetency, incapacity, condition or disease, he or she lacks the mental capacity to contract or manage his or her own affairs; (n) for a license issued under paragraph (f) of subdivision two of this section, that the applicant has not been convicted within five years of the date of the application of any of the following: (i) assault in the third degree, as defined in section 120.00 of this chapter; (ii) misdemeanor driving while intoxicated, as defined in section eleven hundred ninety-two of the vehicle and traffic law; or (iii) menacing, as defined in section 120.15 of this chapter; and (o) for a license issued under paragraph (f) of subdivision two of this section, the applicant shall meet in person with the licensing officer for an interview and shall, in addition to any other information or forms required by the license application submit to the licensing officer the following information: (i) names and contact information for the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full time or part time, in the applicant's home; (ii) names and contact information of no less than four character references who can attest to the applicant's good moral character and that such applicant has not engaged in any acts, or made any statements that suggest they are likely to engage in conduct that would result in harm to themselves or others; (iii) certification of completion of the training required in subdivision nineteen of this section; (iv) a list of former and current social media accounts of the applicant from the past three years to confirm the information regarding the applicants character and conduct as required in subparagraph (ii) of this paragraph; and (v) such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application.

1-a. No person shall engage in the business of gunsmith or dealer in firearms unless licensed pursuant to this section. An applicant to engage in such business shall also be a citizen of the United States, more than twenty-one years of age and shall be required to maintain a place of business in the city or county where the license is issued. For such business, if the applicant is a firm or partnership, each member thereof shall comply with all of the requirements set forth in this subdivision and if the applicant is a corporation, each officer thereof shall so comply.

1-b. For purposes of subdivision one of this section, serious offense shall include an offense in any jurisdiction or the former penal law that includes all of the essential elements of a serious offense as defined by subdivision seventeen of section 265.00 of this chapter. Nothing in this subdivision shall preclude the denial of a license based on the commission of, arrest for or conviction of an offense in any other jurisdiction which does not include all of the essential elements of a serious offense.

2. Types of licenses. A license for gunsmith or dealer in firearms shall be issued to engage in such business. A license for a semiautomatic rifle, other than an assault weapon or disguised gun, shall be issued to purchase or take possession of such a semiautomatic rifle when such transfer of ownership occurs on or after the effective date of chapter two hundred twelve of the laws of two thousand twenty-two that amended this subdivision. A license for a pistol or revolver, other than an assault weapon or a disguised gun, shall be issued to (a) have and possess in his dwelling by a householder; (b) have and possess in his place of business by a merchant or storekeeper; (c) have and carry concealed while so employed by a messenger employed by a banking institution or express company; (d) have and carry concealed by a justice of the supreme court in the first or second judicial departments, or by a judge of the New York city civil court or the New York city criminal court; (e) have and carry concealed while so employed by a regular employee of an institution of the state, or of any county, city, town or village, under control of a commissioner of correction of the city or any warden, superintendent or head keeper of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted or accused of crime or held as witnesses in criminal cases, provided that application is made therefor by such commissioner, warden, superintendent or head keeper; (f) have and carry concealed, without regard to employment or place of possession subject to the restrictions of state and federal law, by any person; and (g) have, possess, collect and carry antique pistols which are defined as follows: (i) any single shot, muzzle loading pistol with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before 1898, which is not designed for using rimfire or conventional centerfire fixed ammunition; and (ii) any replica of any pistol described in clause (i) hereof if such replica;

(1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(2) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

3. Applications. (a) Applications shall be made and renewed, in the case of a license to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle, to the licensing officer in the city or county, as the case may be, where the applicant resides, is principally employed or has his or her principal place of business as merchant or storekeeper; and, in the case of a license as gunsmith or dealer in firearms, to the licensing officer where such place of business is located. Blank applications shall, except in the city of New York, be approved as to form by the superintendent of state police. An application shall state the full name, date of birth, residence, present occupation of each person or individual signing the same, whether or not he or she is a citizen of the United States, whether or not he or she complies with each requirement for eligibility specified in subdivision one of this section and such other facts as may be required to show the good character, competency and integrity of each person or individual signing the application. An application shall be signed and verified by the applicant. Each individual signing an application shall submit one photograph of himself or herself and a duplicate for each required copy of the application. Such photographs shall have been taken within thirty days prior to filing the application. In case of a license as gunsmith or dealer in firearms, the photographs submitted shall be two inches square, and the application shall also state the previous occupation of each individual signing the same and the location of the place of such business, or of the bureau, agency, subagency, office or branch office for which the license is sought, specifying the name of the city, town or village, indicating the street and number and otherwise giving such apt description as to point out reasonably the location thereof. In such case, if the applicant is a firm, partnership or corporation, its name, date and place of formation, and principal place of business shall be stated. For such firm or partnership, the application shall be signed and verified by each individual composing or intending to compose the same, and for such corporation, by each officer thereof.

(b) Application for an exemption under paragraph seven-b of subdivision a of section 265.20 of this chapter. Each applicant desiring to obtain the exemption set forth in paragraph seven-b of subdivision a of section 265.20 of this chapter shall make such request in writing of the licensing officer with whom his application for a license is filed, at the time of filing such application. Such request shall include a signed and verified statement by the person authorized to instruct and supervise the applicant, that has met with the applicant and that he has determined that, in his judgment, said applicant does not appear to be or poses a threat to be, a danger to himself or to others. He shall include a copy of his certificate as an instructor in small arms, if he is required to be certified, and state his address and telephone number. He shall specify the exact location by name, address and telephone number where such instruction will take place. Such licensing officer shall, no later than ten business days after such filing, request the duly constituted police authorities of the locality where such application is made to investigate and ascertain any previous criminal record of the applicant pursuant to subdivision four of this section. Upon completion of this investigation, the police authority shall report the results to the licensing officer without unnecessary delay. The licensing officer shall no later than ten business days after the receipt of such investigation, determine if the applicant has been previously denied a license, been convicted of a felony, or been convicted of a serious offense, and either approve or disapprove the applicant for exemption purposes based upon such determinations. If the applicant is approved for the exemption, the licensing officer shall notify the appropriate duly constituted police authorities and the applicant. Such exemption shall terminate if the application for the license is denied, or at any earlier time based upon any information obtained by the licensing officer or the appropriate police authorities which would cause the license to be denied. The applicant and appropriate police authorities shall be notified of any such terminations.

4. Investigation. Before a license is issued or renewed, there shall be an investigation of all statements required in the application by the duly constituted police authorities of the locality where such application is made, including but not limited to such records as may be accessible to the division of state police or division of criminal justice services pursuant to section 400.02 of

this article. For that purpose, the records of the appropriate office of the department of mental hygiene concerning previous or present mental illness of the applicant shall be available for inspection by the investigating officer of the police authority. Where the applicant is domiciled in a foreign state, the investigation shall include inquiry of the foreign state for records concerning the previous or present mental illness of the applicant, and, to the extent necessary for inspection by the investigating officer, the applicant shall execute a waiver of confidentiality of such record in such form as may be required by the foreign state. In order to ascertain any previous criminal record, the investigating officer shall take the fingerprints and physical descriptive data in quadruplicate of each individual by whom the application is signed and verified. Two copies of such fingerprints shall be taken on standard fingerprint cards eight inches square, and one copy may be taken on a card supplied for that purpose by the federal bureau of investigation; provided, however, that in the case of a corporate applicant that has already been issued a dealer in firearms license and seeks to operate a firearm dealership at a second or subsequent location, the original fingerprints on file may be used to ascertain any criminal record in the second or subsequent application unless any of the corporate officers have changed since the prior application, in which case the new corporate officer shall comply with procedures governing an initial application for such license. When completed, one standard card shall be forwarded to and retained by the division of criminal justice services in the executive department, at Albany. A search of the files of such division and written notification of the results of the search shall be forwarded to the investigating officer and shall be made without unnecessary delay. Thereafter, such division shall notify the licensing officer and the executive department, division of state police, Albany, of any criminal record of the applicant filed therein subsequent to the search of its files. A second standard card, or the one supplied by the federal bureau of investigation, as the case may be, shall be forwarded to that bureau at Washington with a request that the files of the bureau be searched and notification of the results of the search be made to the investigating police authority. Of the remaining two fingerprint cards, one shall be filed with the executive department, division of state police, Albany, within ten days after issuance of the license, and the other shall remain on file with the investigating police authority. No such fingerprints may be inspected by any person other than a peace officer, who is acting pursuant to his or her special duties, or a police officer, except on order of a judge or justice of a court of record either upon notice to the licensee or without notice, as the judge or justice may deem appropriate. Upon completion of the investigation, the police authority shall report the results to the licensing officer without unnecessary delay.

4-a. Appeals from denial of an application, renewal, recertification or license revocation. If an application for a license is denied, not renewed, not recertified, or revoked, the licensing officer shall issue a written notice to the applicant setting forth the reasons for such denial. An applicant may, within ninety days of receipt of such notice, request a hearing to appeal the denial to the appeals board created by the division of criminal justice services and the superintendent of state police. An individual may be represented by counsel at any appearance before the appeals board and shall be afforded an opportunity to present additional evidence in support of their application. The commissioner of criminal justice services and the superintendent of state police shall promulgate rules and regulations governing such appeals process.

4-b. Processing of license applications. Applications for licenses shall be accepted for processing by the licensing officer at the time of presentment. Except upon written notice to the applicant specifically stating the reasons for any delay, in each case the licensing officer shall act upon any application for a license pursuant to this section within six months of the date of presentment of such an application to the appropriate authority. Such delay may only be for good cause and with respect to the applicant. In acting upon an application, the licensing officer shall either deny the application for reasons specifically and concisely stated in writing or grant the application and issue the license applied for.

4-c. Westchester county firearms safety course certificate. In the county of Westchester, at the time of application, the licensing officer to which the license application is made shall provide a copy of the safety course booklet to each license applicant. Before such license is issued, such licensing officer shall require that the applicant submit a certificate of successful completion of a firearms safety course and test issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor.

5. Filing of approved applications. (a) The application for any license, if granted, shall be filed by the licensing officer with the clerk of the county of issuance, except that in the city of New York and, in the counties of Nassau and Suffolk, the licensing officer shall designate the place of filing in the appropriate division, bureau or unit of the police department thereof, and in the county of Suffolk the county clerk is hereby authorized to transfer all records or applications relating to firearms to the licensing authority of that county. Except as provided in paragraphs (b) through (f) of this subdivision, the name and address of any person to whom an application for any license has been granted shall be a public record. Upon application by a licensee who has changed his place of residence such records or applications shall be transferred to the appropriate officer at the licensee's new place of residence. A duplicate copy of such application shall be filed by the licensing officer in the executive department, division of state police, Albany, within ten days after issuance of the license. The superintendent of state police may designate that such application shall be transmitted to the division of state police electronically. In the event the superintendent of the division of state police determines that it lacks any of the records required to be filed with the division, it may request that such records be provided to it by the appropriate clerk, department or authority and such clerk, department or authority shall provide the division with such records. In the event such clerk, department or authority lacks such records, the division may request the license holder provide information sufficient to constitute such record and such license holder shall provide the division with such information. Such information shall be limited to the license holder's name, date of birth, gender, race, residential address, social security number and firearms possessed by said license holder. Nothing in this subdivision shall be construed to change the expiration date or term of such licenses if otherwise provided for in law. Records assembled or collected for purposes of inclusion in the database established by this section shall be released pursuant to a court order. Records assembled or collected for purposes of inclusion in the database created pursuant to section 400.02 of this chapter shall not be subject to disclosure pursuant to article six of the public officers law.

(b) Each application for a license pursuant to paragraph (a) of this subdivision shall include, on a separate written form prepared by the division of state police within thirty days of the effective date of the chapter of the laws of two thousand thirteen, which amended this section, and provided to the applicant at the same time and in the same manner as the application for a license, an opportunity for the applicant to request an exception from his or her application information becoming public record pursuant to paragraph (a) of this subdivision. Such forms, which shall also be made available to individuals who had applied for or been granted a license prior to the effective date of the chapter of the laws of two thousand thirteen which amended this section, shall notify applicants that, upon discovery that an applicant knowingly provided false information, such applicant may be subject to penalties pursuant to section 175.30 of this chapter, and further, that his or her request for an exception shall be null and void, provided that written notice containing such determination is provided to the applicant. Further, such forms shall provide each applicant an opportunity to specify the grounds on which he or she believes his or her application information should not be publicly disclosed. These grounds, which shall be identified on the application with a box beside each for checking, as applicable, by the applicant, shall be as follows:

(i) the applicant's life or safety may be endangered by disclosure because:

(A) the applicant is an active or retired police officer, peace officer, probation officer, parole officer, or corrections officer;

(B) the applicant is a protected person under a currently valid order of protection;

(C) the applicant is or was a witness in a criminal proceeding involving a criminal charge;

(D) the applicant is participating or previously participated as a juror in a criminal proceeding, or is or was a member of a grand jury; or

(E) the applicant is a spouse, domestic partner or household member of a person identified in this subparagraph or subparagraph (ii) of this paragraph, specifying which subparagraph or subparagraphs and clauses apply.

(ii) the applicant has reason to believe his or her life or safety may be endangered by disclosure due to reasons stated by the applicant.

(iii) the applicant has reason to believe he or she may be subject to unwarranted harassment upon disclosure of such information.

(c) Each form provided for recertification pursuant to paragraph (b) of subdivision ten of this section shall include an opportunity for the applicant to request an exception from the information provided on such form becoming public record pursuant to paragraph (a) of this subdivision. Such forms shall notify applicants that, upon discovery that an applicant knowingly provided false information, such applicant may be subject to penalties pursuant to section 175.30 of this chapter, and further, that his or her request for an exception shall be null and void, provided that written notice containing such determination is provided to the applicant. Further, such forms shall provide each applicant an opportunity to either decline to request the grant or continuation of an exception, or specify the grounds on which he or she believes his or her information should not be publicly disclosed. These grounds, which shall be identified in the application with a box beside each for checking, as applicable, by the applicant, shall be the same as provided in paragraph (b) of this subdivision.

(d) Information submitted on the forms described in paragraph (b) of this subdivision shall be excepted from disclosure and maintained by the entity retaining such information separate and apart from all other records.

(e)(i) Upon receiving a request for exception from disclosure, the licensing officer shall grant such exception, unless the request is determined to be null and void, pursuant to paragraph (b) or (c) of this subdivision.

(ii) A request for an exception from disclosure may be submitted at any time, including after a license or recertification has been granted.

(iii) If an exception is sought and granted pursuant to paragraph (b) of this subdivision, the application information shall not be public record, unless the request is determined to be null and void. If an exception is sought and granted pursuant to paragraph (c) of this subdivision, the information concerning such recertification application shall not be public record, unless the request is determined to be null and void. Notwithstanding the foregoing provisions of this subparagraph, local and state law enforcement shall, upon request, be granted access to and copies of such application information provided that such information obtained by law enforcement pursuant to this subparagraph shall not be considered a public record of such law enforcement agency.

(f) The information of licensees or applicants for a license shall not be disclosed to the public during the first one hundred twenty days following the effective date of the chapter of the laws of two thousand thirteen, which amended this section. After such period, the information of those who had applied for or been granted a license prior to the preparation of the form for requesting an exception, pursuant to paragraph (b) of this subdivision, may be released only if such individuals did not file a request for such an exception during the first sixty days following such preparation; provided, however, that no information contained in an application for licensure or recertification shall be disclosed by an entity that has not completed processing any such requests received during such sixty days.

(g) If a request for an exception is determined to be null and void pursuant to paragraph (b) or (c) of this subdivision, an applicant may request review of such determination pursuant to article seventy-eight of the civil practice laws¹ and rules. Such proceeding must commence within thirty days after service of the written notice containing the adverse determination. Notice of the right to commence such a petition, and the time period therefor, shall be included in the notice of the determination. Disclosure following such a petition shall not be made prior to the disposition of such review.

6. License: validity. Any license issued pursuant to this section shall be valid notwithstanding the provisions of any local law or ordinance. No license shall be transferable to any other person or premises. A license to carry or possess a pistol or revolver, or to purchase or take possession of a semiautomatic rifle, not otherwise limited as to place or time of possession, shall be effective throughout the state, except that the same shall not be valid within the city of New York unless a special permit granting validity is issued by the police commissioner of that city. Such license to carry or possess shall be valid within the city of New York in the absence of a permit issued by the police commissioner of that city, provided that (a) the firearms covered by such license have been purchased from a licensed dealer within the city of New York and are being transported out of said city forthwith and immediately from said dealer by the licensee in a locked container during a continuous and uninterrupted trip; or provided that (b) the firearms covered by such license are being transported by the licensee in a locked container and the trip through the city of New York is continuous and uninterrupted; or provided that (c) the firearms covered by such license are carried by armored car security guards transporting money or other valuables, in, to, or from motor vehicles commonly known as armored cars, during the course of their employment; or provided that (d) the licensee is a retired police officer as police officer is defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or a retired federal law enforcement officer, as defined in section 2.15 of the criminal procedure law, who has been issued a license by an authorized licensing officer as defined in subdivision ten of section 265.00 of this chapter; provided, further, however, that if such license was not issued in the city of New York it must be marked "Retired Police Officer" or "Retired Federal Law Enforcement Officer", as the case may be, and, in the case of a retired officer the license shall be deemed to permit only police or federal law enforcement regulations weapons; or provided that (e) the licensee is a peace officer described in subdivision four of section 2.10 of the criminal procedure law and the license, if issued by other than the city of New York, is marked "New York State Tax Department Peace Officer" and in such case the exemption shall apply only to the firearm issued to such licensee by the department of taxation and finance. A license as gunsmith or dealer in firearms shall not be valid outside the city or county, as the case may be, where issued. Notwithstanding any inconsistent provision of state or local law or rule or regulation, the premises limitation set forth in any license to have and possess a pistol or revolver in the licensee's dwelling or place of business pursuant to paragraph (a) or (b) of subdivision two of this section shall not prevent the transport of such pistol or revolver directly to or from (i) another dwelling or place of business of the licensee where the licensee is authorized to have and possess such pistol or revolver, (ii) an indoor or outdoor shooting range that is authorized by law to operate as such, (iii) a shooting competition at which the licensee may possess such pistol or revolver consistent with the provisions of subdivision a of section 265.20 of this chapter or consistent with the law applicable at the place of such competition, or (iv) any other location where the licensee is lawfully authorized to have and possess such pistol or revolver; provided however, that during such transport to or from a location specified in clauses (i) through (iv) of this paragraph, the pistol or revolver shall be unloaded and carried in a locked container, and the ammunition therefor shall be carried separately; provided further, however, that a license to have and possess a pistol or revolver in the licensee's dwelling or place of business pursuant to paragraph (a) or (b) of subdivision two of this section that is issued by a licensing officer other than the police commissioner of the city of New York shall not authorize transport of a pistol or revolver into the city of New York in the absence of written authorization to do so by the police commissioner of that city. The term "locked container" shall not include the glove compartment or console of a vehicle.

7. License: form. Any license issued pursuant to this section shall, except in the city of New York, be approved as to form by the superintendent of state police. A license to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle shall have attached the licensee's photograph, and a coupon which shall be removed and retained by any person disposing of a firearm to the licensee. A license to carry or possess a pistol or revolver shall specify the weapon covered by calibre, make, model, manufacturer's name and serial number, or if none, by any other distinguishing number or identification

mark, and shall indicate whether issued to carry on the person or possess on the premises, and if on the premises shall also specify the place where the licensee shall possess the same. If such license is issued to a noncitizen, or to a person not a citizen of and usually a resident in the state, the licensing officer shall state in the license the particular reason for the issuance and the names of the persons certifying to the good character of the applicant. Any license as gunsmith or dealer in firearms shall mention and describe the premises for which it is issued and shall be valid only for such premises.

8. License: exhibition and display. Every licensee while carrying a pistol or revolver shall have on his or her person a license to carry the same. Every person licensed to possess a pistol or revolver on particular premises shall have the license for the same on such premises. Every person licensed to purchase or take possession of a semiautomatic rifle shall have the license for the same on his or her person while purchasing or taking possession of such weapon. Upon demand, the license shall be exhibited for inspection to any peace officer, who is acting pursuant to his or her special duties, or police officer. A license as gunsmith or dealer in firearms shall be prominently displayed on the licensed premises. A gunsmith or dealer of firearms may conduct business temporarily at a location other than the location specified on the license if such temporary location is the location for a gun show or event sponsored by any national, state, or local organization, or any affiliate of any such organization devoted to the collection, competitive use or other sporting use of firearms. Any sale or transfer at a gun show must also comply with the provisions of article thirty-nine-DD of the general business law. Records of receipt and disposition of firearms transactions conducted at such temporary location shall include the location of the sale or other disposition and shall be entered in the permanent records of the gunsmith or dealer of firearms and retained on the location specified on the license. Nothing in this section shall authorize any licensee to conduct business from any motorized or towed vehicle. A separate fee shall not be required of a licensee with respect to business conducted under this subdivision. Any inspection or examination of inventory or records under this section at such temporary location shall be limited to inventory consisting of, or records related to, firearms held or disposed at such temporary locations. Failure of any licensee to so exhibit or display his or her license, as the case may be, shall be presumptive evidence that he or she is not duly licensed.

9. License: amendment. Elsewhere than in the city of New York, a person licensed to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle may apply at any time to his or her licensing officer for amendment of his or her license to include one or more such weapons or to cancel weapons held under license. If granted, a record of the amendment describing the weapons involved shall be filed by the licensing officer in the executive department, division of state police, Albany. The superintendent of state police may authorize that such amendment be completed and transmitted to the state police in electronic form. Notification of any change of residence shall be made in writing by any licensee within ten days after such change occurs, and a record of such change shall be inscribed by such licensee on the reverse side of his or her license. Elsewhere than in the city of New York, and in the counties of Nassau and Suffolk, such notification shall be made to the executive department, division of state police, Albany, and in the city of New York to the police commissioner of that city, and in the county of Nassau to the police commissioner of that county, and in the county of Suffolk to the licensing officer of that county, who shall, within ten days after such notification shall be received by him or her, give notice in writing of such change to the executive department, division of state police, at Albany.

10. License: expiration, certification and renewal. (a) Any license for gunsmith or dealer in firearms and, in the city of New York, any license to carry or possess a pistol or revolver, issued at any time pursuant to this section or prior to the first day of July, nineteen hundred sixty-three and not limited to expire on an earlier date fixed in the license, shall, except as otherwise provided in paragraph (d) of this subdivision, expire not more than three years after the date of issuance. In the counties of Nassau, Suffolk and Westchester, any license to carry or possess a pistol or revolver, issued at any time pursuant to this section or prior to the first day of July, nineteen hundred sixty-three and not limited to expire on an earlier date fixed in the license, shall expire not more than five years after the date of issuance; however, in the county of Westchester, any such license shall be certified prior to the first day of April, two thousand, in accordance with a schedule to be contained in regulations promulgated by the commissioner of the division of criminal justice services, and every such license shall, except as otherwise provided in paragraph (d) of this subdivision, be recertified every five years thereafter. For purposes of this section certification shall

mean that the licensee shall provide to the licensing officer the following information only: current name, date of birth, current address, and the make, model, caliber and serial number of all firearms currently possessed. Such certification information shall be filed by the licensing officer in the same manner as an amendment. Elsewhere than in the city of New York and the counties of Nassau, Suffolk and Westchester, any license to carry or possess a pistol or revolver, issued at any time pursuant to this section or prior to the first day of July, nineteen hundred sixty-three and not previously revoked or cancelled, shall be in force and effect until revoked as herein provided. Any license not previously cancelled or revoked shall remain in full force and effect for thirty days beyond the stated expiration date on such license. Any application to renew a license that has not previously expired, been revoked or cancelled shall thereby extend the term of the license until disposition of the application by the licensing officer. In the case of a license for gunsmith or dealer in firearms, in counties having a population of less than two hundred thousand inhabitants, photographs and fingerprints shall be submitted on original applications and upon renewal thereafter at three year intervals. Upon satisfactory proof that a currently valid original license has been despoiled, lost or otherwise removed from the possession of the licensee and upon application containing an additional photograph of the licensee, the licensing officer shall issue a duplicate license.

(b) All licensees shall be recertified to the division of state police every five years thereafter, except as otherwise provided in paragraph (d) of this subdivision. Any license issued before the effective date of the chapter of the laws of two thousand thirteen which added this paragraph shall be recertified by the licensee on or before January thirty-first, two thousand eighteen, and not less than one year prior to such date, the state police shall send a notice to all license holders who have not recertified by such time. Such recertification shall be in a form as approved by the superintendent of state police, which shall request the license holder's name, date of birth, gender, race, residential address, social security number, firearms possessed by such license holder, email address at the option of the license holder and an affirmation that such license holder is not prohibited from possessing firearms. The form may be in an electronic form if so designated by the superintendent of state police. Failure to recertify shall act as a revocation of such license. If the New York state police discover as a result of the recertification process that a licensee failed to provide a change of address, the New York state police shall not require the licensing officer to revoke such license.

(c) A license to purchase or take possession of a semiautomatic rifle as defined in subdivision two of this section shall be recertified to the applicable licensing officer every five years following the issuance of such license. Failure to renew such a license shall be a violation punishable by a fine not to exceed two hundred fifty dollars, and such failure to renew shall be considered by the licensing officer when reviewing future license applications by the license holder pursuant to this chapter.

(d) Licenses issued under paragraph (f) of subdivision two of this section shall be recertified or renewed in the same form and manner as otherwise required by this subdivision, provided however, that such licenses shall be recertified or renewed every three years following the issuance of such license. For licenses issued prior to the effective date of this paragraph that were issued more than three years prior to such date, or will expire in less than one year from such date shall be recertified or renewed within one year of such date.

11. License: revocation and suspension. (a) The conviction of a licensee anywhere of a felony or serious offense or a licensee at any time becoming ineligible to obtain a license, including engaging in conduct that would have resulted in the denial of a license, under this section shall operate as or be grounds for, a revocation of the license. A license may be revoked or suspended as provided for in section 530.14 of the criminal procedure law or section eight hundred forty-two-a of the family court act. Except for a license issued pursuant to section 400.01 of this article, a license may be revoked and cancelled at any time in the city of New York, and in the counties of Nassau and Suffolk, by the licensing officer, and elsewhere than in the city of New York by any judge or justice of a court of record; a license issued pursuant to section 400.01 of this article may be revoked and cancelled at any time by the licensing officer or any judge or justice of a court of record. A license to engage in the business of dealer may be revoked or suspended for any violation of the provisions of article thirty-nine-BB of the general business law. The official revoking a license shall give written notice thereof without unnecessary delay to the executive department, division

of state police, Albany, and shall also notify immediately the duly constituted police authorities of the locality. The licensing officer shall revoke any license issued in which an applicant knowingly made a material false statement on the application. Notice of a revocation under this subdivision shall be issued in writing and shall include the basis for the determination, which shall be supported by a preponderance of the evidence. Such notice shall also include information regarding the ability to appeal such decision in accordance with subdivision four-a of this section.

(b) Whenever the director of community services or his or her designee makes a report pursuant to section 9.46 of the mental hygiene law, the division of criminal justice services shall convey such information, whenever it determines that the person named in the report possesses a license issued pursuant to this section, to the appropriate licensing official, who shall issue an order suspending or revoking such license.

(c) In any instance in which a person's license is suspended or revoked under paragraph (a) or (b) of this subdivision, such person shall surrender such license to the appropriate licensing official and any and all firearms, rifles, or shotguns owned or possessed by such person shall be surrendered to an appropriate law enforcement agency as provided in subparagraph (f) of paragraph one of subdivision a of section 265.20 of this chapter. In the event such license, firearm, shotgun, or rifle is not surrendered, such items shall be removed and declared a nuisance and any police officer or peace officer acting pursuant to his or her special duties is authorized to remove any and all such weapons.

12. Records required of gunsmiths and dealers in firearms. In addition to the requirements set forth in article thirty-nine-BB of the general business law, any person licensed as gunsmith or dealer in firearms shall keep a record book approved as to form, except in the city of New York, by the superintendent of state police. In the record book shall be entered at the time of every transaction involving a firearm the date, name, age, occupation and residence of any person from whom a firearm is received or to whom a firearm is delivered, and the calibre, make, model, manufacturer's name and serial number, or if none, any other distinguishing number or identification mark on such firearm. Before delivering a firearm to any person, the licensee shall require him to produce either a license valid under this section to carry or possess the same, or proof of lawful authority as an exempt person pursuant to section 265.20 of this chapter and either (a) the National Instant Criminal Background Check System (NICS) or its successor has issued a "proceed" response to the licensee, or (b) thirty calendar days have elapsed since the date the licensee contacted NICS to initiate a national instant criminal background check and NICS has not notified the licensee that the transfer of the firearm to such person should be denied. In addition, before delivering a firearm to a peace officer, the licensee shall verify that person's status as a peace officer with the division of state police. After completing the foregoing, the licensee shall remove and retain the attached coupon and enter in the record book the date of such license, number, if any, and name of the licensing officer, in the case of the holder of a license to carry or possess, or the shield or other number, if any, assignment and department, unit or agency, in the case of an exempt person. The original transaction report shall be forwarded to the division of state police within ten days of delivering a firearm to any person, and a duplicate copy shall be kept by the licensee. The superintendent of state police may designate that such record shall be completed and transmitted in electronic form. A dealer may be granted a waiver from transmitting such records in electronic form if the superintendent determines that such dealer is incapable of such transmission due to technological limitations that are not reasonably within the control of the dealer, or other exceptional circumstances demonstrated by the dealer, pursuant to a process established in regulation, and at the discretion of the superintendent. Records assembled or collected for purposes of inclusion in the database created pursuant to section 400.02 of this article shall not be subject to disclosure pursuant to article six of the public officers law. The record book shall be maintained on the premises mentioned and described in the license and shall be open at all reasonable hours for inspection by any peace officer, acting pursuant to his special duties, or police officer. In the event of cancellation or revocation of the license for gunsmith or dealer in firearms, or discontinuance of business by a licensee, such record book shall be immediately surrendered to the licensing officer in the city of New York, and in the counties of Nassau and Suffolk, and elsewhere in the state to the executive department, division of state police.

12-a. State police regulations applicable to licensed gunsmiths engaged in the business of assembling or manufacturing firearms. The superintendent of state police is hereby authorized to issue such rules and regulations as he deems reasonably necessary to prevent the manufacture and assembly of unsafe firearms in the state. Such rules and regulations shall establish safety standards in regard to the manufacture and assembly of firearms in the state, including specifications as to materials and parts used, the proper storage and shipment of firearms, and minimum standards of quality control. Regulations issued by the state police pursuant to this subdivision shall apply to any person licensed as a gunsmith under this section engaged in the business of manufacturing or assembling firearms, and any violation thereof shall subject the licensee to revocation of license pursuant to subdivision eleven of this section.

12-c.² Firearms records. (a) Every employee of a state or local agency, unit of local government, state or local commission, or public or private organization who possesses a firearm or machine-gun under an exemption to the licensing requirements under this chapter, shall promptly report in writing to his employer the make, model, calibre and serial number of each such firearm or machine-gun. Thereafter, within ten days of the acquisition or disposition of any such weapon, he shall furnish such information to his employer, including the name and address of the person from whom the weapon was acquired or to whom it was disposed.

(b) Every head of a state or local agency, unit of local government, state or local commission, public authority or public or private organization to whom an employee has submitted a report pursuant to paragraph (a) of this subdivision shall promptly forward such report to the superintendent of state police.

(c) Every head of a state or local agency, unit of local government, state or local commission, public authority, or any other agency, firm or corporation that employs persons who may lawfully possess firearms or machine-guns without the requirement of a license therefor, or that employs persons licensed to possess firearms or machine-guns, shall promptly report to the superintendent of state police, in the manner prescribed by him, the make, model, calibre and serial number of every firearm or machine-gun possessed by it on the effective date of this act for the use of such employees or for any other use. Thereafter, within ten days of the acquisition or disposition of any such weapon, such head shall report such information to the superintendent of the state police, including the name and address of the person from whom the weapon was acquired or to whom it was disposed.

13. Expenses. The expense of providing a licensing officer with blank applications, licenses and record books for carrying out the provisions of this section shall be a charge against the county, and in the city of New York against the city.

14. Fees. In the city of New York and the counties of Nassau and Westchester, the annual license fee shall be twenty-five dollars for gunsmiths and fifty dollars for dealers in firearms. In such city, the city council and in the counties of Nassau and Westchester the legislative body of such county shall fix the fee to be charged for a license to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle and provide for the disposition of such fees. Elsewhere in the state, the licensing officer shall collect and pay into the county treasury the following fees: for each license to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle, not less than three dollars nor more than ten dollars as may be determined by the legislative body of the county; for each amendment thereto, three dollars, and five dollars in the county of Suffolk; and for each license issued to a gunsmith or dealer in firearms, ten dollars. The fee for a duplicate license shall be five dollars. The fee for processing a license transfer between counties shall be five dollars. The fee for processing a license or renewal thereof for a qualified retired police officer as defined under subdivision thirty-four of section 1.20 of the criminal procedure law, or a qualified retired sheriff, undersheriff, or deputy sheriff of the city of New York as defined under subdivision two of section 2.10 of the criminal procedure law, or a qualified retired bridge and tunnel officer, sergeant or lieutenant of the triborough bridge and tunnel authority as defined under subdivision twenty of section 2.10 of the criminal procedure law, or a qualified retired uniformed court officer in the unified court system, or a qualified retired court clerk in the unified court system in the first and second judicial departments, as defined in paragraphs a and b of subdivision twenty-one of section 2.10

of the criminal procedure law or a retired correction officer as defined in subdivision twenty-five of section 2.10 of the criminal procedure law shall be waived in all counties throughout the state.

15. Any violation by any person of any provision of this section is a class A misdemeanor.

16. Unlawful disposal. No person shall except as otherwise authorized pursuant to law dispose of any firearm unless he is licensed as gunsmith or dealer in firearms.

16-a. Registration. (a) An owner of a weapon defined in paragraph (e) or (f) of subdivision twenty-two of section 265.00 of this chapter, possessed before the date of the effective date of the chapter of the laws of two thousand thirteen which added this paragraph, must make an application to register such weapon with the superintendent of state police, in the manner provided by the superintendent, or by amending a license issued pursuant to this section within one year of the effective date of this subdivision except any weapon defined under subparagraph (vi) of paragraph (g) of subdivision twenty-two of section 265.00 of this chapter transferred into the state may be registered at any time, provided such weapons are registered within thirty days of their transfer into the state. Registration information shall include the registrant's name, date of birth, gender, race, residential address, social security number and a description of each weapon being registered. A registration of any weapon defined under subparagraph (vi) of paragraph (g) of subdivision twenty-two of section 265.00 or a feeding device as defined under subdivision twenty-three of section 265.00 of this chapter shall be transferable, provided that the seller notifies the state police within seventy-two hours of the transfer and the buyer provides the state police with information sufficient to constitute a registration under this section. Such registration shall not be valid if such registrant is prohibited or becomes prohibited from possessing a firearm pursuant to state or federal law. The superintendent shall determine whether such registrant is prohibited from possessing a firearm under state or federal law. Such check shall be limited to determining whether the factors in 18 USC 922 (g) apply or whether a registrant has been convicted of a serious offense as defined in subdivision sixteen-b of section 265.00 of this chapter, so as to prohibit such registrant from possessing a firearm, and whether a report has been issued pursuant to section 9.46 of the mental hygiene law. All registrants shall recertify to the division of state police every five years thereafter. Failure to recertify shall result in a revocation of such registration.

(a-1) Notwithstanding any inconsistent provisions of paragraph (a) of this subdivision, an owner of an assault weapon as defined in subdivision twenty-two of section 265.00 of this chapter, who is a qualified retired New York or federal law enforcement officer as defined in subdivision twenty-five of section 265.00 of this chapter, where such weapon was issued to or purchased by such officer prior to retirement and in the course of his or her official duties, and for which such officer was qualified by the agency that employed such officer within twelve months prior to his or her retirement, must register such weapon within sixty days of retirement.

(b) The superintendent of state police shall create and maintain an internet website to educate the public as to which semiautomatic rifle, semiautomatic shotgun or semiautomatic pistol or weapon that are illegal as a result of the enactment of the chapter of the laws of two thousand thirteen which added this paragraph, as well as such assault weapons which are illegal pursuant to article two hundred sixty-five of this chapter. Such website shall contain information to assist the public in recognizing the relevant features proscribed by such article two hundred sixty-five, as well as which make and model of weapons that require registration.

(c) A person who knowingly fails to apply to register such weapon, as required by this section, within one year of the effective date of the chapter of the laws of two thousand thirteen which added this paragraph shall be guilty of a class A misdemeanor and such person who unknowingly fails to validly register such weapon within such one year period shall be given a warning by an appropriate law enforcement authority about such failure and given thirty days in which to apply to register such weapon

or to surrender it. A failure to apply or surrender such weapon within such thirty-day period shall result in such weapon being removed by an appropriate law enforcement authority and declared a nuisance.

16-b. The cost of the software, programming and interface required to transmit any record that must be electronically transmitted by the dealer or licensing officer to the division of state police pursuant to this chapter shall be borne by the state.

17. Applicability of section. The provisions of article two hundred sixty-five of this chapter relating to illegal possession of a firearm, shall not apply to an offense which also constitutes a violation of this section by a person holding an otherwise valid license under the provisions of this section and such offense shall only be punishable as a class A misdemeanor pursuant to this section. In addition, the provisions of such article two hundred sixty-five of this chapter shall not apply to the possession of a firearm in a place not authorized by law, by a person who holds an otherwise valid license or possession of a firearm by a person within a one year period after the stated expiration date of an otherwise valid license which has not been previously cancelled or revoked shall only be punishable as a class A misdemeanor pursuant to this section.

18. Notice. Upon the issuance of a license, the licensing officer shall issue therewith, and such licensee shall attest to the receipt of, the following information and notifications: (a) the grounds for which the license issued may be revoked, which shall include but not be limited to the areas and locations for which the licenses issued under paragraph (f) of subdivision two of this section prohibits the possession of firearms, rifles, and shotguns, and that a conviction under sections 265.01-d and 265.01-e of this chapter are felonies for which licensure will be revoked;

(b) a notification regarding the requirements for safe storage which shall be in conspicuous and legible twenty-four point type on eight and one-half inches by eleven inches paper stating in bold print the following:

WARNING: RESPONSIBLE FIREARM STORAGE IS THE LAW IN NEW YORK STATE. WHEN STORED IN A HOME FIREARMS, RIFLES, OR SHOTGUNS MUST EITHER BE STORED WITH A GUN LOCKING DEVICE OR IN A SAFE STORAGE DEPOSITORY OR NOT BE LEFT OUTSIDE THE IMMEDIATE POSSESSION AND CONTROL OF THE OWNER OR OTHER LAWFUL POSSESSOR IF A CHILD UNDER THE AGE OF EIGHTEEN RESIDES IN THE HOME OR IS PRESENT, OR IF THE OWNER OR POSSESSOR RESIDES WITH A PERSON PROHIBITED FROM POSSESSING A FIREARM UNDER STATE OR FEDERAL LAW. FIREARMS SHOULD BE STORED BY REMOVING THE AMMUNITION FROM AND SECURELY LOCKING SUCH FIREARM IN A LOCATION SEPARATE FROM AMMUNITION. LEAVING FIREARMS ACCESSIBLE TO A CHILD OR OTHER PROHIBITED PERSON MAY SUBJECT YOU TO IMPRISONMENT, FINE, OR BOTH. WHEN STORED IN A VEHICLE OUTSIDE THE OWNER'S IMMEDIATE POSSESSION OR CONTROL, FIREARMS, RIFLES, AND SHOTGUNS MUST BE STORED IN AN APPROPRIATE SAFE STORAGE DEPOSITORY AND OUT OF SIGHT FROM OUTSIDE OF THE VEHICLE.

(c) [Eff. until July 1, 2025. See, also, par. (c) below.] any other information necessary to ensure such licensee is aware of their responsibilities as a license holder.

(c) [Eff. July 1, 2025. See, also, par. (c) above.] any other information necessary to ensure such licensee is aware of their responsibilities as a license holder; and

(d) [Eff. July 1, 2025.] statewide resources and information relating to safe storage of firearms, child access prevention and firearm violence prevention as well as information on county and local specific laws and regulations related to child access prevention and the safe storage of firearms.

Nothing in this subdivision shall be deemed to affect, impair or supersede any special or local law relating to providing notice regarding the safe storage of rifles, shotguns or firearms.

19. Prior to the issuance or renewal of a license under paragraph (f) of subdivision two of this section, issued or renewed on or after the effective date of this subdivision, an applicant shall complete an in-person live firearms safety course conducted by a duly authorized instructor with curriculum approved by the division of criminal justice services and the superintendent of state police, and meeting the following requirements: (a) a minimum of sixteen hours of in-person live curriculum approved by the division of criminal justice services and the superintendent of state police, conducted by a duly authorized instructor approved by the division of criminal justice services, and shall include but not be limited to the following topics: (i) general firearm safety; (ii) safe storage requirements and general secure storage best practices; (iii) state and federal gun laws; (iv) situational awareness; (v) conflict de-escalation; (vi) best practices when encountering law enforcement; (vii) the statutorily defined sensitive places in subdivision two of section 265.01-e of this chapter and the restrictions on possession on restricted places under section 265.01-d of this chapter; (viii) conflict management; (ix) use of deadly force; (x) suicide prevention; and (xi) the basic principles of marksmanship; and (b) a minimum of two hours of a live-fire range training course. The applicant shall be required to demonstrate proficiency by scoring a minimum of eighty percent correct answers on a written test for the curriculum under paragraph (a) of this subdivision and the proficiency level determined by the rules and regulations promulgated by the division of criminal justice services and the superintendent of state police for the live-fire range training under paragraph (b) of this subdivision. Upon demonstration of such proficiency, a certificate of completion shall be issued to such applicant in the applicant's name and endorsed and affirmed under the penalties of perjury by such duly authorized instructor. An applicant required to complete the training required herein prior to renewal of a license issued prior to the effective date of this subdivision shall only be required to complete such training for the first renewal of such license after such effective date.

20. Firearms dealers; required warnings. (a)(i) Every person licensed as a gunsmith or a dealer in firearms shall post the following notice at the site where such rifles, shotguns, or firearms are sold, displayed or delivered to the purchaser, at the entrance to the site and in at least one additional area where sales occur, conspicuously stating, in no smaller than twenty-six-point type on a sign at least eight and one-half by eleven inches in bold print:

WARNING

**ACCESS TO A RIFLE, SHOTGUN, OR FIREARM IN THE HOME SIGNIFICANTLY
INCREASES THE RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/
OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.**

**IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR
DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.**

(ii) Every firearms dealer shall distribute a notice to the purchaser at the time of each individual sale of a rifle, shotgun, or firearm, conspicuously stating, in no smaller than twenty-six-point type and on paper at least eight and one-half by eleven inches in bold print the following warning:

WARNING

**ACCESS TO A RIFLE, SHOTGUN, OR FIREARM IN THE HOME SIGNIFICANTLY
INCREASES THE RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/
OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.**

IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR
DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

(iii) Upon the issuance of or amendment to a rifle, shotgun, or firearm license and/or permit, the licensing officer shall provide the licensee/permittee a written copy of a warning notice conspicuously stating in no smaller than twenty-six-point type and on paper at least eight and one-half by eleven inches in bold print the following warning:

WARNING

ACCESS TO A RIFLE, SHOTGUN, OR FIREARM IN THE HOME SIGNIFICANTLY
INCREASES THE RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/
OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR
DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

(b) No licensing officer, local government, or any employee thereof shall be liable to any person by reason of any injury or damage resulting from the failure of any gunsmith or firearms dealer to comply with this subdivision or in consequence of any act or omission in connection with the implementation or enforcement of this subdivision.

(c) Any person, firm, or corporation required to post or distribute warnings pursuant to subparagraph (i) or (ii) of paragraph (a) of this subdivision who fails to post or distribute in the manner provided for in such provisions shall be guilty of a violation punishable by imprisonment of not more than fifteen days or by a fine of not more than one thousand dollars, or both. Each day that a violation continues shall be deemed a separate offense.

(d) The provisions of this subdivision shall not supersede any local law or ordinance that imposes stricter disclosure or notice requirements; and notices required by this subdivision shall be in addition to any other notices required by any other federal, state or local law, ordinance, rule or regulation.

Credits

(L.1965, c. 1030. Amended L.1967, c. 791, § 49; L.1971, c. 796; L.1971, c. 1097, §§ 82, 83; L.1973, c. 172, §§ 1-4; L.1973, c. 546, § 1; L.1973, c. 593, § 1; L.1974, c. 1041, §§ 10, 11; L.1974, c. 1042, § 2; L.1976, c. 584, § 1; L.1977, c. 480, § 1; L.1980, c. 233, §§ 15 to 17; L.1980, c. 843, §§ 47 to 50; L.1981, c. 175, § 5; L.1982, c. 71, § 1; L.1984, c. 739, § 1; L.1985, c. 778, § 2; L.1986, c. 539, § 1; L.1988, c. 437, § 1; L.1990, c. 707, § 1; L.1991, c. 414, § 1; L.1992, c. 320, § 1; L.1993, c. 448, § 1; L.1993, c. 449, § 1; L.1993, c. 498, §§ 2, 3; L.1994, c. 332, § 1; L.1994, c. 636, § 1; L.1994, c. 637, § 1; L.1995, c. 236, § 1; L.1995, c. 370, § 1; L.1996, c. 644, §§ 5, 6; L.1997, c. 446, §§ 3 to 6, eff. Aug. 25, 1997; L.1997, c. 447, § 2, eff. Aug. 25, 1997; L.1998, c. 378, § 8, eff. Nov. 1, 1998; L.1999, c. 210, §§ 5, 6, eff. Nov. 1, 1999; L.2000, c. 189, §§ 18, 19, eff. Nov. 1, 2000; L.2000, c. 189, § 20, eff. Aug. 8, 2000; L.2002, c. 318, § 5, eff. Aug. 6, 2002; L.2005, c. 195, § 1, eff. July 12, 2005; L.2005, c. 331, § 1, eff. July 26, 2005; L.2013, c. 1, § 48; L.2013, c. 98, § 3, eff. April 15, 2013; L.2018, c. 60, § 6, eff. June 11, 2018; L.2019, c. 104, § 1, eff. July 16, 2019; L.2019, c. 129, § 1, eff. Sept. 12, 2019; L.2019, c. 135, § 3, eff. Sept. 28, 2019; L.2019, c. 242, § 1, eff. Nov. 2, 2019; L.2019, c. 244, § 1, eff. Sept. 3, 2019; L.2020, c. 55, pt. N, § 2, eff. April 3, 2021; L.2022, c. 207, § 3, eff. Dec. 3, 2022; L.2022, c. 208, § 6, eff. July 6, 2022; L.2022, c. 212, §§ 1, 7, eff. Sept. 4, 2022; L.2022, c. 371, § 1; L.2022, c. 371, § 23, eff. Sept. 1, 2022; L.2022, c. 669, § 54, eff. Dec. 9, 2022; L.2023, c. 429, § 1, eff. Sept. 15, 2023; L.2024, c. 428, § 1, eff. Jan. 7, 2025; L.2024, c. 432, § 1, eff. July 1, 2025; L.2025, c. 114, § 1, eff. Jan. 7, 2025.)

Footnotes

1 So in original. (“laws” should be “law”.)

2 So in original. No subd. 12-b has been enacted.

McKinney's Penal Law § 400.00, NY PENAL § 400.00

Current through L.2025 chapters 1 to 49, 61 to 117. Some statute sections may be more current, see credits for details.

End of Document

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Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-5

COUNTY EXECUTIVE

Submission Pursuant to EC Code of Ethics
(Local Law #2, 2018)

Attachments

25COMM. 10E-5



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 7, 2025

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

Re: Filing Pursuant to Erie County Ethics Law Section 5(c)

Dear Honorable Members:

Pursuant to Section 5(c) of the Erie County's Code of Ethics (the "Law"), the undersigned hereby submits to you a list of all family members as defined in the Law presently employed by any government organization in any capacity:

Name of Relative	Relation to Self	Employer
Robb Poloncarz	Brother	Erie County
Lynn Poloncarz	Sister-in-law	Orchard Park Central School District
James Jurek	First Cousin	Erie County

To my knowledge there are no other members of my family as defined by Section 5(c) of the Law presently employed by any government. If you have any questions on this filing please contact the undersigned at your earliest convenience.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-6

COUNTY CLERK

Letter Regarding Data Disclosure In External
Audit of Erie County Clerk's Office

Attachments

25COMM. 10E-6



2025 MAY 8 10:48

COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 8, 2025

Michael C. Breeden
Chief Information Officer
Division of Information and Support Services
Edward A. Rath County Office Building
95 Franklin Street, Room 1500A
Buffalo, New York 14202

Re: Data Disclosure In External Audit of Erie County Clerk's Office

Dear Mr. Breeden:

I write concerning the improper disclosure of sensitive information from the Erie County Clerk's Office. As I understand it, access to this information was provided by the Division of Information and Support Services ("DISS") to the County Attorney, who is now in the process of disclosing it to Weaver as part of the ongoing external audit of the County Clerk's Office. This access and disclosure was given without any notification or consent by the County Clerk's Office, and arguably without any legal basis. I do not need to remind you that the sharing of private facts and sensitive information contained in confidential records could lead to legal challenges, and have a chilling effect on the public's view of unregulated access to systems and databases.

Candidly, it appears that DISS has confused the maintenance and storage of County data with having unprotected and unlimited access to confidential records. The digital access being provided by DISS to the County Attorney and in turn is comparable to someone breaking into the Clerk's Office and emptying out our filing cabinets. That action would certainly not be legal or tolerated, and neither should this unauthorized digital access.

As the Chief Information Officer of DISS, you are appointed and serve at the pleasure of the County Executive. Having unchecked access to confidential information and the ability to give third-parties the same access could be considered an invasion of the public's privacy, even unintentionally, and may cause privacy and security risks. Access to this data could even be weaponized against perceived political opponents of the current administration.

I note that you were not elected by the public and do not have the authority to release data without clear and predicable rules and legal authority. Your staff has not been vetted to review confidential information, nor did DISS have unregulated access to Clerk's Office files without our approval or agreements with the proper New York State agencies.

Given that neither Weaver nor the Law Department liaisons were able to provide any further information on my request for transparency on this data disclosure, I am asking you now:

- Who made this request to DISS, and how was it made?
- Did DISS ask anyone why such a request was being made?
- When did the Law Department receive access to this data from DISS?
- Why wasn't the Clerk's Office told that this request was made?
- If this data from a former employee was able to be produced without any judicial subpoena or order, does that mean that all such data is available from any County employee, even independently-elected officials?
- What legal basis did DISS have in turning over access to County Clerk data to the Law Department and/or Weaver?

As of now, it is my understanding that the data has not yet been provided to Weaver. However, it is clear the data has, at a minimum, been provided to the Law Department. To our knowledge, no individual in the County Attorney's Office has an agreement with DCJS or any other documented statutory authority. Please immediately provide a list of what other agencies or individuals have been given access to these records. Our Office is contractually obligated to report any suspected data breaches.

Very truly yours,



MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Cc: Erie County Legislature

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-7

SHERIFF

Submission Pursuant to EC Code of Ethics
(Local Law #2, 2018)

Attachments

25COMM. 10E-7

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

CC-LEG MAY 9 '25 12:45

April 10, 2025

Ms. Olivia Owens
Clerk of the Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Ms. Owens:


In accordance with the Disclosure of Interest in County Business, Section 5-c, please see the list below of family members employed by any government organization in any capacity:

Jose Garcia, Nephew
Jake Giarrano, Nephew

Councilman, Town of Grand Island
Buffalo Police Department

To my knowledge, there are no other family members as defined by Section 5-c presently employed by any government organization.

Respectfully submitted,


JOHN C. GARCIA
SHERIFF OF ERIE COUNTY

TBH/lmp
Cc: Chief Timothy Donovan
Administrative File

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-8	COUNTY EXECUTIVE	EC Storefront Revitalization Program - Authorization to Amend Existing Agreement for Administrative Services
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25COMM. 10E-8	Attachments
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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG MAY 16 '25 PM 2:58

May 16, 2025

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

**Re: Erie County Storefront Revitalization Program – Authorization to Amend
Existing agreement for Administrative Services**

Dear Honorable Members:

The Department of Environment and Planning, Division of Planning and Economic Development has been working with H. Sicherman & Company Inc. (d.b.a Harrison Studios) to administer the Erie County Storefront Revitalization Program. There is a need to amend their contract, but due to the availability of certain budgetary information related to the conclusion of the program in October 2025, we respectfully request this item be placed on the agenda of the Economic Development Committee. After confirmation of the relevant details, the Department will provide a recommendation and a suggested resolution for your review.

Should your Honorable Body require further information, I encourage you to contact Thomas E. Baines, Esq. in the Division of Planning and Economic Development. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: teb

cc: T. Baines – Division of Planning and Economic Development

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-9

DUPRE

Submission Pursuant to EC Code of Ethics
(Local Law #2, 2018)

Attachments

25COMM. 10E-9

ERIE COUNTY LEGISLATURE

HON. LAWRENCE DUPRE

1ST DISTRICT LEGISLATOR



1367 Fillmore Ave.
Buffalo, NY 14211

ECLEGM 10E-9

May 13, 2025

Olivia M. Owens, Clerk
Erie County Legislature
92 Franklin St., Fourth Floor
Buffalo, NY 14202

Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Owens:

Pursuant to the Erie County Code of Ethics, Local Law 2-2018, Section 5(c), and to the best of my knowledge, I do not have any family members employed by any government organization in any capacity.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Dupre", is written over a horizontal line.

Lawrence Dupre
Erie County Legislator – District 1

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-10	DISTRICT ATTORNEY	Submission Pursuant to EC Code of Ethics (Local Law #2, 2018)
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Attachments

25COMM. 10E-10



OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

MICHAEL J. KEANE
DISTRICT ATTORNEY

GARY W. HACKBUSH
FIRST DEPUTY DISTRICT ATTORNEY

May 15, 2025

Honorable Olivia Owens
Clerk of the Legislature
92 Franklin Street
Buffalo, NY 14202

2025 MAY 15 '25 AM 11:12

Re: Disclosure/Family Members Employed by (any) Government

Dear Clerk Owens:

Pursuant to the Local Law 2(2018), Section 5c, I am providing a list of family members employed by any government organization:

Neil Sullivan-Buffalo Police Department
John O'Neil-Buffalo Fire Department
Margaret Keane-Buffalo Fire Department
Michael Sullivan-Buffalo Fire Department
Amy Keane-Erie County Sheriff's Office
Lisa Hayden-NYS OMH
Terry Straw-Veterans Admin Hospital
Jamie Zabawa-Veterans Admin Hospital
Sheila Keane-NFTA

Terry Keane-NFTA
Peter Keane- NFTA
Sean Keane-City of Buffalo
Ryan Sullivan-ECWA
Daniel Gallivan-NYS Liquor Authority
Tim Walsh-NYS DEC

Very truly yours,

MICHAEL J. KEANE
DISTRICT ATTORNEY

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-11

COUNTY CLERK

Calling for Transparency, Tangible Progress,
and Efficiency in External Audit of Erie
County Clerk's Office

Attachments

25COMM. 10E-11



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

May 15, 2025

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

**Re: Resolution Re: Calling for Transparency, Tangible Progress, and Efficiency
in External Audit of Erie County Clerk's Office**

Dear Honorable Members:

The attached proposed Resolution seeks approval for the Erie County Clerk's Office to facilitate the forensic audit by Weaver, which is currently being facilitated by the County Attorney, so that it is completed in a timely fashion. The proposed Resolution also seeks answers on the need for Weaver to be reviewing 52,000 emails which likely contain data that is contractually and statutorily protected. Finally, a conference with the Erie County Sheriff, District Attorney, County Attorney, and County Clerk is sought to determine if a second law enforcement investigation is necessary in light of one of the audit goals being "to discover any further criminal conduct by any county employee".

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

Respectfully submitted,

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

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

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

**A Resolution Submitted by the Erie County Clerk
Re: Calling for Transparency, Tangible Progress, and Efficiency in External Audit of Erie
County Clerk's Office**

WHEREAS, this Honorable Body approved INTRO. 5-4 (2024) on March 7, 2024, requesting the County Clerk issue a request for proposals ("RFP") for an external forensic audit of the County Clerk's Office; and

WHEREAS, the former Finance Deputy County Clerk was arrested on March 15, 2024 with a Class C felony charge of Grand Larceny in the Second Degree; and

WHEREAS, at the March 15, 2024 press conference announcing the arrest of the former Finance Deputy County Clerk, both the District Attorney and the Erie County Sheriff made public statements exonerating the remainder of the Clerk's Office staff; and

WHEREAS, District Attorney John Flynn specifically stated that "[T]here is no indication that anyone else in the Clerk's Office is involved in this at all or has anything to do with the thefts"; and

WHEREAS, Sheriff John C. Garcia specifically stated that "And one bad apple has been removed, and the public is, can rest assure, that there is no other person involved"; and

WHEREAS, this Honorable Body approved INTRO. 9-6 (2024) on May 23, 2024, directing the Erie County Department of Law to enter into contract with an outside auditing firm for the purpose of conducting an external forensic audit of the Erie County Clerk's Office; and

WHEREAS, INTRO. 9-6 (2024) states that "to date, there has been no subsequent action on the RFP process from the Erie County Clerk's Office" as a reason for directing the Erie County Department of Law to now handle the external audit; and

WHEREAS, on September 24, 2024, this Honorable Body adopted INTRO. 16-1 (2024), rescinding the request of the County Clerk in INTRO. 5-4 (2024) and again authorizing the County Attorney to "perform an audit", with one objective being "to discover any further criminal conduct by any county employee"; and

WHEREAS, INTRO. 16-1 (2024) resolved that the Erie County Clerk and Erie County Comptroller be consulted during the audit; and

WHEREAS, an engagement letter with Weaver was signed by the County Attorney on October 10, 2024; and

WHEREAS, Weaver sent its First Documentation Request to the Clerk's Office on December 3, 2024; and

WHEREAS, the Clerk's Office responded to Weaver's First Documentation Request on January 24, 2025; and

WHEREAS, there have been no other documentation requests, or any other questions pertaining to the external audit, from Weaver to the Erie County Clerk's Office to date; and

WHEREAS, on December 16, 2024, the Clerk's Office staff was notified by the Law Department Liaison for the external audit that the Law Department was getting ready to turn over all of the former Finance Deputy's emails; and

WHEREAS, the Clerk's Office alerted both the Law Department and Weaver to issues of confidentiality and statutory concerns with the email disclosure, specifically at a joint meeting on February 13, 2025; and

WHEREAS, the Law Department promised at the February 13, 2025 meeting to provide a legal opinion as to the disclosure of such records to a professional services contractor; and

WHEREAS, no such opinion was ever provided by the Law Department; and

WHEREAS, on May 8, 2025, the County Attorney sent an email, which Clerk's Office staff was copied on, indicating that the Division of Information and Support Services ("DISS") had disseminated all of the emails to the County Attorney so that the emails could in turn be disseminated to Weaver; and

WHEREAS, from February 2025 to early May 2025, the County Clerk's Office was virtually ignored by the County Attorney and Weaver despite requests for an update on the external audit and the email disclosure issue; and

WHEREAS, the County Clerk's Office sent letters to both the Law Department and DISS on May 8, 2025, again noting the legal issues with the record disclosure; and

WHEREAS, the County Clerk filed a letter with this Honorable Body on May 12, 2025 alerting it to the situation with the records; and

WHEREAS, the County Clerk has consulted with both the Sheriff and the District Attorney on the issues with the scope of the external audit, specifically the goal of discovering "any further criminal conduct by any county employee"; and

WHEREAS, the County Attorney sent a letter in reply to the County Clerk on May 14, 2025, describing a complex method of ensuring confidentiality in the disclosure of approximately 52,000 emails to Weaver, which will only further delay and add more costs to the external audit; and

WHEREAS, to date, Weaver has not asked any follow-up questions concerning the response to its First Documentation Request, and appears to only be fixated on reviewing emails from the former Finance Deputy at this point; and

WHEREAS, to date, Weaver has been paid close to \$40,000 since the contract was signed in October 2024; and

WHEREAS, to date, neither Weaver nor the Law Department has provided any justification for the need to disseminate and review 52,000 email communications from the former Finance Deputy, who already pled guilty and is currently in prison; and

WHEREAS, to date, neither Weaver, nor the Law Department, nor anyone else has provided any justification for an objective of this external audit being to discover “any further criminal conduct by any county employee”; and

WHEREAS, if this Honorable Body truly has a concern over additional criminal conduct concerning the Concentration Account of the Clerk’s Office, a second law enforcement investigation should be conducted by the Sheriff and the District Attorney, not an outside forensic auditor; and

WHEREAS, the County Attorney stated in his May 14, 2025 letter that he was “reluctant” to be in charge of this external audit, and that if the Legislature determined it was “no longer necessary for the County Attorney’s Office to facilitate this audit, they can rescind the resolution directing same”; and

WHEREAS, the County Clerk hired a new Finance Deputy County Clerk in November 2023, who has over 40 years of forensic auditing experience, who would be the ideal candidate to oversee a forensic audit of the Clerk’s Office at this point.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body directs that an immediate pause be placed on the dissemination of the emails from the former Finance Deputy County Clerk by the Law Department to Weaver until all legal issues are addressed; and be it further

RESOLVED, that Weaver continue moving forward with the external forensic audit so that it is completed in a timely fashion, even without the emails; and be it further

RESOLVED, that this Honorable Body rescinds the authority given to the County Attorney in INTRO. 16-1 to facilitate the external audit; and be it further

RESOLVED, that the current Deputy County Clerk – Finance be given the authority to facilitate the external audit of the County Clerk’s Office; and be it further

RESOLVED, that Weaver provide justification to this Honorable Body for the review of 52,000 emails to conduct an external forensic audit, or abandon its request; and

RESOLVED, that Weaver provide this Honorable Body with an immediate update on the external audit and a timeline for completion; and be it further

RESOLVED, that the Erie County Sheriff, District Attorney, Comptroller, County Attorney, and County Clerk meet to determine if a second law enforcement investigation is needed over the theft of funds from the Clerk's Office and, if no investigation is needed, that the goal of discovering "any further criminal conduct by any county employee" be stricken from the external audit; 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 Erie County District Attorney; the Erie County Sheriff; the Erie County Comptroller; and the Erie County Clerk.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-12 COUNTY EXECUTIVE Acceptance of COSSUP Grant

25COMM. 10E-12

Attachments



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: Acceptance of COSSUP Grant

Dear Honorable Members:

The Erie County Department of Health's (ECDOH) Office of Harm Reduction is seeking authorization to accept an award from the U.S. Department of Justice for \$1,600,000 for the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSUP) to work with University at Buffalo's Primary Care Research Institute (PCRI) to assist 450 at risk individuals and their families navigate the justice system and increase their connection to treatment and recovery support services.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require further information, I encourage you to contact Commissioner Gale Burstein at the Department of Health. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: Acceptance of COSSUP Grant
Date: May 16, 2025

SUMMARY

The Erie County Department of Health's (ECDOH) Office of Harm Reduction was awarded \$1,600,000 from the U.S. Department of Justice after jointly applying with UB's Primary Care Research Institute (PCRI) to reduce the impact of illicit opioids, stimulants, and other substances on individuals and communities by decreasing overdose deaths and mitigating the effects on crime victims in Erie County, with special emphasis on areas that have been historically underserved, marginalized, and negatively affected by continued poverty and inequality, through comprehensive and collaborative initiatives.

This project aims to help 450 at risk individuals and consist of embedding social workers, peers, and/or persons with lived experience at all intercepts of the Sequential Intercept Model to assist persons with justice involvement, help their families navigate the justice system, and increase their connection to treatment and recovery support services. This includes law enforcement, pretrial and probation agencies, prosecutor-led programs, legal defense agencies, child welfare agencies, courts, and jails to support community reentry

FISCAL IMPLICATIONS

Neutral. This grant is 100% Federally funded.

REASONS FOR RECOMMENDATION

This program is another opportunity to assist those most at risk, and their families, to address substance use disorders and other needs during the ongoing opioid crisis.

CONSEQUENCES OF NEGATIVE ACTION

Erie County will be missing an opportunity to work with UB's PCRI to assist 450 at risk individuals and their families during the ongoing opioid crisis.

STEPS FOLLOWING APPROVAL

ECDOH will work with Budget and Management and County Attorney's Office to effectuate this resolution.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH

Re: Acceptance of COSSUP Grant

WHEREAS, Erie County continues its response to the opioid crisis; and

WHEREAS, Erie County's Office of Harm Reduction, with UB's PCRI, was awarded \$1,600,000; and

WHEREAS, these funds will help 450 at risk individuals and their families navigate the justice system, and increase their connection to treatment and recovery support services; and

WHEREAS, the program will include law enforcement, pretrial and probation agencies, prosecutor-led programs, legal defense agencies, child welfare agencies, courts, and jails to support community reentry to assist these individuals; and

WHEREAS, the funds will be used for marketing and targeted outreach approach with extensive data collection with goals of improving food systems, support future initiatives, and assist the expansion of food markets into underserved areas.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$1,600,000 from U.S. Department of Justice for the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSUP) to be made available as a multi-year grant to the Department of Health (Fund 281, Funds Center 1271215) as follows:

Department of Health
Comprehensive Opioid Stimulant, Substance Use Site Based Program
127COSSUP2427
10/1/2024-9/30/2027

REVENUES

414000 Federal Aid
TOTAL

CHANGE

\$1,600,000
\$1,600,000

APPROPRIATIONS

516020 Professional Services, Contracts & Fees
TOTAL

CHANGE

\$1,600,000
\$1,600,000

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with University at Buffalo's Primary Care Research Institute (PCRI), waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

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

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

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-13

COUNTY EXECUTIVE

Indigent Legal Services Grant - ILS Statewide
Expansion of Hurrell-Harring

Attachments

25COMM. 10E-13



2025 MAY 16 '25 PM 2:57

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Indigent Legal Services Grant – ILS Statewide Expansion of Hurrell-Harring

Dear Honorable Members:

The attached resolution requests authorization to enter into a contract with the New York State Office of Indigent Legal Services to allow for a no-cost extension for funding previously granted under the Statewide Expansion of Hurrell-Harring. Funds will be used to help improve the quality of representation to indigent defendants through the efforts of the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo.

Should your Honorable Body require further information, I encourage you to contact the Office of the County Attorney. 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/kmw
Enclosure

cc: Jeremy Toth, County Attorney

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Office of the County Attorney
Re: Indigent Legal Services Grant – ILS Statewide Expansion of Hurrell-Harring
Date: May 16, 2025

SUMMARY

It is recommended that the Legislature authorize the County Executive to enter into a contract with the New York State Office of Indigent Legal Services to allow for a no cost extension to expend previously granted funding under the Hurrell-Harring settlement in order to aid in the quality of representation to indigent defendants. In addition, the resolution requests authorization to subcontract with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant.

FISCAL IMPLICATIONS

There are no fiscal implications for the operating budget. All services will be fully reimbursed through New York State.

REASONS FOR RECOMMENDATION

Legislative approval is required for the County Executive to enter into a contract, establish grant budgets and enter into subcontracts with community agencies.

BACKGROUND INFORMATION

The New York State Office of Indigent Legal Services has made a commitment of \$48,961,972.83 to the County of Erie over the past five years to help implement higher quality representation for indigent defendants through the Hurrell-Harring settlement. This grant was originally approved by the Legislature as COMM 18E-30 (2019) and set up as grant 160HHEXPILS1823 within the Department of Law. This resolution will allow for a no cost extension of the contract to expend the previously committed funds from New York State.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will serve to hinder the improvement of State mandated indigent legal services in Erie County.

STEPS FOLLOWING APPROVAL

Grant budgets will be established by the Division of Budget and Management. Contracts will be executed after final review by the Department of Law as to form.

A RESOLUTION SUBMITTED BY:
THE OFFICE OF THE COUNTY ATTORNEY

RE: Indigent Legal Services Grant- Statewide Expansion of Hurrell-Harring

WHEREAS, the New York State Office of Indigent Legal Services previously provided a grant totaling \$48,961,972.83 to the County for the provision of indigent defense services; and

WHEREAS, Erie County has contracted with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo (Legal Aid) to deliver the services required through the grant; and

WHEREAS, the purpose of this resolution is to allow for a no-cost extension to expend the grant funding awarded under the Hurrell-Harring settlement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the State of New York Office of Indigent Legal Services to implement a no-cost extension of the ILS Statewide Expansion of Hurrell-Harring grant funding within the Department of Law (Fund 281, Funds Center 1601040, Grant 160HHEXPILS1823) through March 31, 2025; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services from the original grant start date of April 1, 2018 through March 31, 2025; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into any further no-cost contract extensions and amendments related to the underlying grant; and be it further

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-14	COUNTY EXECUTIVE	Authorization to Accept Funding & Enter into Contract to Provide Outreach and Assistance for the NYS Rental Supplement Program
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Attachments

25COMM. 10E-14



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

**Re: Authorization to Accept Funding and Enter into Contract to provide
Outreach and Application Assistance for the New York State Rental
Supplement Program**

Dear Honorable Members:

Please find attached a resolution requesting legislative authorization to accept funding from the New York State Office of Temporary and Disability Assistance (OTDA) and to enter into contract with Buffalo Federation of Neighborhood Center for the New York State Rental Supplement Program for residents of Erie County.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services
Re: Authorization to Accept Funding and Enter into Contract to provide Outreach and Application Assistance for the New York State Rental Supplement Program
Date: May 16, 2025

SUMMARY

Legislative authorization is requested to accept \$3,874,658 in funding from the New York State Office of Temporary and Disability Assistance (OTDA), to provide outreach and application assistance to Erie County Residents for the New York State Rental Supplement Program.

FISCAL IMPLICATIONS

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

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

The Erie County Department of Social Services, through the New York State Office of Temporary and Disability Assistance (OTDA), has been awarded \$3,874,658 to provide outreach and application assistance to residents of Erie County for the New York State Rental Supplement Program. Based on the results of a Request for Proposal (RFP), The Department of Social Services seeks to enter into contract with Buffalo Federation of Neighborhood Centers to provide Rental Supplements and in-person case management. The funds have been established to provide vital rental assistance to individuals and families, regardless of immigration status, who are experiencing homelessness or are facing an imminent loss of housing. Erie County Department of Social Services wishes to partner with Buffalo Federation of Neighborhood Centers to determine eligibility, substantiate claims, and issue supplements for referred eligible individuals and families.

CONSEQUENCES OF NEGATIVE ACTION

We would be unable to provide outreach and application assistance to residents of Erie County for the New York State Rental Supplement Program.

STEPS FOLLOWING APPROVAL

The Department of Social Services will work with the Division of Budget and Management to amend the existing 2025 Adopted Budget amounts and will then enter into contract with Buffalo Federation of Neighborhood Centers to provide services that will determine eligibility, substantiate claims, and issue supplements for referred eligible individuals and families.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

Re: Authorization to Accept Funding and Enter into Contract to provide Outreach and Application Assistance for the New York State Rental Supplement Program

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

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

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

WHEREAS, the Department of Social Services requires legislative approval to accept the State funds and to amend the Adopted 2025 Adopted Budget; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$3,874,658 in State funds for the Outreach and Application Assistance for the New York State Rental Supplement Program and amend the Department of Social Service's 2025 Operating Budget (Fund 110, Funds Center 120) as follows:

Erie County Department of Social Services
Fund 110, Fund Center 120

REVENUES

409010 State Aid - Other

TOTAL

CHANGE

\$3,874,658

\$3,874,658

APPROPRIATIONS

502000 Fringe Benefits

516010 Contract Payments Nonprofit Purchasing Services

TOTAL

CHANGE

\$ 77,493

\$3,797,165

\$3,874,658

and be it further

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

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



Department of Social Services

RECEIVED
SEP 19 2022

County Executive's Office

Recommendation for RFP #2022-002VF: Rental Support

Program (RSP) Date: September 15, 2022

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	Requested Amount*	Recommended Award	RANKING by Vote
BUFFALO FEDERATION OF NEIGHBORHOOD CENTERS	80.33	1	\$ 569,575.00	\$ 569,575.00	1
COMPASS HOUSE	65.33	3	\$ 227,244.49	0	3
GEOCKO, INC.	76.00	2	\$387,487.00	0	2

*Plus \$3,293.637 to be distributed to eligible individuals

It is recommended that Buffalo Federation of Neighborhood Centers provide Rental Support Program (RSP) Services in Erie County in 2022. Supporting documentation is included in this packet.

The Department of Social Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Program Director Signature <i>Daniel Szewc</i>	Printed Name Dan Szewc	Date 9/15/22
1 st Deputy Commissioner Signature <i>Karen R. Bicki</i>	Printed Name Karen R. Bicki	Date 9/15/2022
Deputy County Executive Signature <i>Maria Whelan</i>	Printed Name Maria Whelan	Date 9/20/22

Once reviewed and approved, please return to Carrie Godfrey, Assistant Social Services Program Director at Carrie.Godfrey@erie.gov or Room 867 for processing. Thank you.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-15	COUNTY EXECUTIVE	Authorization to Accept Federal Aid for Child Poverty Reduction and Establish a Contract with CAO of WNY
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	Attachments
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25COMM. 10E-15



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Authorization to accept Federal Aid for Child Poverty Reduction and establish a Contract with Community Action Organization of WNY

Dear Honorable Members:

The Department of Social Services has been awarded \$12,250,000 in federal Temporary Assistance for Needy Families (TANF) funds to fund the Child Poverty Reduction Initiative (CPRI) to support child poverty reduction over the next three years in the City of Buffalo. This proposed resolution authorizes the Department of Social Services to amend the 2025 Adopted Budget and establish a contract with the Community Action Organization of WNY.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require further information, I encourage you to contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services
Re: Authorization to accept Federal Aid for Child Poverty Reduction and establish a contract with Community Action Organization of WNY
Date: May 16, 2025

SUMMARY

This proposed resolution authorizes the Department of Social Services to amend the 2025 Adopted Budget and establish a contract with the Community Action Organization of WNY to provide services to support child poverty reduction over the next three years in the City of Buffalo. This resolution requests the creation of jobs that will enable collaboration between the Department of Social Services and the Community Action Organization of WNY.

FISCAL IMPLICATIONS

Two new positions are being created to allow for collaboration with the Community Action Organization of WNY. These positions will allow the Employment Assessment Division of the Department of Social Services to aid the Community Action Organization of WNY in providing these needed services. These positions will be created effective June 28, 2025

6/28/25 Start PP15 (50%)

Dept	Cost Center	Title	Status	Unit	JG	Step	Annualized Salary	Pro-Rated Salary	#	
Social Services	1206030	Workforce Development Specialist	FT	CSEA	10	5	\$75,226	\$37,613	2	\$75,226
									Totals	Salaries \$ 75,226 Fringe 37,613 Total \$112,840

REASONS FOR RECOMMENDATION

The Department of Social Services has been awarded \$12,250,000 in federal Temporary Assistance for Needy Families (TANF) funds to fund the Child Poverty Reduction Initiative (CPRI) to support child poverty reduction over the next three years in the City of Buffalo.

BACKGROUND INFORMATION

The SFY 2025-25 New York State Budget includes federal Temporary Assistance for Needy Families (TANF) funding to help families residing in the City of Buffalo move out of poverty and improve the well-being of families and children. The Erie County Child Poverty Reduction Action Plan supports upward mobility for families experiencing poverty and which helps families obtain and maintain financial stability; and other factors that may impact a family, parent, or child's ability to stay above the poverty level. The goal of the incentive-based program is to improve employment outcomes for families and children and reduce the child

poverty rate. Program aspects include life coaches, career coaches, financial literacy services, linkage to supports and resources, and authorization of incentivized direct cash assistance.

CONSEQUENCES OF NEGATIVE ACTION

These important services could not be provided.

STEPS FOLLOWING APPROVAL

The Department of Social Services will work with the Division of Budget and Management to amend the existing 2025 Adopted Budget amounts and establish a contract with the Community Action Organization of WNY to provide services to support child poverty reduction over the next three years in the City of Buffalo.

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

Re: Authorization to accept Federal Aid for Child Poverty Reduction and establish a Contract with Community Action Organization of WNY

WHEREAS, the Department of Social Services was awarded \$12,250,000 in federal Temporary Assistance for Needy Families (TANF) funding to support child poverty reduction; and

WHEREAS, the funds awarded are to provide locally driven anti-poverty initiatives aimed at assisting children and families while reducing what are some of the highest child poverty rates nationwide; and

WHEREAS, a Request for Proposal (RFP) #2025-005VF was issued seeking proposals from qualified agencies interested in collaborating with Erie County Department of Social Services with the capacity and experience in providing workforce development services; and

WHEREAS, the Erie County Department of Social Services assembled a Proposal Selection Committee, which has conducted a review and selection process for the proposals that have been received; and

WHEREAS, considering the scope of specified services, and the results from the tallied matrices, it was the unanimous recommendations of the Committee members to award the contract to the Community Action Organization of WNY in an amount not to exceed \$11,750,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$12,250,000 in federal Temporary Assistance for Needy Families (TANF) funding to support child poverty reduction and amend the Department of Social Services 2025 Operating Budget (Fund 110, Funds Center 120) be amended as follows:

Department of Social Services
Fund 110, Funds Center 1206030

REVENUES

414000 Federal Aid
TOTAL

CHANGE

\$12,250,000
\$12,250,000

APPROPRIATIONS

500000 Full Time - Salaries
502000 Fringe Benefits
504992 Salary Reserve
516345 Child Poverty Reduction Initiative
TOTAL

CHANGE

\$ 75,226
37,613
387,160
\$11,750,000
\$12,250,000

and be it further

RESOLVED, that authorization is hereby given to create two (2) new full-time Workforce Development Specialist positions, Job Group 10, CSEA within the Department of Social Services' 2025 Operating Budget (B100# 14991) as part of the Child Poverty Reduction Initiative, effective June 28, 2025; and be it further

RESOLVED, that authorization is hereby given to the County Executive or the Deputy County Executive to enter into contract with the Community Action Organization of WNY in an amount not to exceed \$11,750,000; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustments which may be required in order to match expenses with federal 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, Department of Social Services, and Division of Budget and Management.



Department of Social Services

Recommendation for RFP 2025-005VF: Child Poverty Reduction Initiative

Date: 5/7/25

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 as by Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

Agency	TOTAL SCORE	RANKING by Score	Requested Amount	Recommended Award	RANKING by Vote
COMMUNITY ACTION ORGANIZATION OF WESTERN NEW YORK	80.33	1	\$ 11,900,000.00/18 months	Up to \$11,750,000.00*	1
KAREN SOCIETY OF BUFFALO	69.67	2	\$133,765.00/year	\$0	2
FAMILY PROMISE OF WESTERN NEW YORK	65.67	3	\$ 166,667.00/year	\$0	3
BUFFALO ARTS AND TECHNOLOGY CENTER, INC	60.00	4	\$150,000.00	\$0	4
WORLD OF GIRLS & BOYS LEADERSHIP INC.	17.33	5	\$250,440.00	\$0	5

* CAO will subcontract with Karen Society of Buffalo and Family Promise of Western New York to serve specialized populations.

It is recommended that Child Poverty Reduction Initiative Services be funded as outlined above for Erie County in 2025. Supporting documentation is included in this packet.

The Department of Social Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Program Director Signature <i>Sandra Neubert</i>	Printed Name Sandra Neubert	Date 5/7/25
Commissioner Signature <i>Karen Rybicki</i>	Printed Name Karen Rybicki	Date 5/7/2025
Deputy County Executive Signature <i>Lisa Chimera</i>	Printed Name Lisa Chimera	Date 5/9/25

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-16

COUNTY EXECUTIVE

Acceptance of State Aid for Statewide
Investment in More Swimming

Attachments

25COMM. 10E-16



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Acceptance of State Aid for Statewide Investment in More Swimming (SWIMS)

Dear Honorable Members:

Erie County has been awarded \$124,800 in 100% State funds as reimbursable grants to municipalities through counties. The New York Statewide Investment in More Swimming (SWIMS) Lifeguard Grant Program is intended to address a critical shortage of staff lifeguards available at public locations, including pools and beaches in New York State. This proposed resolution authorizes the Department of Social Services to enter into agreements with local municipalities to help them defray the costs of hiring and training lifeguards.

Should your Honorable Body require further information, I encourage you to contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark Poloncarz", with a stylized flourish at the end.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services
Re: Acceptance of State Aid for the Statewide Investment in More Swimming (SWIMS) program
Date: May 16, 2025

SUMMARY

This proposed resolution authorizes the Department of Social Services to amend the 2025 Adopted Budget and enter into agreements with municipalities located in Erie County to help defray the costs associated with hiring and training lifeguards.

FISCAL IMPLICATIONS

This resolution authorizes the acceptance of \$124,800 of State funds through the New York State Department of State and to enter into agreements with municipalities located in Erie County to help defray the costs associated with hiring and training lifeguards.

REASONS FOR RECOMMENDATION

The New York State Department of State's Division of Local Government Services (DLGS) will make approximately \$5 million available through counties and certain large cities to incentivize lifeguard recruitment and retention. The NY SWIMS Lifeguard Grant Program is intended to address a critical shortage of staff lifeguards (including lifeguards contracted through third parties, or contracted lifeguards), available at public locations, including pools and beaches in New York State municipalities.

CONSEQUENCES OF NEGATIVE ACTION

These important services could not be offered.

STEPS FOLLOWING APPROVAL

The 2025 adopted budget will be amended and agreements will be executed with municipalities located in Erie County.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

Re: Acceptance of State Aid for Statewide Investment in More Swimming (SWIMS)

WHEREAS, the New York State Department of State has made available reimbursable grants to municipalities through counties; and

WHEREAS, the NYS SWIMS Lifeguard Grant Program is intended to address a critical shortage of staff lifeguards available at public locations, including pools and beaches in New York State; and

WHEREAS, the Department of Social Services will solicit applications from municipalities located in Erie County for funding up to \$400 per training and certification of lifeguards; and

WHEREAS, grant awards will be issued in a fair and equitable manner based on the number of applications that are received; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$124,800 in State Aid to provide reimbursable grants to municipalities located in Erie County and amend the Department of Social Service's 2025 Operating Budget (Fund 110, Funds Center 120) as follows:

Department of Social Services
Fund 110, Funds Center 120

<u>REVENUES</u>		<u>CHANGE</u>
409000	State Aid Revenue	<u>\$124,800</u>
	TOTAL	<u>\$124,800</u>
 <u>APPROPRIATIONS</u>		 <u>CHANGE</u>
516020	Professional Services, Contracts & Fees	<u>\$124,800</u>
	TOTAL	<u>\$124,800</u>

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to enter into agreements with municipalities located in Erie County that have public locations requiring lifeguards, including pools and beaches; 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.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-17 COUNTY EXECUTIVE Acceptance of SHINE Grant Funding

25COMM. 10E-17

Attachments



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: Acceptance of SHINE Grant Funding

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Senior Services requesting authorization to accept \$148,184 for the Seniors' Health Improvement and Nutrition Education (SHINE) grant funding from New York State Office for the Aging, for the period ending September 30, 2025, to increase the number of low-income older adults that receive nutrition education to promote healthier lifestyles and behaviors.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Randall Hoak in the Department of Senior Services. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mrc

Enclosure

cc: Randall Hoak, Commissioner, Department of Senior Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Senior Services
Re: Acceptance of SHINE Grant Funding
Date: May 16, 2025

SUMMARY

Approve the attached resolution to allow the Department of Senior Services to accept \$148,184 of the Seniors' Health Improvement and Nutrition Education (SHINE) Program grant from the New York State Office for the Aging (NYSOFA), for the period ending September 30, 2025. This grant will allow the Department of Senior Services to increase the number of low-income older adults that receive nutrition education and increase health equity by promoting healthier lifestyles and behaviors.

FISCAL IMPLICATIONS

No additional county funds are required as the grant is 100% Federal grantor funded.

REASONS FOR RECOMMENDATION

The funding will support the Department's efforts to provide nutrition education to Erie County's low-income older adults, thus promoting healthier lifestyles and behaviors through food demonstrations, nutrition education material, and various workshops and associated materials. The funds will also cover Departmental payroll costs and staff conference travel expenses associated with the initiatives included above.

BACKGROUND INFORMATION

NYSOFA is making funds available to the Department in partnership with the New York State Office of Temporary and Disability Assistance (OTDA). This initiative is funded through OTDA under the Supplemental Nutrition Assistance Program (SNAP) of the United States Department of Agriculture, Food and Nutrition Service.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Senior Services would be unable to expand nutrition education services for low-income older adults in Erie County.

STEPS FOLLOWING APPROVAL

Establish the budget for the SHINE grant and begin to expand nutrition education to low-income older adults throughout the entire County of Erie.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SENIOR SERVICES

RE: Acceptance of SHINE Grant Funding

WHEREAS, the New York State Office for the Aging (NYSOFA) has recently awarded the Department of Senior Services \$148,184 of Seniors' Health Improvement and Education (SHINE) grant funds and requires no additional County funds as it is 100% grantor funded; and

WHEREAS, the SHINE grant funds are to be utilized to help address the nutritional needs, increase nutrition education, and promote healthy behaviors among the County's low-income older adult population; and

WHEREAS, the grant period runs from October 1, 2024, through September 30, 2025.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to contract with NYSOFA to accept \$148,184 to be made available as a grant within the Department of Senior Services (Fund 281, Funds Center 1632010) for the period October 1, 2024 to September 30, 2025 as follows:

Department of Senior Services
Seniors' Health Improvement and Nutrition Education
163SHINE2425
10/1/24 – 9/30/25

REVENUES	BUDGET
414000 Federal Aid	<u>\$148,184</u>
TOTAL	<u>\$148,184</u>

APPROPRIATIONS	BUDGET
505000 Office Supplies	\$ 150
505400 Food & Kitchen Supplies	4,000
510100 Out of Area Travel	1,050
530000 Other Expenses	17,718
916390 ID Senior Services Grants	120,266
980000 ID DISS Services	<u>\$ 5,000</u>
TOTAL	<u>\$148,184</u>

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor; and be it further

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-18

COUNTY EXECUTIVE

Acceptance of NYSDOT Section 5310 Award
of Four New Vehicles for Senior Services

Attachments

25COMM. 10E-18



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Acceptance of NYSDOT Section 5310 award of four new vehicles for Senior Services

Dear Honorable Members:

The attached resolution requests authorization for the Department of Senior Services to acquire, through the New York State Department of Transportation (NYSDOT), four new mini-buses, to replace aging vehicles in the Department's Going Places fleet. NYSDOT awarded the Department \$253,987.20 of 2023 Federal 5310 Enhanced Mobility funds to cover 80% of the cost of the mini-buses, which NYSDOT will purchase for the Department through a NY State Office of General Services purchasing contract.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Randall Hoak in the Department of Senior Services. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", is written over a blue ink stamp of the same name.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mrc

Enclosure

cc: Randall Hoak, Commissioner, Department of Senior Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Senior Services
Re: Acceptance of NYSDOT Section 5310 award of four new vehicles for
Senior Services
Date: May 16, 2025

SUMMARY

Approve the attached resolution to allow the Department of Senior Services to contract with the New York State Department of Transportation (NYSDOT) to accept \$253,987.20 of federal funds to cover 80% of the cost of four new replacement mini-buses which NYSDOT will purchase for the Department's Going Places fleet. The Department has funds available in its 163CSE2526 grant to cover the \$69,846 local share of the purchase price.

FISCAL IMPLICATIONS

No additional County share is needed. The Department's 163CSE2526 grant's Motor Vehicle account (#561440) has appropriations available to cover the \$69,846 County cost for the 20% share (plus a 10% contingency fee to cover possible cost increases) of the purchase of the four vehicles.

REASONS FOR RECOMMENDATION

The Going Places transportation program provides older adults, who have no other means of transportation, with rides to medical appointments, grocery shopping, and senior centers for congregate meals. The Department of Senior Services performs the central dispatch function for the program, which is a partnership with Erie County municipalities and subcontracted transportation service providers.

Erie County's aging population is growing and projects to be over 300,000 residents above the age of 60 by 2030. The need for transportation services is also expected to grow and these grant funds will assist in meeting this need.

BACKGROUND INFORMATION

NYSDOT periodically awards these federal transportation monies through a competitive application process to governmental and not-for-profit entities operating transportation programs for either elderly and/or disabled individuals. This is the fifth time, since 2015, that the Department of Senior Services has applied for and received these grant monies.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Senior Services would not be able to acquire these mini-buses for the benefit of seniors in Erie County.

STEPS FOLLOWING APPROVAL

The Department of Senior Services will take steps to execute the contract with NYSDOT and acquire the four new mini-buses.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SENIOR SERVICES

RE: Acceptance of NYSDOT Section 5310 award of four new vehicles for Senior Services

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

WHEREAS, the Department of Senior Services applied in the Spring of 2024 to the New York State Department of Transportation (NYSDOT) for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities federal grant funding for the operation of the Going Places Transportation Program; and

WHEREAS, NYSDOT recently awarded the Department of Senior Services \$253,987.20 of Federal Section 5310 Enhanced Mobility funds for the purchase of four replacement mini-buses for the Department's fleet; and

WHEREAS, NYSDOT will retain the \$253,987.20 awarded for the vehicles and use the monies to purchase the four mini-buses through a NY State Office of General Services purchasing contract; and

WHEREAS, NYSDOT requires upon contract execution, a check payable to the NYSDOT for \$69,846, which represents the required 20% local share of the vehicles plus a 10% contingency amount to cover possible price increases; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature hereby authorizes the County Executive or Deputy County Executive to contract with the NYSDOT to accept the Federal Section 5310 Enhanced Mobility funds for the purchase of the four mini-buses; and be it further

RESOLVED, that authorization is hereby given to acquire the four mini-buses and upon passage of this resolution to pay the NYSDOT the 20% local share plus the 10% contingency for possible cost changes by issuing a check for the required \$69,846; and be it further

RESOLVED, sufficient funding exists within the Department of Senior Services Grant Fund (Fund 281, Funds Center 1632010) 163CSE2526 Account 561440 - Motor Vehicle's to fund the \$69,846 local share of the vehicles.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-19

COUNTY EXECUTIVE

Authorization to Accept Going Places
Transportation Training Funding

Attachments

25COMM. 10E-19



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
May 16, 2025

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

Re: Authorization to Accept Going Places Transportation Training Funding

Dear Honorable Members:

Please find enclosed a resolution from the Department of Senior Services seeking legislative authorization to accept \$20,200 from the New York State Department of Transportation to conduct a training seminar for approximately seventy Going Places transportation staffers, employed by the Department, its contract agencies and municipal partners. Also, we are requesting approval to contract with Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc., the entity selected through a Department RFP, process to conduct the training on defensive driving and best practices for transporting those with disabilities and older adults.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Randall Hoak. Thank you for your consideration in this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mrc
Enclosure

cc: Randall Hoak, Commissioner, Department of Senior Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Senior Services
Re: Authorization to Accept Going Places Transportation Training Funding
Date: May 16, 2025

SUMMARY

Approve the attached resolution to allow the Department of Senior Services to accept \$20,200 from the New York State Department of Transportation (NYSDOT) to conduct a training seminar for approximately seventy Going Places transportation staffers (dispatchers, drivers, managers, and support staff), employed by the Department, its contract agencies, and municipal partners. Also, requesting legislative approval to contract with Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc., the entity selected through a Department RFP process to conduct the training.

FISCAL IMPLICATIONS

No additional County funds are required. NYSDOT has awarded grant Federal funding for this purpose.

REASONS FOR RECOMMENDATION

Going Places is the transportation program for older adults, operated by the Department of Senior Services, its contract agencies, and municipal partners. In 2024, Going Places provided 42,387 rides to 1,620 Erie County residents. The Department applied for, and was awarded, these NYSDOT Rural Transportation Assistance Program (RTAP) training funds.

The Department's RFP process, selected as the sole provider Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc., administrators of the RTAP program in Massachusetts with over 34 years of experience providing transportation, consultation, and training services throughout Massachusetts and New England.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Senior Services would be unable to utilize available grant funds to provide Going Places transportation training.

STEPS FOLLOWING APPROVAL

The Department of Senior Services will accept the NYSDOT funds and contract with Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc. to conduct the training for Going Places staffers and provide other costs associated with this training including catered food and beverages.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SENIOR SERVICES

RE: Authorization to Accept Going Places Transportation Training Funding

WHEREAS, the Department of Senior Services operates the Going Places transportation program, with its contract agencies and municipal partners, to provide van rides for older adults in Erie County to medical appointments, congregate dining sites, grocery stores, and for necessary personal business and social activities. In 2024, the Going Places Transportation Program provided 42,387 rides to 1,620 residents; and

WHEREAS, the Department of Senior Services applied for and was awarded \$20,200 of funding by the New York State Department of Transportation's (NYSDOT) Rural Transportation Assistance Program to hold a network-wide training for Going Places transportation program drivers and staff, addressing defensive driving, Americans with Disabilities Act requirements, and proper techniques for transporting clients who use wheelchairs; and

WHEREAS, a Department of Senior Services RFP process selected Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc., a regional Rural Transit Assistance Program administrator in Massachusetts, and an expert in the field to conduct the training at a cost of \$18,200 and provide other costs associated with this training including catered food and beverages; and

WHEREAS, no additional County funds are required for this training.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$20,200 in funding from NYSDOT to be budgeted within the Erie County Department of Senior Services 2025 Operating Budget (Fund 110 Funds Center 1632020) for Going Places training as follows:

Department of Senior Services
Transportation Unit
Fund 110, Funds Center 1632020

REVENUES	CHANGE
414000 Federal Aid	<u>\$20,200</u>
TOTAL	<u>\$20,200</u>
 APPROPRIATIONS	 CHANGE
516020 Professional Services, Contracts & Fees	<u>\$20,200</u>
TOTAL	<u>\$20,200</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County executive to contract with Beacon Mobility Intermediate, Corp. dba TransAction Associates, Inc. to provide the Going Places training during the period of June 1, 2025, through December 31, 2025, at a cost not to exceed \$18,200; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

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

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



Department of Senior Services

Recommendation for RFP : 2025-030VF

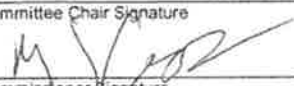
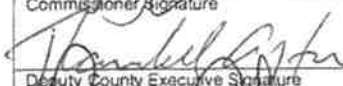

Date: 5/1/2025

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
TransAction Associates & Corporate Shuttle	87.667	1	\$18,200	\$18,200	\$18,200

It is recommended that TransAction Associates and Corporate Shuttle render Transportation Training Services in Erie County in 2025. Supporting documentation is included in this packet.

The Department of Senior Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Committee Chair Signature 	Printed Name Ryan Gadzo	Date 5/1/2025
Commissioner Signature 	Printed Name Randall Hoak	Date
Deputy County Executive Signature 	Printed Name Lisa Chimera	Date 5/5/25

Once reviewed and approved, please return to Ryan Gadzo at Ryan.Gadzo@erie.gov or Room # 1344 for processing. Thank you.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-20

COUNTY EXECUTIVE

2025 Public Works Projects - Authorization to
Appropriate Funds and Enter Into Contracts

Attachments

25COMM. 10E-20



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: 2025 Public Works Projects – Authorization to Appropriate Funds and Enter into Contracts

Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works seeking legislative authorization of 2025 Public Works construction, construction engineering services, design, and testing projects and their appropriations, and pre-approval of bids for contracting. The resolution includes an Exhibit depicting the 2025 road and bridge projects to be conducted.

Should your Honorable Body require further information, I encourage you to contact representatives from the Department of Public Works and Division of Budget and Management. Thank you for your consideration in this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dms
Enclosure

cc: Mark Cornell, Director of Budget and Management
William E Geary Jr., Commissioner of Public Works

MEMORANDUM

To: Erie County Legislature
From: Department of Public Works/Office of the Commissioner
Re: 2025 Public Works Projects – Authorization to Appropriate Funds and Enter into Contracts
Date: May 16, 2025

SUMMARY

As was done in previous years, the Department of Public Works (DPW) is requesting legislative authorization to commence work on County Public Works projects as expeditiously as possible to provide relief to the public. Accordingly, legislative pre-approval of 2025 Public Works construction, construction engineering, design, and testing contracts and authorization to appropriate funds for 2025 Public Works projects are being requested.

FISCAL IMPLICATIONS

The funding sources, previously approved in the Division of Highways Capital Budgets, includes 2019, 2022, 2023 and 2024 bonded, federal aid, and pay-as-you-go projects, as well as 2025 pay-as-you-go and consolidated bond funds listed in the attached Exhibit A, in an amount not to exceed \$61,196,187 will be subject to the expedited contract approval process.

REASONS FOR RECOMMENDATION

Every effort should be made to expedite highway rehabilitation projects to take advantage of the favorable weather to improve the condition of roads and bridges. In previous years your Honorable Body approved of this expedited pre-approved contract process.

The process will begin with the Department of Public Works utilizing approved bidding procedures. Starting with the advertisement and award of all 2025 highway construction projects pursuant to applicable Local and New York State public bidding laws. Contract awards will be reviewed by the Comptroller's Office to verify that the source of funds allows for the expedited pre-approved contract process. Contracts will then be forwarded to the County Executive for signature. The Comptroller's Office will issue vendor payments upon completion and approval of the appropriate invoices and backup documentation by DPW.

BACKGROUND INFORMATION

The summer construction season in Western New York has a relatively small window of opportunity. The Department of Public Works' goal is to improve as many roads and bridges as possible during that time and keep the public safe. Granting pre-approval of contracts to begin work, after following all proper bidding procedures starting with the advertisement and award of all 2025 highway construction projects pursuant to applicable Local and New York State public bidding laws will help expedite the commencement of construction.

CONSEQUENCES OF NEGATIVE ACTION

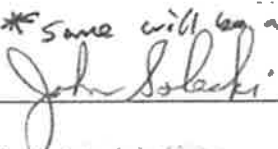
Highway rehabilitation and reconstruction projects will be delayed, and work will commence later than desired. In addition, opportunities to take advantage of lower pricing by contractors will be lost.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Executive will be authorized to commence the 2025 Public Works construction, construction engineering services, design, and testing projects. The County Executive shall execute 2025 construction contracts to the lowest responsible bidders, as well as the design and testing contracts to firms designated by the Commissioner of Public Works. The Comptroller's Office shall then appropriate and release payments as necessary for the projects.

COMPTROLLER'S OFFICE REVIEW

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

** Same will be a 2025 cash advance*


Timothy C. Callan
Deputy Comptroller
Comptroller's Office
John Solinski
Director of Accounting Services & Cash Management

B.19012, B.22054, B.22008, B.23007, B.23050, B.24008, B.24009, B.24010,
B.24012, B.24050, B.25003, B.25004 & B.25050

RESOLUTION SUBMITTED BY
DEPARTMENT OF PUBLIC WORKS

Re: 2025 Public Works Projects – Authorization to Appropriate Funds and Enter into Contracts

WHEREAS, it is critical that the Department of Public Works accomplish as many highway rehabilitation projects as possible and commence projects as soon as possible, including taking advantage of the short construction season and the availability of lower pricing by contractors by early bidding; and

WHEREAS, due to the condition of County facilities, every effort must be made to expedite this work, which includes seeking pre-approval from the Erie County Legislature to award highway, bridge and culvert construction, construction engineering services, design, and testing contracts and to appropriate funds for 2025 highway road program and related work, and

WHEREAS, the County of Erie desires to advance the Construction phase of Federal Aid Projects by making a commitment for the Federal and non-Federal share of the costs of the project and execute New York State and local fed aid agreements to obtain Federal and State reimbursement funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby pre-authorizes the County Executive or Deputy County Executive to enter in to contracts for 2025 Highway Division construction, construction engineering services, design, and testing contracts as designated by the Commissioner of Public Works for projects listed in Exhibit A and any other necessary projects added to the 2025 road list by the Commissioner of Public Works; and be it further

RESOLVED, that pre-approval is contingent upon the advertisement and award of all 2025 highway construction projects pursuant to applicable Local and New York State public bidding laws; and be it further

RESOLVED, that the Commissioner of Public Works shall determine the lowest responsible construction bidders and submit recommendations to the County Executive; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into Agreements with the New York State Department of Transportation (NYSDOT) for the Federal Aid projects in Exhibit A; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of Federal and non-Federal shares of the cost of construction and construction inspection phases of the Projects or portions thereof with the understanding that qualified costs may be eligible for federal-aid and or state-aid reimbursement; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept any Federal, New York State Marchiselli or other revenue that is available and to increase the budgets in the capital

projects in Fund 420, Funds Center 123 accordingly; and be it further

RESOLVED, that the pre-approved contract authorization shall apply to the 2025 highway project contracts, as designated by the Commissioner of Public Works and noted on the attached Exhibit A document, and shall not exceed an aggregate total of \$61,196,187 from the following fund sources:

2019, 2022, 2023, and 2024 Bond Proceeds, Federal Aid, and Pay-As-You-Go	\$ 27,446,187
2025 Pay-As-You-Go and Consolidated bond	\$ 33,750,000
Total Funding	\$ 61,196,187

and be it further

RESOLVED, the authorization is hereby given for the expenditures of the funding provided for the above pre-approved projects be extended into 2026 if construction work is unable to be completed in 2025; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to make any necessary adjustments to the revenues and expenses to the projects included in Exhibit A; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for road projects based on requests from the Department of Public Works from the above-noted funding sources or related sources of funds made available in 2025; and be it further

RESOLVED, that periodic informational reports shall be filed with the Legislature by the Department of Public Works indicating awarded 2025 highway project contracts and contractors; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Comptroller's Office, Department of Public Works, Office of the Commissioner, and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

RE: PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME

Various

2. AMOUNT OF CONTRACT

Not to exceed \$61,196,187

B.19012, B.22008, B.22054, B.23007, B.23050,
B.24008, B.24009, B.24010, B.24012, B.24050,
B.25003, B.25004 & B.25050

3. PROJECT NUMBER

Various numbers

4. PROJECT TITLE

2025 Public Works Projects - Highways

5. DEPARTMENT CONTACT

Funding questions: William E. Geary

Letter pickup: Christy Weber at 8301

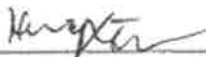
COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

\$63,428,044.94

7. PERFORMED BY



Date Sent to Comptroller's Office:

05/08/2025

[55 compt_10]

Exhibit A
Erie County Department of Public Works - 2025 Program

Maintenance Projects

Mill & Overlay - Districts						
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage	
Powers (Hill only) from Rt277 to top of the hill	2025 PAYGO - B.25050	\$230,000.00	Orchard Park	11	0.14	
Behm (ALL)	2025 PAYGO - B.25050	\$185,000.00	West Falls	10	1.84	
Bullis from Three Rod to Marilla Elementary	2025 PAYGO - B.25050	\$235,000.00	Elma	10	1.98	
Shimerville from Roll to Clarence Center	2025 PAYGO - B.25050	\$350,000.00	Clarence	6	0.97	
William from Bowen to Autumn & W. of Northwood to W. of Aurora	2025 PAYGO - B.25050	\$100,000.00	Lancaster	8	1.3	
Jennings from Genesee to Marshfield	2025 PAYGO - B.25050	\$125,000.00	Collins	11	1.77	
Genesee from Mortons Corners-Wyandale to Rt 219	2025 PAYGO - B.25050	\$430,000.00	Concord	10	2.8	
Mayer from Zimmerman to Feddick	2025 PAYGO - B.25050	\$84,000.00	Boston	11	0.86	
Rice from Rt 219 to Zimmerman	2025 PAYGO - B.25050	\$30,000.00	Boston	11	0.44	
Feddick from Belscher to Shero	2025 PAYGO - B.25050	\$160,000.00	Boston	11	3.16	
Indian Church from Mineral Springs to Union	2025 PAYGO - B.25050	\$560,000.00	West Seneca	10	0.87	
Sawyer ave from Kenmore to River Rd	2025 PAYGO - B.25050	\$445,500.00	Tonawanda	3	1.02	
Aero Drive from Youngs to Transit	2025 PAYGO - B.25050	\$627,000.00	Cheektowaga	7	1.53	
B.25050 Subtotal		\$3,561,500.00			18.68	
Total Mill & Overlay		\$3,561,500.00				

Cold Recycle with Top Course Treatment					
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage
Holland Glenwood from Rt 16 to Phillips	2025 PAYGO - B.25050	\$680,000.00	Holland	10	2.68
Warner Hill from Vermont Hill to Hunters Creek	2025 PAYGO - B.25050	\$222,000.00	Wales	10	0.88
Strickler from Main to Clarence Center	2025 PAYGO - B.25050	\$525,000.00	Clarence	6	2.13
East Ave (All)	2025 PAYGO - B.25050	\$155,000.00	Newstead	6	1.05
Sibey from Genesee to Sharp	2025 PAYGO - B.25050	\$410,000.00	Concord	10	1.53
Emerling from Wagner to Brown Hill	2025 PAYGO - B.25050	\$300,000.00	Concord	10	1.22
New Oregon from 75 Knoell	2025 PAYGO - B.25050	\$236,544.00	Eden	11	1.5
South Abbott from 277 to Newton	2025 PAYGO - B.25050	\$577,368.00	OP/Boston	11	2.43
South Feddick Zimmerman to Belcher	2025 PAYGO - B.25050	\$285,000.00	Boston	11	0.95
B.25050 Subtotal		\$3,390,912.00			
Total Cold Recycling		\$3,390,912.00			

Oil & Chip					
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage
Centerline (ALL)	2025 PAYGO - B.25050	\$180,000.00	Wales	10	6.06
Fish Hill (ALL)	2025 PAYGO - B.25050	\$41,000.00	Wales	10	1.63
East Creek (ALL)	2025 PAYGO - B.25050	\$90,000.00	Wales	10	3.52
Church (ALL)	2025 PAYGO - B.25050	\$30,000.00	Holland	10	1.19
Hunters Creek from Warner Hill to Rt 20A	2025 PAYGO - B.25050	\$95,000.00	Wales	10	3.21
Warner Hill from Hunters Creek to East Creek	2025 PAYGO - B.25050	\$60,000.00	Wales	10	2.15
Tonawanda Creek from Rt 93 to Burdick	2025 PAYGO - B.25050	\$70,945.66	Newstead	6	2.4
Tonawanda Creek from Salt to Goodrich	2025 PAYGO - B.25050	\$85,287.20	Clarence	6	2.05
Goodrich from Tonawanda Creek to Niagara County line	2025 PAYGO - B.25050	\$14,575.46	Clarence	6	0.25

Oil & Chip					
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage
Nice (ALL)	2025 PAYGO - B.25050	\$75,991.71	Newstead	6	2.1
Boston-Colden (all)	2025 PAYGO - B.25050	\$75,522.00	Boston/Colden	10, 11	3.02
Langford-New Oregon from Sisson Hwy to Brown Hill	2025 PAYGO - B.25050	\$81,307.00	N Collins	11	3.11
New Oregon from Woodside to Langford-New Oregon	2025 PAYGO - B.25050	\$116,532.00	N Collins	11	4.66
South Jennings from W Becker to Rt 39	2025 PAYGO - B.25050	\$29,260.00	Collins	11	1.17
Zoar Valley from Foster to Rt 219	2025 PAYGO - B.25050	\$248,816.00	Collins/Concord	10, 11	9.95
Foster Rcad from Zoar Valley to West Becker	2025 PAYGO - B.25050	\$53,016.00	Collins	10	2.12
Ottenbecker from Brown to Woodside	2025 PAYGO - B.25050	\$35,605.00	Collins	10	0.8
Sweetland from Old Lakeshore to Rt 5	2025 PAYGO - B.25050	\$30,820.00	Evans	11	1.15
Hardpan from Rt 249 to South Main	2025 PAYGO - B.25050	\$69,519.00	Brant/Evans	11	3.01
Gowans from Versailles to Delameter	2025 PAYGO - B.25050	\$60,404.00	Evans	11	3.1
Cain Rd from Rt 5 to 20	2025 PAYGO - B.25050	\$50,579.00	Evans/Brant	11	2.9
Cain Rd from Rt 20 to Versailles	2025 PAYGO - B.25050	\$74,295.83	Brant	11	2.87
Hardt from East Eden to 75	2025 PAYGO - B.25050	\$37,650.00	Eden	11	1.64
Haag from E Eden to Feddick	2025 PAYGO - B.25050	\$38,699.00	Eden	11	1.67
Clark from Clark to 62	2025 PAYGO - B.25050	\$12,000.00	Hamburg	11	350FT
2025 Crack Seal of County Roads	2023 PAYGO - B.23050	\$500,000.00	Various	Various	
B.25050 Subtotal		\$2,049,023.45			74.03
B.23050 Subtotal		\$500,000.00			350FT
Total Oil & Chip		\$2,549,023.45			

Total Maintenance Projects	\$9,501,435.45
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Engineering Projects						
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage	Anticipated Bid Date
PIN 5764.14 - Bailey Ave (Grover Cleveland to Sheridan Dr.)	Federal Aid B.24009-\$6,800,000	\$6,800,000.00	Amherst	5	1.2	1st Quarter 2025
2025 Overlay A	B.25001-\$7,500,000	\$7,500,000.00	Various	Various	4.57	1st Quarter 2025
PIN 5763.32 - McKinley Parkway (Southwestern to Quinby)	Federal Aid B.25004 - \$9,000,000	\$9,000,000.00	Hamburg	9	2.02	3rd Quarter 2025
PIN 5764.22 - Maple St (20A to Village line)	Federal Aid B.25003-\$5,250,000 B.24050-\$230,000	\$5,480,000.00	East Aurora	10	0.42	4th Quarter 2025
Maple Rd, North Forest to Flint	B.25050-Transfer Tax	\$2,000,000.00	Amherst	6	2	Mid-Summer 2025
PIN 5763.33- Elmwood Ave (CR119) - Kenmore Ave (CR307) to Knoche Rd (CR306)	Federal Aid B.22008 - \$7,314,000 B.24008 - \$2,850,000	\$10,164,000.00	Various	3 & 4	2.5	3rd Quarter 2025
B.25050 Subtotal		\$2,000,000.00				
Other WBS Element Subtotal		\$38,944,000.00				
Total Engineering Projects		\$40,944,000.00				

Bridge Projects						
County Road and Limits	Funding Source	Estimated Cost	Town	Legislative District	Mileage	Anticipated Bid Date
Sharp St. Bridge Replacement	Bridge NY B.23007 - \$2,315,000	\$2,315,000.00	Concord	10	NA	2nd Quarter 2025
PIN 5764.16 - Bridge Washing/Deck Sealing	Federal Aid B.19012 - \$250,373 B.22054 - \$32,500 B.24012 - \$527,127	\$810,000.00	Various	Various	NA	2nd Quarter 2025
PIN 5764.18 - Bridge Painting & Vertical Down	Federal Aid B.24012 - \$1,250,000	\$1,250,000.00	Various	Various	NA	2nd Quarter 2025
Genesee Rd Bridge (BR409-02) BIN 3328690 over Hosmer Brook	B.24010 - \$2,300,000	\$2,300,000.00	Sardinia	10	NA	3rd Quarter 2025
Total Bridge Projects		\$6,675,000.00				
B.25050 Total		\$11,001,435.45				
All Other WBS Element Total		\$46,119,000.00				
Total 2025 Road Program		\$57,120,435.45				

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-21

COUNTY EXECUTIVE

Erie County Parks Signage Phase 2
Construction

Attachments

25COMM. 10E-21



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: Erie County Parks Signage Phase 2 Construction

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution seeking authorization to enter into an agreement with McLaughlin Construction Corp DBA EdBauer Construction to complete phase 2 installation for the Erie County Department of Parks, Recreation and Forestry. The project will complete Phase 2 of the Signage and Wayfinding implementation plan for Erie County Parks.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Troy Schinzel, Commissioner, Parks, Recreation and Forestry
Daniel R. Castle, AICP, Commissioner, Environment and Planning
Mark P. Rountree, Chief Planner, Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Department of Parks, Recreation and Forestry
Re: Erie County Parks Signage Phase 2 Construction
Date: May 16, 2025

SUMMARY

In 2023, Erie County completed the Parks Signage and Wayfinding Manual and Implementation Plan. The Plan developed consistent signage and wayfinding standards to promote a clear County Parks identity and also aid in wayfinding.

Phase 1 implemented the first phase of signs in 2024. The signs have been well received by the public. The proposed 2025 construction includes additional entry signs as well as directional signs for vehicles and pedestrians. Signage will be installed at the following Parks: Akron Falls, Bennett Beach, Black Rock Canal, Como Lake, Ellicott Creek, Elma Meadows, Grover Cleveland, Isle View, Sprague Brook, and Tow Path.

The Department of Environment and Planning bid Phase 2 construction. It is recommended that the Erie County Legislature approve the attached resolution authorizing the County to enter into a contract with the lowest responsible bidder, McLaughlin Construction Corp DBA Edbauer Construction to complete construction of Phase 2.

The proposed resolution also accepts a \$165,000 grant from the Buffalo and Erie County Greenway Fund Standing Committee (BECGFS) to offset the cost of design and construction of phase 2 and to be included into Capital Project A.19023 – 2019 Exterior Park Signage Project.

FISCAL IMPLICATIONS

Funding for this project was allotted for this purpose in the 2019, 2023 and 2024 Capital Budget totaling \$372,456. The McLaughlin Construction Corp DBA Edbauer Construction contract will be in the amount of \$488,597, with a construction and/or construction engineering/ inspection contingency of \$48,859. The project will be offset by a \$165,000 BECGFSC grant. County Funds are available in the following project in:

A.19023 - 2019 Exterior Park Signage Project	\$202,211
A.23059 - 2023 Exterior Signage Project	\$300,000
A.24005 - 2024 Countywide Park Improvements	\$ 35,245
TOTAL COST	\$537,456
 COUNTY FISCAL IMPACT	 \$372,456

REASONS FOR RECOMMENDATION

The need for consistent signage and wayfinding standards has been identified as a need within the 2003 Parks Master Plan and the 2019 Parks Master Plan Update. This Project will implement Phase 2 of the Erie County Parks Signage and Wayfinding Manual and Implementation Plan.

BACKGROUND INFORMATION

The Park system contains multiple types of directional, regulatory, identification, and interpretative signage within the 10,000 acres of Parks and Forestry properties. The different types of signage cause confusion from a user standpoint and create difficulties with replacement and maintenance of disparate signage. The Project over several phases seeks to reinforce the Erie County Parks brand through consistent signage throughout the Erie County Parks system.

CONSEQUENCES OF NEGATIVE ACTION

In the event the proposed resolution is not passed, Erie County will be unable to proceed with the proposed signage improvements.

STEPS FOLLOWING APPROVAL

Upon passage, the County will enter into a contract with McLaughlin Construction Corp. DBA Edbauer Construction to complete Phase 2 construction.

COMPTROLLER' S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to authorized capital projects for which there are sufficient appropriations for the action proposed available in A.19023, A.23059 and A.24005.*

*The grant funding of \$165,000 is not in SAP at this time.

T. H. COA *4/30/25*

Comptroller's Office

File: A.19023

A.23059

A.24005.12

A RESOLUTION TO BE SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING
AND PARKS, RECREATION AND FORESTRY

RE: Erie County Parks Signage Phase 2 Construction

WHEREAS, the Erie County Parks system contains nearly 10,000 acres of land on 38 sites throughout Erie County; and

WHEREAS, the Erie County Parks system includes a variety of types of parks including heritage parks, beaches, recreational trails, urban, and forestry sites; and

WHEREAS, within the Parks system there are numerous different signs which lack a cohesive Erie County Park identity, are difficult to re-create, not context sensitive and outdated; and

WHEREAS, the 2019 *Erie County Parks Master Plan* recommended the County develop a signage and wayfinding manual to guide the future development of signage in a consistent and comprehensive manner; and

WHEREAS, in the approved 2019, 2023 and 2024 Erie County Capital Budgets, funding for the construction of Park Signage was allocated for this purpose; and

WHEREAS, Erie County wishes to procure construction services for Phase 2 of the County Parks Exterior Signage Capital Project; and

WHEREAS, Erie County wishes to accept a Buffalo and Erie County Greenway Fund Standing Committee (BECGFSC) grant in the amount of \$165,000 to offset the cost of design, construction engineering, construction inspection, construction

WHEREAS, in compliance with Erie County Administrative Code a construction bidding process was undertaken for Phase 2 Erie County Parks Signage and Wayfinding construction project; and

WHEREAS, McLaughlin Construction Corp DBA Edbauer Construction was the lowest responsible bidder in the total amount of \$488,597.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to acceptance \$165,000 in grant funding from the Buffalo and Erie County Greenway Standing Committee and/or Community Foundation of Greater Buffalo, Inc., into the Department of Parks, Recreation and Forestry account (Fund 410, Funds Center 164) Capital Project A.19023 – Exterior Park Signage Project as follows:

Project A.19023

**2019 Exterior Park Signage
Fund 410, Funds Center 164**

REVENUES	BUDGET	CHANGE	REVISED BUDGET
420499 Other Local Source Revenue	\$ 0	\$165,000	\$165,000
475000 General Obligation Bond	\$400,000	\$ 0	\$400,000
486000 Interfund Revenue Subsidy	<u>\$264,000</u>	<u>\$ 0</u>	<u>\$264,000</u>
	<u>\$664,000</u>	<u>\$165,000</u>	<u>\$829,000</u>
APPROPRIATIONS			
Capital Project Expense	<u>\$664,000</u>	<u>\$165,000</u>	<u>\$829,000</u>
TOTAL	<u>\$664,000</u>	<u>\$165,000</u>	<u>\$829,000</u>

and be it further

RESOLVED, that authorized is hereby given to the County Executive to execute contracts for construction and construction administration with the responsible low bidder, McLaughlin Construction Corp DBA Edbauer Construction, in an amount not to exceed \$488,597; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute change orders as necessary for design, construction engineering, construction inspection, and construction with McLaughlin Construction Corp DBA Edbauer Construction or Wendel Companies in a total amount not to exceed \$48,859; and be it further

RESOLVED, that funding in the total amount of \$537,456 is available for the Project from the following Parks capital projects in:

Fund 410, Fund Center 164

A.19023 - 2019 Exterior Park Signage Project	\$202,211
A.23059 - 2023 Exterior Signage Project	\$300,000
A.24005 - 2024 Countywide Park Improvements	\$ 35,245
TOTAL:	<u>\$537,456</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute all agreements necessary to implement this project related to the installation of signs in public right of ways owned or operated by Federal, State, or municipal governments and utilities; and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; Division of Budget and Management; Department of Law; Department of Environment and Planning, Department of Public Works and Department of Parks, Recreation and Forestry.

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 | <u>McLaughlin Construction Corp. DBA Edbauer Construction</u> |
| 2. | AMOUNT OF CONTRACT | <u>\$488,597 contract, \$48,859 Contingency- \$537,456 (total)</u> |
| 3. | PROJECT NUMBER | <u>A.19023</u>
<u>A.23059</u>
<u>A.24005.12</u> |
| 4. | PROJECT TITLE | <u>Parks Signage and Wayfinding Phase 2</u>

Funding questions: Mark Rountree/ Kathy Carbone |
| 5. | DEPARTMENT CONTACT | <u>Letter pickup: Nancy Brown</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|------------------------------------|-----------------------|--|
| 6. | AVAILABILITY OF FUNDS | <u>\$ 2,234,448.09</u> |
| 7. | PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | | <u>April 30, 2025</u> |

[55 compt_10]

DATE: 4/30/2025

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE
OF THE PROJECT: YES X NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT
IF YES, COMPLETE THE FOLLOWING VERIFICATION

Total Project Revenues	\$ 664,000.00
Total Project Appropriations	\$ 664,000.00
Add: Grant Funding	\$ 165,000.00
Less: Total Expenditure To Date	\$ 551,608.19
Less: Total Commitments	\$ 75,179.97
Available Appropriations As Of Date Of Request	\$ 202,211.84
Less: Contract Amount	\$ 202,211.00
Net Available Appropriations	\$ 0.84

Request Approved:

Request Denied:

Date: _____

OFFICE OF THE COMPTROLLER REVIEW

DATE: 4/30/2025

PROJECT TITLE: A.23059 2023 Exterior Signage Plan Phase 2

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE
OF THE PROJECT: YES X NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>300,000.00</u>
Total Project Appropriations	\$ <u>300,000.00</u>
Less: Total Expenditure To Date	\$ <u>-</u>
Less: Total Commitments	\$ <u>-</u>
Available Appropriations As Of Date Of Request	\$ <u>300,000.00</u>
Less: Contract Amount	\$ <u>300,000.00</u>
Net Available Appropriations	\$ <u>-</u>

Comments: No capital trial balance is available at this time. This project is funded
as a PAY-AS-YOU-GO.

Request Approved: T. J. CCA

Request Denied:

Date: 4/30/25

OFFICE OF THE COMPTROLLER REVIEW

DATE: 4/30/2025

PROJECT TITLE: A.24005 - 2024 Countywide Parks Improvements & ADA Accessibility

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE
OF THE PROJECT: YES X NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT
IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>2,300,000.00</u>
Total Project Appropriations	\$ <u>2,300,000.00</u>
Less: Total Expenditure To Date	\$ <u>533,678.40</u>
Less: Total Commitments	\$ <u>34,084.55</u>
Available Appropriations As Of Date Of Request	\$ <u>1,732,237.05</u>
Less: Contract Amount	\$ <u>35,245.00</u>
Net Available Appropriations	\$ <u>1,696,992.05</u>

Comments: There is currently \$1,778,854.35 cash within the project.

This account is also funding other projects.

Request Approved: T. C. C.

Request Denied:

Date: 4/30/25

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-22

COUNTY EXECUTIVE

WNY Hemlock Woolly Adelgid Collaborative
Project

Attachments

25COMM. 10E-22



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: Western New York Hemlock Woolly Adelgid Collaborative Project

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Parks, Recreation and Forestry (Parks) authorizing the County Executive or Deputy County Executive to execute a contract with the Western New York Land Conservancy Inc. to accept \$44,454. in grant funding for the treatment of the invasion by Hemlock Woolly Adelgid.

Due to the recent freeze on Federal funds, the passage of this resolution does not guarantee its execution. I have directed the Office of Budget and Management to closely monitor and place holds on certain Federal contracts so that no significant cost is accrued by Erie County while the freeze by the Trump administration is resolved.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a stylized flourish at the end.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/kc
Enclosure

cc: Troy Schinzel, Commissioner - Department of Parks, Recreation and Forestry

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation and Forestry
Re: Western New York Hemlock Woolly Adelgid Collaborative Project
Date: May 16, 2025

SUMMARY

Erie County Department of Parks, Recreation and Forestry is requesting authorization by the County Executive and/or Deputy County Executive to enter into a contract with the Western New York Land Conservancy, Inc. to accept \$44,454 in grant funding.

FISCAL IMPLICATIONS

The Western New York Hemlock Woolly Adelgid Collaborative Project is for the treatment of infected trees. The funding will be used to go into contract with a Vendor who would be treating the infected trees.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

Eastern hemlock trees are the fourth most common tree in New York State, and hemlock woolly adelgid (HWA), an invasive aphid-like insect is quickly spreading through Erie County. In other parts of the country that have experienced HWA invasion, tree mortality occurs in as little as 4-10 years. Infestations have been reported in Erie County Parks as early as 2020. This project would fund the treatment of over 2,500 infested hemlock trees in Erie County Parks.

CONSEQUENCES OF NEGATIVE ACTION

Without treatment infested trees will soon begin to experience dieback and the risk of damage to property, and injury to park patrons will be enormous. Additionally, there would be extensive costs in removing standing or down dead trees.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, a contract with the Western New York Land Conservancy, Inc. will be executed by the County Executive or Deputy County Executive. The Department of Parks, Recreation and Forestry will work with the Division of Budget and Management to execute a budget.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION AND FORESTRY**

RE: Western New York Hemlock Woolly Adelgid Collaborative Project

WHEREAS, the Erie County Department of Parks, Recreation and Forestry maintains over 10,000 acres of park and forest land; and

WHEREAS, the Department of Parks was awarded \$44,454. grant from the Western New York Land Conservancy, Inc; and

WHEREAS, these funds will be used to survey and treat Erie County Parks – Chestnut Ridge, Emery and Franklin Gulf from the invasive and highly destructive hemlock woolly pest.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$44,454 from the Western New York Land Conservancy, Inc. and amend the Department of Parks, Recreation & Forestry's 2025 Operating Budget (Fund 110, Funds Center 16410) as follows:

Department of Parks, Recreation and Forestry
Fund 110, Funds Center 16410

<u>REVENUES</u>	<u>CHANGE</u>
4141010 Federal Aid - Other	<u>\$44,454</u>
TOTAL	<u>\$44,454</u>

<u>APPROPRIATIONS</u>	<u>CHANGE</u>
516020 Professional Services, Contracts & Fees	<u>\$44,454</u>
TOTAL	<u>\$44,454</u>

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 County Executive's Office, Department of Law, Department of Parks, Recreation and Forestry and Division of Budget and Management.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-23

COUNTY EXECUTIVE

Creation of Monsanto Settlement Funding
Grant Budget

Attachments

25COMM. 10E-23



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

RE: Creation of a Monsanto Settlement Funding Grant Budget

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning (DEP) to authorize creation of new grant budget for settlement funds that were previously authorized for acceptance.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle, AICP, Commissioner
Bonnie Lawrence, Deputy Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Environment and Planning
Re: Creation of a Monsanto Settlement Funding Grant Budget
Date: May 2, 2025

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) to establish a new grant budget for Monsanto Settlement Funding.

A previous resolution authorized the County Executive to direct future payments of the Monsanto Class Action Settlement to DEP. The initial funds were used to perform a gap analysis on the status of polychlorinated biphenyls (PCBs) monitoring in Erie County and to develop a plan for next steps for monitoring PCBs in waterways and implementing PCB remediation projects. This new funding of \$737,393 will be used to execute that monitoring plan.

FISCAL IMPLICATIONS

There will be no fiscal impact on County resources.

A new Senior Environmental Compliance Specialist (JG12) position will be created to oversee and manage PCB monitoring and remediation plan and will be partially funded by an existing grant.

<u>Annualized Salary of Existing JG12:</u>	\$68,266
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<u>Total Salary for Balance of Year:</u>	\$51,200
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Funding Source:

Grant Source:	SAP# 162MONSANTO2530
Grant Duration:	4/1/2025 through 3/31/2030
New Settlement Funding:	\$737,393
Total Funding:	\$737,393
Alternate Source of Funding if	
Grant is not renewed:	None

REASONS FOR RECOMMENDATION

PCB testing will support the Nine-Element Watershed Management Plan, which requires establishing a monitoring plan and developing water quality improvement implementation projects and will help inform how the County and other entities within the Watershed should move forward on PCB cleanup goals, especially on Brownfields, as these man-made chemicals can cause organ dysfunction, cancer, developmental problems in children, and other serious health impacts. A Nine-Element Watershed Plan with nine required elements will make the County and Watershed eligible for additional implementation project funding through state and federal grants.

The proposed 2-year effort focuses on Scajaquada Creek, particularly in the buried and upper sections of the creek, which are less studied than the lower Scajaquada Creek. This study will include field sampling, analysis of samples by a contract laboratory and cooperating USGS laboratory, and data analysis and synthesis. Results will inform Erie County and other local stakeholders of the current extent of PCB contamination in the Scajaquada Creek to guide potential management decisions and strategies for remediation of PCBs.

Scajaquada Creek is a tributary to the Niagara River, which is designated as the Impact Area of Concern (AOC). Located in Erie County, Scajaquada Creek flows from Lancaster west through Depew, Cheektowaga, and Buffalo before flowing into the Niagara River. The creek enters a tunnel and flows underground for nearly four miles and resurfaces in the Forest Lawn Cemetery. A smaller section of the creek was also routed underground beneath a shopping mall, and roughly five miles of upper Scajaquada Creek was channelized for flood control. The downstream segment of Scajaquada Creek, beginning at the mouth and ending at the drain outfall in Forest Lawn Cemetery, is the Source Area of Concern for this effort.

Year one of this study will consist of project planning, field sampling, and laboratory analysis. Year two will begin once all sample data is received from the laboratories, and will consist of data analysis, interpretation, and report generation.

BACKGROUND INFORMATION

Erie County has been involved with and leading LEWPA, a tri-county organization with a mission to protect and improve water quality, since its inception in 2012. LEWPA has a goal of developing a Nine-Element Watershed Management Plan for the Niagara River/Lake Erie Watershed in order to characterize the existing conditions of the Watershed and develop potential projects to protect and improve water quality. This type of plan requires nine minimum elements as determined by the United States Environmental Protection Agency and approved by the NYSDEC.

Erie County has successfully managed the Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 project since 2020 and is working toward finalizing a Nine-Element Watershed Management Plan. The Monsanto funding will expand the work that is able to be completed as part of this plan regarding a toxic pollutant and will help inform County actions moving forward. This funding will allow the County to continue to fund the Senior Environmental Compliance Specialist (JG12) to continue working to complete the Phase 3 project and to begin to implement some of the recommendations in the Watershed Management Plan.

CONSEQUENCES OF NEGATIVE ACTION

The testing for PCBs will not be completed and finalization of the Nine-Element Watershed Management Plan will be delayed.

STEPS FOLLOWING APPROVAL

A grant budget to complete the PCB monitoring will be created.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Creation of a Monsanto Settlement Funding Grant Budget

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in addressing water quality issues throughout the region for decades and continues to lead and manage many initiatives, including the Lake Erie Watershed Protection Alliance, that protect and preserve our natural water resources; and

WHEREAS, the Erie County Legislature previously authorized to accept past and future funding from the Monsanto Class Action Settlement for the purpose of polychlorinated biphenyls (PCB) monitoring and directing it to the DEP (COMM 14E-19 (2023)); and

WHEREAS, a second settlement amount of \$737,393 has been awarded to Erie County to perform a PCB monitoring and remediation project requiring the creation of a grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$737,393 in funds from the Monsanto Class Action Settlement, and amend the Department of Law's Risk Retention 2025 Operating Budget (Fund 110, Funds Center 16020) to make the settlement funds available as a multi-year grant to the Department of Environment and Planning in (Fund 281, Fund Center 16200) follows:

Department of Law – Risk Retention
Fund 110, Funds Center 16020

<u>REVENUES</u>	<u>CHANGE</u>
415630 Legal Settlements	<u>\$737,393</u>
TOTAL	<u>\$737,393</u>

<u>APPROPRIATIONS</u>	<u>CHANGE</u>
559000 County Share - Grants	<u>\$737,393</u>
TOTAL	<u>\$737,393</u>

Department of Environment and Planning
Monsanto Class Action Settlement
162MONSANTO2530
April 1, 2025 – March 31, 2030

<u>REVENUES</u>	<u>BUDGET</u>
479000 County Share Contributions	<u>\$737,393</u>
TOTAL	<u>\$737,393</u>

<u>APPROPRIATIONS</u>	<u>BUDGET</u>
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500000	Full Time Salaries	\$ 189,957
502000	Fringe Benefits	94,869
505000	Office Supplies	1,000
510000	Local Mileage Reimbursement	1,500
516020	Professional Service Contracts	510,287
916290	ID Environment & Planning Grant	<u>(\$ 60,220)</u>
	Services	
	TOTAL	<u>\$ 737,393</u>

and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Environmental Compliance Specialist, Job Group 12, CSEA (B-100 #14981) retroactive to April 1, 2025; and be it further

RESOLVED, that authorization is hereby given to amend the Department of Environment & Planning's 162RNRLEWMP2025 grant budget (Fund 281, Funds Center 16200) as follows:

Department of Environment & Planning
 NYSDOS: Regional Niagara River Lake Erie Watershed Management
 162RNRLEWMP2025
 10/1/2020 – 9/30/2025

<u>APPROPRIATIONS</u>	<u>CHANGE</u>
500000 Full Time - Salaries	\$(10,860)
500030 Seasonal - Wages	(1,140)
500300 Shift Differential	102
500350 Other Employee Payments	11,006
502000 Fringe Benefits	(52,034)
505000 Office Supplies	(6,500)
510000 Local Mileage Reimbursement	(794)
916290 ID Environment & Planning Grant	<u>\$60,220</u>
Services	
TOTAL	<u>\$ 0</u>

and be it further

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

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor; and be it further

RESOLVED, that 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 County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Department of Environment and Planning.

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-24	COUNTY EXECUTIVE	ECSD No. 3 - Elma Force Main Air Release Valve Replacement
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	Attachments
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25COMM. 10E-24



EC LEG MAY 16 '25 PM 2:58

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

May 16, 2025

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

**Re: Erie County Sewer District No. 3
Elma Force Main Air Release Valve Replacement
Bid Opening – Contract No. 84**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 84 Elma Force Main Air Release Valve Replacement.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Mark Poloncarz", is written over a faint, larger version of the same signature.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: nw

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-25	COUNTY EXECUTIVE	ECSD No. 2 - Big Sister Creek WRRF Secondary Aeration Blower Intake Hoods Replacement
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25COMM. 10E-25	Attachments
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EC LEG MAY 16 '25 PM 2:58

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

**Re: Erie County Sewer District No. 2
Big Sister Creek WRRF Secondary Aeration Blower Intake Hoods Replacement
Bid Opening – Contract No. 103**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 2 Contract No. 103 Big Sister Creek WRRF Secondary Aeration Blower Intake Hoods Replacement.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a stylized flourish at the end.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: nw

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-26

COUNTY EXECUTIVE

ECSD No. 8 - East Aurora Water Resource
Recovery Facility Electrical Upgrades Project

Attachments

25COMM. 10E-26



EC LEG MAY 16 '25 PM 2:58

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

**Re: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility Electrical Upgrades Project
Bid Opening – Contract No. 25**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 8 Contract No. 25 East Aurora Water Resource Recovery Facility Electrical Upgrades Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mp

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-27

COUNTY EXECUTIVE

ECSD No. 2 - North Creek Pumping Station
Battery Backup System

Attachments

25COMM. 10E-27



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EC LEG MAY 16 '25 PM 2:58

May 16, 2025

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

**Re: Erie County Sewer District No. 2
North Creek Pumping Station Battery Backup System
Bid Opening – Contract No. 104**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 2 Contract No. 104 North Creek Pumping Station Battery Backup System.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.

Erie County Executive

MCP: ah

cc: J. Fiegl – Division of Sewerage Management

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-28

COUNTY EXECUTIVE

ECSD No. 3 - Southtowns Incinerators Heat
Exchanger Replacement Project

Attachments

25COMM. 10E-28



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 MAY 16 12:58 PM

May 16, 2025

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

**RE: Erie County Sewer District No. 3
Southtowns Incinerators Heat Exchanger Replacement Project
Contract No. 71, Change Order No. 1**

Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 1 for the Southtowns Incinerators Heat Exchanger Replacement Project, Erie County Sewer District No. 3, Contract No. 71.

Should your Honorable Body require further information, I encourage you to contact 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: mp

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
Southtowns Incinerators Heat Exchanger Replacement Project
Contract No. 71, Change Order No. 1
Date: May 2, 2025

SUMMARY

Your Honorable Body is requested to receive and file this communication pertaining to Change Order No. 1 to Hohl Industrial Services, Inc. for the Southtowns Incinerators Heat Exchanger Replacement Project, Erie County Sewer District No. 3, Contract No. 71. The Change Order increases the Contract time by 87 days. The time extension was necessary due to equipment delays and unforeseen conditions related to retrofitting equipment into the location.

FISCAL IMPLICATIONS

There will be no fiscal impact on the County's General Fund. This is a no cost time extension.

REASONS FOR RECOMMENDATION

Although attempts were made to procure equipment for the work under time given in the Contract, manufacturers and suppliers created delays that did not make that possible. Delivery schedules have generally been unreliable across the industry. In addition, conflicts were discovered when placing the first heat exchanger that required extra work and time.

BACKGROUND INFORMATION

The Southtowns Incinerators Heat Exchanger Replacement Project was awarded to Hohl Industrial Services under Legislative Comm. 2E-23 (2024) and involves the replacement of heat exchangers essential to the operation of the Southtowns Advanced Wastewater Treatment Facility incinerators. These improvements were needed to improve heat recovery up to design levels. Heat exchangers have to be replaced regularly, after many years of use, to maintain proper operation of the incinerators. The original time of completion was February 21, 2025. This extension changes the completion date to May 19, 2025.

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: 05/22/2025

SUBJECT

COMM. 10E-29

COUNTY EXECUTIVE

ECSD No. 3 - Engineering Term Contract
Agreement (Work Order: DD-4)

Attachments

25COMM. 10E-29



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 MAY 16 12:58 PM

May 16, 2025

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-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 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-4
Date: May 16, 2025

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 \$61,660.74.

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 (DSM) has issued work order DD-4 to DiDonato to provide construction documents associated with site improvements at the former Blasdel Water Resource Recovery Facility (WRRF) 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-4, DiDonato will provide construction documents to re-develop the former Blasdel Water Resource Recovery Facility (WRRF) for 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-4**

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:

Michael Banks, AIA
DiDonato Engineering & Architectural Professionals
689 Main Street
Buffalo, NY 14203

3. Effective Dates of Proposal:

April 28, 2025

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: \$ 61,660.74

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

7. Project No: DD-4

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: April 28, 2025

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

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

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-30	COUNTY EXECUTIVE	EC Pursuing a NYS Empire State Development Grant on Behalf of the Lipsey Architecture Center Buffalo
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Attachments

25COMM. 10E-30



EC LEG MAY 16 '25 PM2:58

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE

May 16, 2025

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

Re: Erie County pursuing a New York State Empire State Development Grant on behalf of the Lipsey Architecture Center Buffalo

Dear Honorable Members:

The Department of Environment and Planning, Division of Planning and Economic Development has been working with the Lipsey Architecture Center Buffalo regarding an application to pursue funding from the Empire State Development Corp.

Due to certain time constraints regarding the submission deadlines of the application, we respectfully request this item be placed on the agenda of the Economic Development Committee. After confirmation of the relevant details, the Department will provide a recommendation and a suggested resolution for your review.

Should your Honorable Body require further information, I encourage you to contact Thomas E. Baines, Esq. in the Division of Planning and Economic Development. 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: teb

cc: T. Baines – Division of Planning and Economic Development

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-31	COUNTY EXECUTIVE	Appointments to EC Environmental Management Council
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	Attachments
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25COMM. 10E-31



2025 MAY 19 12:54 PM

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Appointments to Erie County Environmental Management Council

Dear Honorable Members:

Pursuant to the Erie County Charter Article 10, Section 1004.2, I, Mark C. Poloncarz, Erie County Executive, do hereby submit for your confirmation the following individuals to be appointed to the Erie County Environmental Management Council. Their terms shall expire May 31, 2027.

Jarrett Steffen
721 Main Street
Buffalo, NY 14203
At-Large Representative

Nicole Morris-McLaughlin
368 Oakwood Avenue
East Aurora, NY 14052
At-Large Representative

Tracy Fletcher
52 Amherst Street
Buffalo, NY 14207
At-Large Representative

Mallory Hohl, MPH
160 University Avenue
Buffalo, NY 14214
At-Large Representative

Erin Hanaburgh
713 Prospect Avenue
Buffalo, NY 14213
At-Large Representative

Jane Vohwinkel
50 North Long Street
Williamsville, NY 14221
Municipal Representative

Douglas Crow
1951 Davis Road
West Falls, NY 14170
Municipal Representative

Mitch Tucker, Ph.D.
7126 Parkside Dr.
Hamburg, NY 14075
Municipal Representative

Brenda Young, Ph.D.
9402 Douglas Fir Ct
Clarence Center, NY 14032
Municipal Representative

Mayor Kevin Peterson
85 Manitou Street
Depew, NY 14043
Municipal Representative

Dr. Joseph Mecca
1260 Eden-Evans Center Road
Angola, NY 14006
Municipal Representative

Leona Rockwood
5724 Old Lakeshore Rd
Lakeview, NY 14085
Municipal Representative

Matthew Bourke
80 George Street
Hamburg, NY 14075
Municipal Representative

Councilman Daniel F.C. Lotito
47 Pearl Street, PO Box 36
Holland, NY 14080
Municipal Representative

Jonathan Shaw
10 Division Street
Lancaster, NY 14086
Municipal Representative

Amy Stypa
5423 Broadway
Lancaster, NY 14086
Municipal Representative

Jerel J. Bogdan, PE
11431 Renee Court
Marilla, NY 14102
Municipal Representative

Lewis Tandy
13678 Main Road
Akron, NY 14001
Municipal Representative

Supervisor John M. Tobia
10569 Main Street, P.O. Box 2
North Collins, NY 14111
Municipal Representative

Richard Schechter
4 Lennys Lane
Orchard Park, NY 14127
Municipal Representative

Mayor John White
200 Niagara Street
Tonawanda, NY 14150
Municipal Representative

Kenley Martin
244 Willowgrove South
Tonawanda, NY 14150
Municipal Representative

Mark Gaston
12285 Centerline Road
South Wales, NY 14139
Municipal Representative

Ryan Taylor
138 Burch Avenue
West Seneca, NY 14210
Municipal Representative

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn
cc: Bonnie Lange Lawrence

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-32

SHERIFF

Personnel Adjustments

Attachments

25COMM. 10E-32

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

May 15, 2025

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

Re: Personnel Adjustments

Honorable Members:

The attached resolution and accompanying memorandum requests authorization for the Erie County Sheriff's Office to reorganize a number of positions within its Correctional Health Division, Civil Division, Police/Patrol Support Division, Administrative Division and Professional Standards Division.

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

Yours very truly,


John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Personnel Adjustments
Date: May 15, 2025

Summary of Recommended Action

This resolution requests authorization for the Erie County Sheriff's Office to add the following ten (10) full-time positions:

- Administrative Coordinator (Cost Center 1151010)
- Administrative Assistant (Cost Center 1151010)
- Account Clerk (Cost Center 1151020)
- Account Clerk (Cost Center 1151020)
- Holding Center Medical Aide (Cost Center 1165020)
- Captain (Cost Center 1151040)
- Senior Tactical Flight Officer - Aviation (Cost Center 1151040)
- Senior Tactical Flight Officer - Aviation (Cost Center 1151040)
- Lieutenant (Cost Center 1151040)
- Lieutenant (Cost Center 1151090)

In a corresponding action, this resolution would delete nine (9) full-time positions. The cumulative effect is a cost savings on the 2025 budget.

Fiscal Implications of Proposal

These adjustments are estimated to save approximately \$3,230.00 in full-time salary costs in the 2025 budget.

Reasons for Recommendation

The added jobs are necessary for several different reasons. The Administrative Coordinator and Administrative Assistant positions are required to assist with personnel-related duties. Presently, the Erie County Sheriff's Office employs a single Senior Personnel Clerk to handle personnel matters.

Two (2) Account Clerks are required to assist with confidential matters related to the Civil Division.

A review of our Correctional Health Division has determined that it would be beneficial to transfer one (1) Medical Aide from the Erie County Correctional Facility to the Erie County Holding Center.

The addition of a Captain and two (2) Senior Tactical Flight Officers - Aviation within Cost Center 1151040 are necessary to reorganize the Aviation Unit and create a clear chain of command.

The final two (2) Lieutenant positions are necessary to better align staff with their duties.

Consequences of Negative Action

Failure to approve this request will prevent the Sheriff's Office from reorganizing these positions.

Steps Following Approval of Measure

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.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Personnel Adjustments

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 seeks to reorganize its Correctional Health Division, Civil Division, Police/Patrol Support Division, Administrative Division and Professional Standards Division by adding and deleting several positions; and

WHEREAS, these personnel adjustments would allow each of the aforementioned divisions to properly assign staff to perform duties required of them; and

WHEREAS, the Erie County Sheriff's Office proposes adding ten (10) full-time jobs to achieve this goal; and

WHEREAS, the Erie County Sheriff's Office further proposes deleting nine (9) full-time jobs to make this cost neutral on the 2025 budget; and

WHEREAS, these personnel adjustments would save an estimated \$3,230.00 in full-time salary costs;

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office and Personnel Department are authorized to create the following positions:

<u>Full-Time Positions</u>	<u>Cost Center</u>	<u>Add</u>
Administrative Coordinator (JG10)	1151010	61,424
Administrative Assistant (JG10)	1151010	61,424
Account Clerk (JG4)	1151020	44,138
Account Clerk (JG4)	1151020	44,138
Holding Center Medical Aide (JG7)	1165020	65,936
Captain (JG11)	1151040	106,673
Sr. Tactical Flight Officer - Aviation (JG10)	1151040	83,215
Sr. Tactical Flight Officer - Aviation (JG10)	1151040	100,327
Lieutenant (JG10)	1151040	94,625
<u>Lieutenant (JG10)</u>	<u>1151090</u>	<u>104,129</u>
TOTAL ADD		766,029

and be it further

RESOLVED, the Erie County Sheriff's Office and Personnel Department are authorized to delete the following positions:

<u>Full-Time Positions</u>	<u>Cost Center</u>	<u>Delete</u>
Senior Nurse Practitioner-51018064	1165020	127,835
Pistol Permit Liaison (Sheriff)-51018017	1151020	61,718
CF Medical Aide-51018880	1165030	60,374
Receptionist-51009204	1151020	51,416
Lieutenant-51017828	1151040	98,413
Sergeant-51017768	1151040	89,001
Deputy Sheriff-Criminal-51017774	1151030	74,052
Senior Tactical Flight Officer-9556	1151040	108,713
<u>Sergeant-51016358</u>	<u>1151090</u>	<u>97,737</u>
TOTAL DELETE		769,259

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.

FISCAL IMPACT: As indicated

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-33	SHERIFF	Acceptance of 2025 NYS Canal Corporation Marine Patrol Grant
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25COMM. 10E-33		Attachments
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JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF



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

SHERIFF OF ERIE COUNTY

May 16, 2025

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

15-25-001/20/25 10:31

Re: Acceptance of 2025 NYS Canal Corporation Marine Patrol Grant

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum requesting authorization for the County Executive and Sheriff to enter into an agreement to accept a grant from the New York State Canal Corporation in the amount of \$40,000. Funding will be utilized by the Erie County Sheriff's Office for navigation law enforcement, waterway safety and boater education on and around the Erie Barge Canal.

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

Yours very truly,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of 2025 NYS Canal Corporation Marine Patrol Grant
Date: May 16, 2025

Summary of Recommended Action

The attached resolution requests authorization for the County Executive and Sheriff to enter into an agreement to receive a \$40,000 grant from the New York State Canal Corporation. Funding will be utilized by the Erie County Sheriff's Office Marine Unit for navigation law enforcement, waterway safety and boater education on and around the Erie Barge Canal.

Fiscal Implications of Proposal

This resolution has no impact on county tax dollars.

Reasons for Recommendation

The Erie County Sheriff's Office Marine Unit is responsible for patrolling parts of Lake Erie, the Niagara River, the Erie Barge Canal and other waterways along more than 90 miles of Erie County shoreline. The Marine Unit is instrumental in maintaining safe waterways by enforcing navigation laws and educating the boating public. This grant will provide the Sheriff's Office additional resources to patrol along the Erie Barge Canal.

Consequences of Negative Action

The county will forfeit \$40,000 in funding to support the Erie County Sheriff's Office Marine Unit's patrol of the Erie Barge Canal.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of 2025 NYS Canal Corporation Marine Patrol Grant

WHEREAS, the Erie County Sheriff's Office Marine Unit is responsible for patrolling parts of Lake Erie, the Niagara River, the Erie Barge Canal and other waterways along more than 90 miles of Erie County shoreline; and

WHEREAS, the Marine Unit is instrumental in maintaining safe waterways by enforcing navigation laws and educating the boating public; and

WHEREAS, the New York State Canal Corporation has awarded the Erie County Sheriff's Office Marine Unit \$40,000 in funding; and

WHEREAS, this grant requires review and approval by the Canal Corporation, Office of the Attorney General and the Office of the State Comptroller for all submitted requisitions; and

WHEREAS, this grant will provide the Erie County Sheriff's Office with additional resources to increase patrols along the Erie Barge Canal; and

WHEREAS, this resolution will have no impact on county tax dollars;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Sheriff to enter into a contract with the New York State Canal Corporation to accept \$40,000.00 for increased marine patrols on and near the Erie Barge Canal; and be it further

RESOLVED, that authorization is provided to the Division of Budget and Management to establish funding in Funds Center 11510 as follows:

Erie County Sheriff's Office
FY 25-26 NYS Canal Corp. Grant
April 1, 2025 to March 31, 2026

<u>REVENUE</u>	INCREASE
Account 409020 – Miscellaneous State Aid	\$40,000
 <u>APPROPRIATIONS</u>	 INCREASE
Account 501000 – Overtime	\$40,000

and be it further

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

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

FISCAL IMPACT: As indicated

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-34	SHERIFF & COUNTY EXECUTIVE	Authorization to Contract with University Psychiatric Practice dba UBMD Psychiatry
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25COMM. 10E-34	Attachments
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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Authorization to contract with University Psychiatric Practice dba UBMD Psychiatry

Please find enclosed a proposed resolution and accompanying memorandum from the Erie County Department of Probation and the Erie County Sheriff's Office requesting legislative authorization for both Departments to contract with University Psychiatric Practice dba UBMD Psychiatry. The purpose is to provide psychological assessments/screening of candidates being considered as sworn officers prior to hire.

The Probation Officer Trainee exam announcement includes a special requirement that each candidate successfully complete a psychological evaluation prior to an offer of employment. The Sheriff's office has the same need when hiring Sheriff's sworn Officers.

Should your Honorable Body require further information, I encourage you to contact Commissioner Richard B. Robillard at the Erie County Probation Department or Sheriff John Garcia. Thank you for your consideration on this matter.

Sincerely yours,



John C. Garcia
Erie County Sheriff

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/rbr
Enclosure

CC: Richard Robillard, Commissioner of Probation
John Garcia, Sheriff

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Probation Department and Erie County Sheriffs
Re: Office Authorization to contract with University Psychiatric Practice dba UBMD Psychiatry
Date: May 16, 2025

SUMMARY

Legislative authorization is requested to enter into contracts with University Psychiatric Practice dba UBMD Psychiatry to conduct psychological evaluations on new hire officers for both the Probation Department and the Sheriff's Office.

FISCAL IMPLICATIONS

This request is budget neutral. Both departments have accounted for this service in their adopted 2025 budgets. The cost of each evaluation is \$375. In 2025 Probation has budgeted \$4,500. The Sheriff's office has budgeted \$25,000 in 2025. Future year authorizations will be part of the budget adoption process.

REASONS FOR RECOMMENDATION

The Erie County Probation Department and Erie County Sheriff's Office need legislative authority to contract with University Psychiatric Practice dba UBMD Psychiatry. Psychological evaluations are being conducted for new hires in the position of Probation Officer as indicated on the eligibility examination requirements. The Sheriff's Office also requires the same evaluations for Sheriffs sworn Officers prior to hire.

BACKGROUND INFORMATION

The Erie County Probation Department Administration reviews psychological evaluations of each person considered for hire from the civil service list for Probation Officer prior to an offer of employment. The civil service exam posting for Probation Officer Trainee included the following special requirement:

"Background Investigation/Psychological Evaluation: Applicants will be subject to an extensive pre-employment background investigation and psychological evaluation. CONVICTION OF A FELONY WILL BAR AND CONVICTION OF A MISDEMEANOR OR OTHER OFFENSE MAY BAR PARTICIPATION IN EXAMINATION AND APPOINTMENT. Criminal convictions or other offense are subject to evaluation and may result in disqualification pursuant to Section 50 of the New York State Civil Service Law. The psychological evaluation will consist of a combination of psychological tests and interviews. Candidates must pass the psychological evaluation. In addition, a negative report or failing psychological evaluation may result in disqualification pursuant to Section 50 of New York State Civil Service Law.

Candidates must be a United States Citizen, an Erie County Resident, and where applicable a resident of the Town or Village where he or she is appointed per Public Officers Law at time of appointment. (See Erie County Policies and Procedures.)"

The work of a Probation Officer is demanding, often stressful work requiring the ability to implement skills of both a law enforcement and social work nature. Probation Officers work in the field and many Probation Officers carry firearms. The department believes it is pragmatic to take this step in light of the increasingly difficult work environment caused by the tenuous relationship between the community and law enforcement of late as well as a more efficient use of training resources.

Over the course of this year the Probation Department anticipates hiring new officers to replace retirees, those promoted and those who leave employment for other reasons.

The Sheriff's Office also has a need to have psychological evaluations completed on new officer hires in the best interest of discharging their duties efficiently and ensuring public safety.

Both Departments agree that the county's sworn staff should be evaluated in the same manor, with the same methodologies and validated instruments. University Psychiatric Practice dba UBMD Psychiatry is preferred by the Sheriff's Office and the Probation Department because of their experience with working with law enforcement and their chosen methodologies and instruments.

CONSEQUENCES OF NEGATIVE ACTION

The two departments will not have psychological evaluation reports available when considering an officer candidate for employment. Persons with psychological issues which make them ill-suited for the role of Probation Officer, Sheriff's Deputy, or Correctional Officer and could potentially be hired and trained.

STEPS FOLLOWING APPROVAL

In coordination with Purchasing, contracting with University Psychiatric Practice dba UBMD Psychiatry.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PROBATION AND SHERIFFS OFFICE

Re: Authorization to contract with University Psychiatric Practice dba UBMD Psychiatry

WHEREAS, the Probation Department and the Sheriff's Office jointly seek to engage University Psychiatric Practice dba UBMD Psychiatry for the purpose of conducting psychological evaluations for individuals being considered for hire as Probation Officers, Deputy Sheriff Officers and Correctional Officers; and

WHEREAS, the civil service job posting for Probation Officer Trainee includes as a special requirement the successful completion of a psychological evaluation: applicants will be subject to an extensive pre-employment background investigation and psychological evaluation; and

WHEREAS, the Probation Department will henceforth require every new Probation Officer to have successfully completed a psychological Evaluation prior to hire; and

WHEREAS, the Erie County Sheriff's Office in its responsibility to provide quality public safety services to the community also considers psychological evaluation results when hiring sworn Officers; and

WHEREAS, both the Probation Department and Sheriff's Office agree that using the same standards, methodologies, and evaluative instruments for both departments is in the best interest of the county; and

WHEREAS, University Psychiatric Practice dba UBMD Psychiatry has experience performing psychological evaluations for law enforcement using standards, methodologies and evaluative instruments that are preferred by both departments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contracts with University Psychiatric Practice dba UBMD Psychiatry 462 Grider Street, 11th Floor, Buffalo, NY 14215-3098 for the purpose of conducting psychological evaluations on new hire Probation Officers and sworn Officers; and be it further

RESOLVED, that authorization is hereby given and hereby waives the procedures, as impractical, provided for in Section 26.08 of the Erie County Administrative Code for purposes of securing the services of University Psychiatric Practice dba UBMD Psychiatry to be retained to provide psychological evaluation services associated with the hiring of new Probation Officers and sworn Officers; and be it further

RESOLVED, that sufficient funding exist within the 2025 Operating Budgets for Department of Probation (Fund 110, Funds Center 12610) and Sheriff's Office (Fund 110, Funds

Centers 11510 & 11610) Account 516020 – Professional Services, Contracts & Fees to cover the costs; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, Sheriff's Office, Department of Law, Department of Personnel, Department of Probation, Division of Purchasing and Division of Budget & Management.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-35 COMPTROLLER 2015 Bonds - Refunding Bond Resolution

25COMM. 10E-35

Attachments



EC LEG MAY 19 '25 PM 4:29

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

May 19, 2025

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

Re: 2015 Bonds - Refunding Bond Resolution

Dear Honorable Legislators:

Please accept this communication as a placeholder for a refunding bond resolution for the County's 2015 Series A, B and C bonds.

The bond resolution is being completed by the County's bond counsel and will be available soon for your review and consideration.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Hardwick", is written over a faint, larger version of the same signature.

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

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

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10E-36	DISTRICT ATTORNEY	Authorization to Accept Grant Funding for Statewide Targeted Reductions in Intimate Partner Violence Grant
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Attachments

25COMM. 10E-36



OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

MICHAEL J. KEANE
DISTRICT ATTORNEY

May 20, 2025

GARY W. HACKBUSH
FIRST DEPUTY DISTRICT ATTORNEY

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

Re: Authorization to Accept Grant Funding for Statewide Targeted Reductions
in Intimate Partner Violence Grant

Honorable Members:

Please find attached a resolution requesting legislative authorization to accept grant funding from and enter into contracts with the New York State Division of Criminal Justice Services for the Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) Grant, a project involving the District Attorney's Office, Sheriff's Office, and Department of Probation in Erie County.

Thank you for your consideration of this matter. If your Honorable Body requires any further information, kindly contact our office and we will accommodate your request.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "MJK", is written over a horizontal line.

MICHAEL J. KEANE
DISTRICT ATTORNEY

MJK/lh

MEMORANDUM

To: Erie County Legislature
From: Michael J. Keane, District Attorney
Date: May 20, 2025
Re: Acceptance of Funding for Statewide Targeted Reductions in Intimate Partner Violence Grant

I. Summary of Recommended Action

Legislative authorization is requested to accept grant funding from the New York State Division of Criminal Justice Services, to establish grant budgets, and to enter into contracts with the New York State Division of Criminal Justice Services for the implementation of the Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) Grant Initiative for the period April 1, 2025 – March 31, 2026. Funds have been awarded to the District Attorney's Office, Department of Probation and the Sheriff's Office. The total state funding of \$2,379,496 also includes funding for the Buffalo Police Department and Child and Family Services.

II. Fiscal Implications of Proposal

The Division of Criminal Justice Services (DCJS) has awarded three Erie County departments a total of \$1,547,176:

District Attorney	\$954,964
Probation	423,238
Sheriff's Office	168,974
	\$1,547,176

- There will be a negligible amount of county share dollars needed to support the fringe benefits on overtime, parking reimbursement for staff per the CSEA contract provisions, and mileage that are unallowable costs as determined by DCJS.
- Grant Duration: 1 year: 4/1/25 – 3/31/26; however, given timing of final award notification and time involved in job postings/hiring process positions will not be filled until closer to June or later.

These monies will be funding the full salary and fringe benefits of six positions within the District Attorney's Office:

- Assistant District Attorney V (MC, JG 16)
 - Annualized: \$128,475 Balance of Year: \$83,042
- Assistant District Attorney V (MC, JG 16)
 - Annualized: \$128,475 Balance of Year: \$83,042
- Victim/Witness Case Manager (CSEA, JG 9)
 - Annualized: \$71,064 Balance of Year: \$40,529
- Victim Advocate (CSEA, JG 7)

- Annualized: \$52,562 Balance of Year: \$24,690
- Discovery Analyst (MC, JG 13)
 - Annualized: \$95,795 Balance of Year: \$61,919
- Assistant Project Coordinator Victim/Witness Program (CSEA, JG 9)
 - Annualized: \$62,935 Balance of Year: \$34,543

These monies will be funding the full salary and fringe benefits of one position within the Sheriff's Office:

- Detective Deputy (PBA, JG 9)
 - Annualized: \$98,663 Balance of Year: \$41,742

These monies will be funding the full salary and fringe benefits of two positions within the Department of Probation:

- Probation Officer (CSEA, JG 11)
 - Annualized: \$90,845 Balance of Year: \$37,846
- Assistant Crime Analyst (CSEA, JG 12)
 - Annualized: \$87,938 Balance of Year: \$36,635

III. Reason for Recommendation and Background of Proposal

Erie County was identified as a jurisdiction eligible to receive \$2,379,496 through the State's new initiative to reduce intimate partner violence through evidence-based, survivor-centered, trauma-informed, and culturally responsive interventions. Funds have been awarded to the District Attorney's Office, the Sheriff's Office, Department of Probation, Buffalo Police Department and Child & Family Services. The intent of the STRIVE initiative is to drive a collaborative approach to fighting intimate partner violence with joint partners representing police, prosecutors and victim service providers.

IV. Consequences of Negative Action

Not accepting this grant will be a detriment to serving the victims of intimate partner violence. We would be unable to further the intimate partner violence reduction initiative or achieve the programs goals developed by DCJS.

V. Steps Following Approval of Measure

The funded Departments will work with the Division of Budget and Management and the Comptroller's Office to implement this proposal.

**RESOLUTION SUBMITTED BY THE
DISTRICT ATTORNEY**

Re: STRIVE Grant

WHEREAS, the Erie County District Attorney, Sheriff's Office and Probation Departments are committed to providing the resources necessary to assist survivors of domestic and intimate partner abuse, and

WHEREAS, the NYS Division of Criminal Justice Services has awarded County agencies funds through the Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) initiative for the period of April 1, 2025 to March 31, 2026:

- Erie County District Attorney's Office's \$954,964, which includes \$100,000 awarded to ECMC BRAVE Trauma Recovery Center
- Erie County Sheriff's Office \$168,974
- Erie County Probation Department \$423,238; and

WHEREAS, authorization is required by the Erie County Legislature for the County Executive to enter into grant contracts and accept grant funding; and

WHEREAS, no county contribution is required to accept this grant,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the NYS Division of Criminal Justice Services to accept funding through the Statewide Targeted Reductions in Intimate Partner Violence Initiative (STRIVE); and be it further

RESOLVED, authorization is provided to create the following positions in the District Attorney's Office in fund 281, fund center 11400:

- Two positions of Assistant District Attorney V (JG 16)
- One position of Victim Witness Case Manager (JG 9)
- One position of Victim Advocate (JG 7)
- One position of Discovery Analyst (JG 13)
- One position of Assistant Project Coordinator Victim/Witness Program (JG 9); and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's STRIVE Grant as follows:

Erie County District Attorney's Office
Statewide Targeted Reductions in Intimate Partner Violence Initiative (STRIVE)

April 1, 2025 - March 31, 2026
Fund: 281, Cost Center: 1140050, Grant: 114STRIVE2526

REVENUE

409000 – State Aid Revenues	\$954,964
TOTAL	\$954,964

APPROPRIATIONS

500000 – Full Time Salaries	\$470,525
502000 – Fringe Benefits	235,261
516010 – Contracts Non-Profit Services	100,000
510100 – Out of Area Travel	3,000
510200 – Employee Training	8,000
561410 – Lab & Technical Equipment	138,178
TOTAL	\$954,964

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a sub-contract with ECMCC's BRAVE Trauma Recovery Center as per state authorized funding levels; and be it further

RESOLVED, that the Erie County District Attorney's Office is authorized to purchase CELLEBRITE equipment/software, a forensic tool used by law enforcement to analyze data from various digital sources; and be it further

RESOLVED, authorization is provided to create one position of Detective Deputy in the Sheriff's Office in fund 281, fund center 11510; and be it further

RESOLVED, the Division of Budget and Management is authorized to establish the Sheriff's Office STRIVE grant as follows:

Erie County Sheriff's Office
Statewide Targeted Reductions in Intimate Partner Violence Initiative (STRIVE)
April 1, 2025 – March 31, 2026
Fund 281, Funds Center 11510, 115STRIVE2526

REVENUE

409000 – State Aid Revenues	\$168,974
TOTAL	\$168,974

APPROPRIATIONS

500000 – Full Time Salaries	\$98,663
501000 – Overtime	\$20,000
500300 – Shift Differential	\$1,400
500320 – Uniform Allowance	\$1,500

500330 – Holiday Worked	\$1,250
500340 – Lineup Pay	\$4,500
500350 – Other Employee Payments	\$5,600
502000 – Fringe Benefits	\$35,081
<u>510100 – Out of Area Travel</u>	<u>\$980</u>
TOTAL	\$168,974

and be it further

RESOLVED, authorization is provided to create the following positions within the Department of Probation in fund 281, fund center 12610:

- One position of Probation Officer (JG 11)
- One position of Assistant Crime Analyst (JG 12); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the Division of Budget and Management to establish the grant as follows:

Erie County Probation Department
Statewide Targeted Reductions in Intimate Partner Violence Initiative (STRIVE)
April 1, 2025– March 31, 2026
Fund 281, Cost Center: 1261020, Grant: 126STRIVE2526

REVENUE

409000 – State Aid Revenue	\$423,238
<u>479000 – County Share Contribution</u>	<u>\$8,270</u>
TOTAL	\$431,508

APPROPRIATIONS

500000 – Full Time Salaries	\$178,783
501000 - Overtime	\$31,838
502000 – Fringe Benefits	\$95,901
506200 – Maintenance & Repair	\$4,000
510000 – Mileage	\$1,760
510100 – Out of area Travel	\$5,186
510200 – Training and Education	\$5,000
<u>516030 – Maintenance Contracts</u>	<u>\$109,040</u>
TOTAL	\$431,508

RESOLVED, that the Director of Budget and Management is authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor-authorized changes to award amounts; and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, Erie County Executive, Erie County Comptroller, Department of Personnel, Director of Budget and Management, Probation Department (c/o Jeff Lipman, Room 112, 1 Niagara Plaza), and Sheriff's Office.

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT

COMM. 10D-1 ECDSS COMMISSIONER Comm. 12E-34 Compliance Report

Attachments

25COMM. 10D-1



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 7, 2025

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 April.

	April	Change Since March
Caseload size at the last day of the Month	1,110	-24
Number of CPS workers assigned at least five cases last day of month	90	0
Average number of cases per worker	12.33	-0.27
Cases Closed in Month	708	8
Intake during Month	705	6
Overdue Investigations at the last day of month	112	-27
Timely Determinations during month	473	34

Thank you.

Sincerely,

Karen Rybicki, Commissioner
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10D-2

COUNTY ATTORNEY

Forensic Audit of the Clerk's Concentration
Account

Attachments

25COMM. 10D-2



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

May 14, 2025

Hon. Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, New York 14202

Re: Forensic Audit of the Clerk's Concentration Account
Our File No.: 7-20240002

Dear Mr. Kearns:

I write in response to your letter addressed to me, dated May 8, 2025, as well as the letter you sent to the Erie County Legislature, dated May 12, 2025, regarding the ongoing audit of your office being conducted by Weaver.

Attached please find a memo and attachments from Weaver regarding confidentiality. I can assure you none of the emails of Alex McDougall have been publicly disclosed nor will they be. Moreover, unless specifically authorized by this office, Weaver will not even review any of the emails. Even when Weaver is ultimately permitted to view an email, any private information in that particular email will remain private.

In terms of rendering an opinion about the disclosure of emails to Weaver, it was always my intention to render those opinions based upon the individual email involved. Thus, Assistant County Attorney Aaron Rubin and I have devised a list of search terms that we anticipate will identify potential emails with sensitive information. Weaver will set aside all emails with those terms. Then Weaver will conduct their own search using whatever terms they deem appropriate for their purposes. Any emails that Weaver identifies as relevant to their investigation that are also flagged as containing potentially confidential information will be reviewed by Aaron Rubin and myself. At that point, we will notify your office, share the email in question, and our opinion as to whether it or any part should be disclosed to Weaver. I do not know how to render a conclusive opinion without reviewing the individual email in question.

That said, and to the extent it may be helpful, Aaron Rubin has reviewed the general concept of sharing these emails with the auditor and has found no statutory barrier to that action. But let me repeat, no documents or data has been or will be disclosed to the public. It is normal for third-party contractors that assist government agencies and, in so doing, to gain access to sensitive data or documents. Moreover, a government officer, department, or agency acting within the scope of its powers and duties is regularly granted access to potentially sensitive data or documents maintained by another.¹

The auditor, Weaver, is subject to explicit confidentiality rules and is working at the direction of the County Attorney's office, as the County Legislature mandated. Under Sections 209 and 501(3) of the New York County Law and Sections 202(8) and 602 of the Erie County Charter, the County Legislature has the powers and duty to make investigations as it deems to be in the County's best interest and into any subject matter within its jurisdiction, "including the conduct and performance of official duties of any officer or employee paid from county funds and the accounting for all money or property owned by or under the control of the county".

Please note, the process explained above is cumbersome and not legally required to preserve confidentiality. Weaver is under contract with my office and bound by confidentiality, as described above, as well as their own professional ethical obligations. They are not an "outside agency", independent from my office, free to do what they want with these emails. However, out of deference to your concerns, we have devised a more elaborate process with an additional layer of screening that will necessarily require more time and effort. That said, you are fundamentally mistaken in your belief that Alex McDougall's emails, or any county employee's emails, are yours. Government records, in whatever form they are kept, are not the exclusive possession of any one elected official or officer.

You also raise a concern that Alex McDougall "had access to sealed records and data relating to pistol permits and criminal records..." You may be confusing access to an electronic database where confidential information is stored and an email. If Alex McDougall accessed a system in which this information was stored that will not be captured in his email and so would not be reviewed by anyone in my office or at Weaver.

On the other hand, if Alex McDougall somehow captured data from one of these systems and then emailed that information to someone else, that email would be reviewed. So, for example, it appears from your public comments, Alex McDougall had access to DCJS criminal history record information. The criminal record history itself would not appear in his emails unless Alex McDougall took the information from the DCJS system and emailed it to someone else. If that occurred, that email is potentially a violation of DCJS rules. Thus, it would not be the reproduction of that email for Weaver's review that would be the violation, but the original email that was sent. However, even in that situation, our screening process should flag that particular email and allow us to remove any confidential information before Weaver's review.

¹ See, e.g., *N.Y.C. Compt. v. N.Y.C. Dep't of Fin.*, 46 Misc. 3d 403 (Sup. Ct. N.Y. Cty. 2014) (requiring a municipal Department of Finance to provide confidential tax data to the City Comptroller); Education Law § 2-d (setting confidentiality requirements for third party contractor or subcontractor access to protected student data).

Hon. Michael P. Kearns
Erie County Clerk
May 14, 2025
Page 3

Turning to your May 12th letter to the Erie County Legislature, I will remind you that I was reluctant to be put in the position of having the County Attorney's office conduct or supervise this audit. Had you chosen not to ignore the original County Legislative Resolution, my office would not have been involved at all. It was only your disregard of the Legislature that prompted them to pass a second resolution directing my office to coordinate this review. Should the Legislature determine it is no longer necessary for the County Attorney's Office to facilitate this audit, they can rescind the resolution directing same. Absent such action by the Legislature, this audit will continue.

Finally, as I have told you many times in the past, simply because you disagree with my opinion and simply because I am appointed by the County Executive, does not create a legal conflict entitling you to independent legal counsel paid for by the County Attorney's budget. You are of course entitled to commission your opinion at your own cost. Given you have two attorneys in senior positions, I am not sure why you feel there is a need for another opinion and if they have useful research that they wish to share I am always grateful for assistance.

I will not respond to the histrionics demonstrated at your press conference last week other than to say you misinformed the public, though I am not sure if that was deliberate or just based on a misunderstanding of this process. I would ask that you publicly clarify that no private information was disclosed to the public, nor will such information be made public.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney
Direct Dial: (716) 858-2204
E-mail: jeremy.toth@erie.gov

JCT/dld

Attachment

cc: Erie County Legislature
Hon. Mark C. Poloncarz, Erie County Executive
Dr. Kevin R. Hardwick, Erie County Comptroller
Hon. John C. Garcia, Erie County Sheriff
Hon. Michael J. Keane, Erie County District Attorney



**ERIE COUNTY– FORENSIC SERVICES
ATTN: ERIE COUNTY’S DEPARTMENT OF LAW**

Memorandum

To: Jeremy Toth, Erie County Attorney

From: Weaver

Date: May 12, 2025

Subject: Overview of Confidentiality and Data Security Protocols

This memorandum outlines key procedures and contractual language relevant to the handling of confidential information in the context of our ongoing engagement. The following exhibits are included to provide clarity and reference for our data management and security practices:

- **Exhibit A:** Email Data Handling Procedures – A summary of internal protocols for managing and securing email communications containing sensitive information.
- **Exhibit B:** Security Details from Disco – An overview of the security measures implemented by Disco, our e-discovery platform, to protect client data.
- **Exhibit C:** Engagement Letter Confidentiality Language – Excerpts from the engagement letter that define the terms and obligations related to confidentiality.

Tim Mohr, Partner

May 12, 2025

Exhibit A

CONFIDENTIAL



**ERIE COUNTY—FORENSIC SERVICES
ATTN: ERIE COUNTY CLERK’S OFFICE
EMAIL DATA TRANSFER AND PRIVACY PROCEDURES**

Weaver agrees to handle all data in accordance with the procedures outlined in Appendix A. We commit to ensuring that all data management practices comply with the specified guidelines to maintain the integrity, confidentiality, and security of the data.

Timothy L Mohr

Tim Mohr, Partner
April 21, 2025

Appendix A

Proposed Procedure to Obtain Emails:¹

1. Erie County (Department of Law) will provide to Weaver the population of Mr. McDougall's emails for the entirety of his employment at Erie County Clerk's Office ("McDougall's Emails").
2. Erie County (Department of Law) will provide to Weaver a list of keywords to identify emails subject to privacy concerns (the "Exclusion Keywords").
3. Weaver will ingest McDougall's Emails to an eDiscovery platform and will provide access to individuals designated by Erie County (Department of Law) ("Erie County Designated Individuals").
4. Erie County Designated Individuals will perform email searches on McDougall's Emails using the Exclusion Keywords. The objective is to identify the potential population of emails subject to privacy concerns ("Emails Subject to Privacy Concerns").
5. Weaver will work with Erie County Designated Individuals to remove the Emails Subject to Privacy Concerns from the eDiscovery platform.
6. Weaver will start the analysis of McDougall's Emails only after the Emails Subject to Privacy Concerns have been removed from the eDiscovery platform.
7. Erie County Designated Individuals will continue to have access to the eDiscovery platform throughout the duration of Weaver's Forensic Audit.
8. Erie County Designated Individuals will have the option to provide to Weaver supplementary keywords to identify additional emails subject to privacy concerns throughout the duration of Weaver's Forensic Audit.

¹ Meeting via WebEx held on February 18, 2025. Attendees: Robert Cathcart, Aaron Rubin, Logan Woods, Nathaniel Francis, and Victor Padilla.



Security Overview

DISCO's global technology infrastructure is designed to protect client data.

At a high-level:

- DISCO has obtained SOC2 Type 2 and ISO 27001 certifications from independent auditors.
- DISCO leverages Amazon Web Services (AWS) for server infrastructure through its data center located in Dublin, Ireland (for the EU/UK) and employs encryption on data at rest and in transit.
- Using DISCO Cecilia Q&A does not violate the EU Artificial Intelligence Act Article 5(1)(d)

COMPLIANCE WITH INTERNATIONAL SECURITY STANDARDS DISCO annually engages with independent auditors who certify DISCO's compliance with ISO 27001 and SOC 2 Type 2 standards. Proof of these certifications can be provided to clients and client's customers upon request and receipt of a signed NDA.

PUBLIC COMPANY REPORTING REQUIREMENTS As a publicly traded company (NYSE: LAW), DISCO is required to comply with the US SEC Cybersecurity Reporting Rules. These rules, which came into effect in July 2023, require mandatory notification to the SEC via a public filing within four business days after a company determines that it has experienced a material cyber security incident. These public companies cyber security reporting requirements add a layer of accountability and transparency.

ENTERPRISE DATA HOSTING DISCO uses AWS to provide enterprise availability and dependability for its hosted platform. A primary data center is supported with hot backups maintained throughout the AWS infrastructure to help reduce downtime in the event of service interruption.

INDEPENDENT SECURITY ASSESSMENT Completing their assessments on a monthly basis, respected third party risk platform [Bitsight](#) ranked DISCO's security program as "Advanced" in the past 18 months (Dec 2023). According to Bitsight this score positions DISCO within the top 10% of technology vendors across all sectors in terms of security practices and configurations.

ENCRYPTION Data is protected at rest with AES 256 encryption, using strong key management techniques. Host communications are protected with TLS, while a dedicated rapid file transfer tool uses AES 256 security.

ACCESS CONTROL DISCO provides clients with the ability to leverage both single sign-on (SSO) for internal users and multi-factor authentication (MFA) for external users. In addition, clients can use customizable role-based permissions in databases to restrict users' access to the information required to complete their tasks.

MONITORING DISCO does not currently have client-facing tools available to monitor access to client's databases.

CHAIN OF CUSTODY DISCO's services are designed to enable clients to establish and maintain a secure chain of custody which, if needed, can be audited and reported on. Client data is transferred and loaded into DISCO using one of the following four methods: (a) cloud connector for data sources like Microsoft 365, (b) High-Speed Uploader feature, (c) secure web browser feature, or (d) shipping of media to DISCO regional facilities. Once loaded to a DISCO database, client data is managed in a way to maintain its evidentiary integrity at all times.

NETWORK SECURITY OF PRODUCTION ENVIRONMENT Firewall and intrusion detection systems are in place, with 24/7 monitoring. Antivirus software is installed on production systems with regular updates. Quarterly vulnerability scanning and third-party penetration testing, including at both the network and application layers, are implemented to help DISCO identify potential vulnerabilities.

LAYERED SECURITY Development and test environments are logically separated from the production environment. Change control, patch management, and SDLC policies and procedures to support production security and stability.

When data is deactivated from a DISCO project, it remains present in the DISCO environment for up to 2 full billing periods following the deactivation date to allow clients to reactivate the database. If not reactivated within 31 days of deactivation, a full data destruction process is implemented. Data is unrecoverable beyond the 31 day grace period.

US MAINTENANCE ON EU DATABASES DISCO deploys software on a weekly basis to all instances across the globe. Software deployment is managed by US-based employees, however, the deployment process does not include accessing client data.

CECILIA & THE EU AI ACT Cecilia Q&A pulls answers directly from the documents in an Ediscovery database — and cites its sources. It does not have independent information about a person's personality traits or characteristics outside of the information contained in the database documents. Even were that information contained within the documents, Cecilia Q&A would clarify that any answer provided is based on the underlying documents and is not an independent prediction of risk.

DISCO Generative AI

Cecilia Q&A, Cecilia Q&A (single-doc), Cecilia doc summaries

PRIVACY AND SECURITY

DISCO takes the following steps that are designed to protect the confidentiality of client data processed by Cecilia:

- A thorough vendor selection process that includes security review and analysis of data retention and data protection policies.
- Verification that vendors do not allow LLMs to train on or retain client data.

As a result:

- LLMs do not train on client data or learn from client usage.
- LLMs do not retain client data after being queried and returning a response. LLMs forget the query, response, and client data used to generate the response immediately after providing the response.
- Vendors meet DISCO's ISO 27001 and/or SOC 2 Type 2 product certification.
- Data is encrypted at rest and in transit.

A current listing of the subprocessors DISCO uses is available online at:

csdisco.com/subprocessors. DISCO regularly evaluates and updates the LLMs used in DISCO products. To date, the following providers' LLMs have passed our rigorous testing standards: AWS-hosted Bedrock, Anthropic's Claude in AWS Bedrock, OpenAI, and Writer.

WHY CECILIA?

Lawyers are making the most of Cecilia's generative AI by:

- Jumpstarting theory of the case
- Understanding complex issues quickly
- Playing better defense
- Investigating difficult issues
- Improving productivity and performance
- Streamlining workflows

“
If we had Cecilia at the beginning of the case, we would have saved thousands of dollars and many hours.”

– Associate, Am Law 50 firm

Exhibit C

GENERAL TERMS

1. **Expenses.** In addition to the fee for our services, reasonable and necessary out-of-pocket expenses we incur (such as parking, reproduction and printing, postage and delivery, and out-of-market travel, meals, and accommodations) will be invoiced at cost. The total amount stated on each invoice will include a separate administrative and technology charge. The charge represents an estimated allocation of our support personnel, telecommunication, and technology infrastructure expenses. The amount stated on each invoice will also include any sales, use, gross receipts, excise, or other transaction tax imposed on our fees or expenses.

2. **Payment.** Any disagreement with the charges must be communicated to us in writing within thirty (30) days of the invoice date, after which any right to contest the invoices will be waived. For invoices not paid within sixty (60) days of the invoice date, a late charge will be added to any uncontested outstanding balance. The late charge will be assessed at a rate of half a percent (0.5%) of the unpaid balance per month. If invoices are not paid within ninety (90) days of the invoice date, this engagement (and any other engagements for the same party) will be placed on hold and we will stop work until the balance is brought current, or we may withdraw, and we will not be liable for any damages that may result.

3. **Term.**

A. This engagement ends at the earlier of the completion of our services described above, the provision of any deliverables described above, or the termination of this engagement. Any party may earlier terminate this engagement at any time with ten (10) days' written notice to the other party. If the engagement is terminated, our engagement will be deemed to have been completed upon written notification of termination, and we will be paid for our time expended and expenses incurred through the date of termination.

B. If we are requested to perform additional services not addressed in this engagement letter, we will communicate our ability to perform the services, the scope of additional services we agree to perform, and the fee arrangements we would use. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting the arrangement for performance of such additional services, those services will continue to be governed by the terms of this engagement letter.

4. **Ethical Conflict Resolution.** In the unlikely event that circumstances occur which we in our sole discretion believe could create a conflict with either the ethical standards of

our firm or the ethical standards of our profession in continuing our engagement, we may suspend our services until a satisfactory resolution can be achieved or we may resign from the engagement. We will provide notice of such conflict as soon as practicable and discuss any possible means of resolving the conflict prior to suspending our services.

5. [Intentionally Omitted]

6. **Confidentiality.**

A. During the course of this engagement, the parties may disclose to each other, orally, in writing, or otherwise, information that is identified as or which is otherwise categorized by law as proprietary, confidential, or privileged ("Confidential Information"). Confidential Information does not include material which (i) is in the public domain through no fault of the receiving party, (ii) was already known to the receiving party before it was first disclosed to the receiving party by or on behalf of the disclosing party related to this engagement, (iii) is received by the receiving party from third-parties without confidentiality restrictions, unless those third-parties were acting for or on behalf of the disclosing party related to this engagement, or (iv) is developed by the receiving party independently of, and without reference to, any Confidential Information communicated to the receiving party by or on behalf of the disclosing party. We will use the Confidential Information disclosed to us during this engagement solely to perform services for which we have been engaged.

B. We may be requested to make the Confidential Information available to regulators and other government agencies, pursuant to authority given by law or regulation. Responding to many such requests is mandatory. In those cases, we will follow C below. Access to such Confidential Information thereafter will be provided under our supervision and we may, upon their request, provide the regulator or agency with copies of all or selected portions of the Confidential Information. The requesting party may intend or decide to distribute the copies or information contained therein to others, including other regulators or agencies.

C. Unless otherwise stated herein, prohibited by law or direction of law enforcement, or agreed in writing, the parties will (i) provide prompt notice of any request received to make Confidential Information pertaining to this engagement, including any of our work product, available to outside parties not involved in the performance of these services and (ii) obtain written consent from the affected party before disclosing the Confidential Information in response to the request. If consent is withheld, the parties

will cooperate with any lawful efforts taken to minimize the disclosure or protect the Confidential Information.

D. We will invoice for reasonable and necessary time and out-of-pocket expenses we incur to respond to any request (such as a subpoena, summons, court order, or administrative investigative demand) pertaining to this engagement in a legal matter to which we are not a party. Our time to facilitate the response will be charged at our then-current standard hourly rates, our expenses (including attorney's fees) will be invoiced at cost, and our administrative and technology charge will be applied. If we agree to perform additional substantive services related to or arising out of the request, such matters may be the subject of a new engagement letter.

E. The parties agree to maintain Confidential Information using the same standard of care each uses to protect its own information of like importance but in no case less than a reasonable standard of care.

F. All rights to Confidential Information (including patent, trademarks, copyrights, or other intellectual property rights) shall remain vested in the disclosing party, and no rights in the Confidential Information are vested in the receiving party, except the limited right to use the Confidential Information solely to perform its obligations or exercise its rights under this engagement letter.

G. We will return or destroy the Confidential Information upon the disclosing party's request within a reasonable period of time, except that we will maintain any copies of the Confidential Information for the period necessary to comply with any applicable laws or professional standards and our own document retention policy (e.g. we will maintain our workpapers for seven (7) years from the date of any attest report we issue). Following such a period, we may destroy the Confidential Information without notice.

H. We may at times provide documents marked as drafts. Those documents are for review purposes only and should not be relied upon. They should not be distributed and should be destroyed, unless otherwise required by law.

I. We may transmit and store data via email, the cloud, or other electronic and Internet-based mechanisms to facilitate this engagement. Please be aware that those mediums inherently pose a risk of misdirection or interception of Confidential Information. Any request to limit such transmissions or use a different means of transmission or storage must be made in writing and we will not be responsible for any resulting compromise in data security.

J. We do not act as the host or repository of financial or non-financial information or as an information back-up service provider for our clients. It is the responsibility of our

clients to maintain a complete set of their own financial and non-financial data and records. If some portion of the data and records is contained only within our files, inform us before the issuance of our deliverable and we will provide a copy.

K. Unless otherwise stated herein or agreed in writing, neither this engagement nor engagement letter is intended for the benefit of any third party. Any party may inform us of any third party who will receive our deliverable. If we are not informed in writing by a party, we are not aware of the identity of such third parties and we do not anticipate their reliance upon our professional services or deliverable unless otherwise agreed in writing.

7. Limitations on Liability.

A. Each party to this engagement letter other than us gives the following releases to us and our partners, employees, and contractors, and each of their heirs, executors, personal representatives, successors and assigns ("Our Representatives"). We and Our Representatives are hereby released from and against any liability and costs, including related liabilities, losses, damages, costs, expenses, and attorneys' fees, resulting from or arising out of: (i) knowing misrepresentations or unintentional or unauthorized disclosures to us or Our Representatives by any party (other than us) or their officers or employees (except those of the Erie County Clerk's Office), (ii) disclosure of our work product to anyone not a party this engagement letter who we were not informed of in advance, or (iii) misdirection, interception, or failed delivery of information connected with this engagement during transmission, submission, or storage.

B. Our and Our Representatives' total aggregate liability pertaining to this engagement and engagement letter shall be limited to one (1) times the amount of our fees (excluding any reimbursable expenses) the party bringing the claim paid to us for the services in question. In no event shall we or Our Representatives be liable for indirect, incidental, consequential, special, multiple, exemplary, or punitive losses or damages—even if advised of their possible existence.

C. Satisfaction of a claim or cause of action arising from nonattest services (if any) which are part of this engagement or performed pursuant to this engagement letter shall only be sought from the limited liability partnership, Weaver and Tidwell, L.L.P. In no event will our partners, directors, employees, or agents be individually liable for any liability, damages, expenses, or losses of any nature, caused by or resulting from the engagement, engagement letter, or use of our work product. While we are entering into this

engagement letter on our own behalf, this paragraph is also intended for the benefit of Our Representatives.

D. All limitations on liability contained herein shall apply to the fullest extent permissible by applicable laws and professional standards (including, without limitation, any applicable rules and interpretations of the AICPA, PCAOB, and SEC), regardless of the cause of action (whether contract, negligence, or otherwise), except as finally determined to have resulted solely from our fraud, gross negligence, or willful misconduct.

8. Dispute Resolution Procedure.

A. No claim arising out of or relating to this engagement or engagement letter shall be filed more than two (2) years after the earlier of the termination of this engagement or the date of the delivery of our work product in question, if any. This limitation applies and begins to run even if no damage or loss has been suffered, or the injured or damaged party has not become aware of the existence or possible existence of a dispute.

B. If a dispute arises out of or relates to this engagement or engagement letter, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by mediation before resorting to litigation. In such event, the parties will attempt to agree upon a location, mediator, and mediation procedures.

C. This engagement letter and all disputes between the parties shall be governed by, resolved, and construed in accordance with the laws of the State of New York, without regard to conflict-of-law principles. Any action arising out of or relating to this engagement or engagement letter shall only be brought in, and each party agrees to submit and consent to the exclusive jurisdiction of the federal or state courts in the State of New York and convenience of those situated in Erie County, New York.

D. [Intentionally Omitted]

E. Whenever possible, this engagement letter shall be interpreted in such a manner as to be effective and valid under applicable laws, regulations, or published interpretation, but if any term of this engagement letter is declared illegal, unenforceable, or unconscionable, that term shall be severed or modified, and the remaining terms of the engagement letter shall remain in force. The court should in such case modify any term declared to be illegal, unenforceable, or unconscionable in a manner that will retain the intended term as closely as possible.

F. If because of a change in status or due to any other reason, any of the terms of this engagement or any contract we have now or enter into in the future with any of the other parties, would be prohibited by, or would impair our

independence when required under laws, regulations or published interpretations by governmental bodies, professional organizations or other regulatory agencies, such provision shall, to that extent, be of no further force and effect and the contract shall consist of the remaining portions.

9. Miscellaneous.

A. We have non-CPA owners who may provide services pertaining to this engagement.

B. We do not provide legal advice or services. If necessary, refer to appropriate legal counsel for advice or services of that nature.

C. This engagement letter sets forth all agreed upon terms and conditions of our engagement with respect to the matters covered herein and supersedes any that may have come before. This engagement letter may not be amended or modified except by further writing signed by all the parties. Any provisions of this engagement letter which expressly or by implication are intended to survive its termination or expiration will survive and continue to bind the parties. The use of electronic signatures or multiple counterparts to execute this engagement letter shall have the same force and effect as a manually or physically signed original instrument.

Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10D-3

DIRECTOR OF BUDGET
& MANAGEMENT

March 2025 Budget Monitoring Report

Attachments

25COMM. 10D-3



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 19, 2025

Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

Re: March 2025 Budget Monitoring Report

Dear Honorable Members:

Please find attached the Budget Monitoring Report (BMR) for the period ending March 31, 2025. Additionally, please see a position vacancy report as of March 31, 2025.

The BMR shows that for the first three (3) months of 2024 the County has a \$14,145,622 positive variance and can be attributed to several key factors.

As noted last month, the County is running a significant positive variance for sales tax as a result of the uniquely positive first quarter reconciliation adjustment. While March only showed modest growth of approximately 1%, through the first quarter (Jan – Mar) of the year, sales tax receipts grew by 8% or \$10.9 million versus the first quarter of 2024. Year-to-date growth stands at 7.75% or \$12.4 million. As positive as these early sales tax receipts are, I don't think we can assume this trend will continue due to the economic instability being caused at the federal level by the current Administration.

Also on the positive, Interest Earnings revenue is nearly \$2.2 million over budget for the period and nearly half of the total budgeted amount (\$4.7 million of \$10 million budget) for the year. While we should expect Interest Earnings to continue to be a significant source of overall positive variance within the 2025 Adopted Budget, reduced cash available for investments as appropriated funds are expended coupled with reduced interest rates will reduce overall earnings compared to the past few years.

Additionally, the County has realized \$1.5 million in county-share savings for the period on total personnel related costs which can be mostly attributed to vacancy savings. This is despite being more than \$725,584 over budget on overtime expenses, almost exclusively within the Sheriff's Police Services Division having expended nearly 37% of their annual budget at the first quarter mark. Other notable departments demonstrating negative overtime trends include: the Sheriff's Jail Management Division by \$70,922, Clerk's Auto Bureau by \$42,507, Buildings & Grounds by \$37,721, Youth Detention by \$34,761, Health Division by \$33,126 and Emergency Medical Services Division by \$28,896.

On the negative side, we have exceeded our Disproportionate Share Hospital (DSH) payment budget of \$35.3 million by nearly \$5 million as a result of a late February payment of \$40.2 million. This is, however, only temporary as we expect a net credit of \$6.7 million due back later this year to reconcile prior period over payments related to SFY 2021-22 and 2022-23.

Additionally, as a result of the Legislature's removal of the Clerk's Office Budget Book Resolution seeking certification of \$1.6 million in expenses related to the collection of mortgage tax required by New York State, the County is unable to withhold any revenues for its own purposes and must, instead, remit all collections to the NFTA, SONYMA and the various local municipalities proportionately. Despite the Legislature, subsequently, adopting INTRO 5-8 (2025), which certified \$672,302 in mortgage tax collection expenses and thus allowing for the retention of a like amount, the Clerk's Office has, thus far, declined to withhold any mortgage tax revenues, which would result in a year-end negative variance of \$1.6 million.

As the year progresses, we will continue to closely monitor sales tax receipts and growth trends and report to your Honorable Body.

I think it is also important to note that despite the early first quarter positive variance, we continue to be concerned about the potential costs associated with further federal aid cuts including those as part of the Concurrent Resolution on the Budget for FY25 (House Concurrent Resolution 14 or the "One Big Beautiful Bill Act") passed out of the House Budget Committee early this morning and expected to be voted on by the full House of Representatives this week. In a briefing hosted by NYSAC today, the loss of federal funding and programmatic cost shifts to New York State for Medicaid included in this legislation are estimated to be at least \$13.5 billion annually and will result in at least 1.5 million New Yorker's losing health insurance. While the specific impacts of these cuts to Erie County are not able to be quantified and will be entirely dependent on state actions, it is reasonable to assume that a significant portion of the costs will be shifted to the counties and, depending on the severity, may necessitate mid-year action.

As always, I am available to attend a meeting of your Honorable Body's Finance and Management Committee to report on the March BMR or any other fiscal matters.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Cornell', with a long horizontal flourish extending to the right.

Mark Cornell
Director of Budget and Management

cc: County Executive Mark C. Poloncarz
Erie County Fiscal Stability Authority

January-March 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed
Revenue							
Property Tax	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%
Property Tax Related	(18,152,176)	(4,461,938)	(3,886,194)	(575,744)	87%	(14,265,982)	21%
Sales Tax	(625,895,246)	(139,303,316)	(148,540,607)	9,237,291	107%	(477,354,639)	24%
Sales Tax to Local Govt.	(432,451,271)	(96,249,167)	(102,626,755)	6,377,588	107%	(329,824,516)	24%
Other Sources	(57,897,257)	(20,687,973)	(22,219,628)	1,531,655	107%	(35,677,629)	38%
Fees, Fines or Charges	(37,173,152)	(20,674,155)	(15,745,705)	(4,928,450)	76%	(21,427,448)	42%
Local Source Revenue	(1,483,420,663)	(593,228,110)	(604,870,449)	11,642,340	102%	(878,550,214)	41%
Federal Revenue	(235,410,682)	(78,288,385)	(73,606,418)	(4,681,967)	94%	(161,804,264)	31%
State Revenue	(246,373,323)	(60,189,667)	(59,818,384)	(371,283)	99%	(186,554,939)	24%
Interfund Revenue	(5,801,385)	0	0	0	0%	(5,801,385)	0%
County Revenue	(1,971,006,053)	(731,706,162)	(738,295,252)	6,589,090	101%	(1,232,710,801)	37%
Expenses							
Salaries	312,074,956	75,453,988	68,901,626	6,552,362	91%	243,173,330	22%
Non-Salaries	38,776,722	9,381,644	10,572,817	(1,191,173)	113%	28,203,905	27%
Countywide Adjustments	(11,374,909)	(2,749,072)	0	(2,749,072)	0%	(11,374,909)	0%
Personnel Related Expense	339,476,769	82,086,560	79,474,443	2,612,118	97%	260,002,326	23%
Fringe Benefit Total	172,679,800	41,754,738	31,381,858	10,372,879	75%	141,297,942	18%
Supplies and Repairs	14,619,631	4,845,709	2,240,024	2,605,685	46%	12,379,607	15%
Other	39,465,111	6,982,327	4,528,030	2,454,296	65%	34,937,080	11%
Contractual	731,164,290	173,173,212	179,257,482	(6,084,270)	104%	551,906,808	25%
Equipment	7,267,299	1,059,869	1,059,869	0	100%	6,207,430	15%
Allocations	96,932,635	12,511,786	12,610,765	(98,979)	101%	84,321,870	13%
Program Specific	594,333,755	165,889,877	170,317,029	(4,427,152)	103%	424,016,726	29%
Debt Services	45,015,517	6,859,346	6,859,346	0	100%	38,156,171	15%
All Other Operating Expense	1,528,798,237	371,322,125	376,872,545	(5,550,420)	101%	1,151,925,692	25%
County Expense	2,040,954,806	495,163,423	487,728,846	7,434,577	98%	1,553,225,960	24%
Net	69,948,753	(236,542,739)	(250,566,406)	14,023,667		320,515,159	

Note on the BMR:

The BMR helps the Budget Office identify, understand and resolve financial issues that may emerge during the year. The positive period variance indicated should not be interpreted as a projection of a year-end positive balance

ERIE COUNTY

January-March 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Revenue								
400000 Real Property Taxes	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%	
Property Tax	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%	
400010 Exemption Removal	(825,000)	(825,000)	(819,142)	0-	99%	(5,858)	99%	
400030 Gr/Sale-Tax Acq Prop	(10,000)	0	0	0	0%	(10,000)	0%	
400040 Other Pay/Lieu-Tax	(4,800,000)	(3,541,761)	(2,928,430)	(613,331)	83%	(1,871,570)	61%	
400050 Int&Pen on R P Taxes	(18,488,389)	(106,918)	(106,918)	(0)	100%	(18,381,471)	1%	
400060 Orlitted Taxes	(3,000)	(3,000)	(46,527)	43,527	1551%	43,527	1551%	
466060 Prop Tax Rev Adjust	5,974,213	14,823	14,823	0	100%	5,959,390	0%	
Property Tax Related	(18,152,176)	(4,461,938)	(3,886,194)	(575,662)	87%	(14,265,982)	21%	
402000 Sales Tax EC Purp	(236,000,098)	(52,525,716)	(56,005,924)	3,480,208	107%	(179,994,174)	24%	County Share of sales tax is showing a
402100 1% Sales Tax-EC Purp	(222,830,950)	(49,594,705)	(52,877,892)	3,283,187	107%	(169,953,058)	24%	positive variance of \$9.2M through March
402-20 .25% Sales Tax	(55,688,066)	(12,394,298)	(13,218,930)	824,632	107%	(42,469,136)	24%	as a result of a significant Q1 reconciliation.
402-30 .5% Sales Tax	(111,376,132)	(24,788,596)	(26,437,860)	1,649,264	107%	(84,938,272)	24%	
Sales Tax	(625,895,246)	(139,303,316)	(148,540,607)	9,237,291	107%	(477,354,639)	24%	
402140 Sales Tax to Loc Gov	(432,451,271)	(96,249,167)	(102,626,755)	6,377,588	107%	(329,824,516)	24%	
Sales Tax to Local Govt.	(432,451,271)	(96,249,167)	(102,626,755)	6,377,588	107%	(329,824,516)	24%	
402300 Hotel Occupancy Tax	(14,300,000)	(3,070,475)	(3,070,475)	0	100%	(11,229,525)	21%	Per LL Intro 3-1 (2023) all Hotel Occupancy
402500 OT3 Betting & Gaming	(2,310,000)	(764,783)	(487,028)	(277,755)	64%	(1,822,972)	21%	Tax positive variance will be remitted to
402510 Video Lottery Aid	(288,560)	0	0	0	0%	(288,560)	0%	Visit Buffalo Niagara and will not contribute
402510 Medical Mari Exc Tax	(160,000)	(40,000)	(130,000)	90,000	325%	(30,000)	81%	to any projected surplus.
402520 Tax-Cannabis	(370,000)	(92,500)	0	(92,500)	0%	(370,000)	0%	
415C10 Post Mortem Toxicol	(75,000)	(18,750)	(27,450)	8,700	146%	(47,550)	37%	Legislature removed Clerk budget
415100 Real Property Trans	(239,447)	(59,862)	(44,919)	(14,943)	75%	(194,528)	19%	resolution seeking certification of expenses
415160 Mortgage Tax	(1,577,535)	(394,384)	0	(394,384)	0%	(1,577,535)	0%	related to the collection of Mortgage Tax
415500 Prisoner Transport	(25,200)	(6,300)	0	(6,300)	0%	(25,200)	0%	required by NYS in advance of withholding.
415620 Commissary Reimb	(199,106)	(49,777)	(33,184)	(16,592)	67%	(165,922)	17%	It is currently expected that the Clerk will
415622 Jail Phone Revenue	(238,000)	(59,500)	0	(59,500)	0%	(238,000)	0%	withhold \$0, resulting in a \$1.6M negative
416540 Insurance	0	0	0	0	0%	0	0%	variance, remitting all to NFTA, SONYMA
416570 Post Exposure Rabies	(133,048)	(33,262)	(33,262)	0	100%	(99,786)	25%	and Local Municipalities
417200 Day Care Repay Recov	(122,919)	(30,730)	(39,751)	9,021	129%	(83,168)	32%	
417500 Repay Em Ast/Adults	(330,393)	(82,598)	(84,684)	2,086	103%	(245,709)	26%	
417510 Repay Medical Asst	(2,116,031)	(529,008)	(146,426)	(382,582)	28%	(1,969,605)	7%	
417520 Repay-Family Assist	(238,438)	(59,610)	(71,265)	11,655	120%	(167,173)	30%	
417530 Repay-Foster Care/Ad	(1,120,890)	(280,223)	(290,728)	10,506	104%	(830,162)	26%	
417550 Repay-SafetyNetAsst	(4,692,614)	(1,173,154)	(1,346,759)	173,606	115%	(3,345,855)	29%	
417550 Repay-Serv For Recip	(15,525)	(3,881)	(624)	(3,257)	16%	(14,901)	4%	
417570 SNAP Fraud Incentives	(41,181)	(10,295)	(9,907)	(388)	96%	(31,274)	24%	
417580 Repaymts-Handi Child	(100,544)	(25,136)	(7,842)	(17,294)	31%	(92,702)	8%	
418035 Recov-SafetyNet Bur	0	0	(10,163)	10,163	0%	10,163	0%	
418030 Repayments-IV D Adm	(4,089,023)	(1,022,256)	(1,079,551)	57,296	106%	(3,009,472)	26%	
418110 Comm Coll Respreads	(9,026,388)	(9,026,388)	(9,026,388)	(0)	100%	(0)	100%	

January-March 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
418130 Comm Coll Reimb	(73,176)	(18,294)	(17,377)	(917)	95%	(55,799)	24%	
418410 OCSE Medical Payments	(1,091,028)	(272,757)	(213,833)	(58,924)	78%	(877,195)	20%	
418430 Donated Funds	(730,000)	(182,500)	(24,750)	(157,750)	14%	(705,250)	3%	
420020 ECC Cap Cons-Otr Gvt	(95,000)	0	0	0	0%	(95,000)	0%	
420499 OthLocal Source Rev	(132,494)	(42,624)	(19,000)	(23,624)	45%	(113,494)	14%	
420500 Rent-RI Prop-Concess	(33,500)	(8,375)	(9,160)	785	109%	(24,340)	27%	
420520 Rent-RI Prop-Rtw-Eas	(1,200)	(300)	(64)	(236)	21%	(1,136)	5%	
420540 Rent - 608 William	0	0	(12,443)	12,443	0%	12,443	0%	
420550 Rent-663 Kensington	(14,292)	(3,573)	(3,573)	0	100%	(10,719)	25%	
420560 Rent-1500 Broadway	(258,565)	(64,641)	(42,373)	(22,269)	66%	(216,192)	16%	
421550 Frft Crime Proceed	(25,000)	(6,250)	(58,374)	52,124	934%	33,374	233%	
422000 Copies	(8,100)	(2,025)	(2,160)	135	107%	(5,940)	27%	Insurance recovery related to prosecuted theft of revenues by former Clerk's Office employee
422020 Insurance Recovery	0	0	(295,159)	295,159	0%	295,159	0%	
422040 Gas Well Drill Rents	(1,500)	(375)	0	(375)	0%	(1,500)	0%	
422050 E-Payable Rebates	0	0	(1,428)	1,428	0%	1,428	0%	
423000 Refunds P/Y Expend	(1,000)	(250)	(20,013)	19,763	8005%	19,013	2001%	
445000 Recovery Int - SID	(190,239)	(47,560)	(57,554)	9,994	121%	(132,685)	30%	Through 25% of the year, interest earnings stand at \$4.7M and have exceeded the YTD budget by \$2.2M.
445030 Int & Earn - Gen Inv	(8,008,000)	(2,002,000)	(4,075,884)	2,073,884	204%	(3,932,116)	51%	
445040 Int & Earn-3rd Party	(2,000,000)	(500,000)	(584,829)	84,829	117%	(1,415,171)	29%	
466000 Misc Receipts	(409,650)	(102,413)	(71,724)	(30,689)	70%	(337,926)	18%	
466020 Minor Sale - Other	(20,500)	(5,125)	(1,436)	(3,689)	28%	(19,064)	7%	
466070 Refunds P/Y Expenses	(1,158,124)	(289,531)	(221,961)	(67,570)	77%	(936,163)	19%	
466120 Other Misc DISS Rev	(3,400)	(850)	(1,050)	200	124%	(2,350)	31%	
466130 Oth Unclass Rev	0	0	(15,012)	15,012	0%	15,012	0%	
466150 Chlamydia Study Forms	(8,000)	(2,000)	(1,408)	(592)	70%	(6,592)	18%	
466180 Unanticip P/Y Rev	0	0	(192,192)	192,192	0%	192,192	0%	
466260 Intercept-LocalShare	(144,044)	(36,011)	(34,206)	(1,805)	95%	(109,838)	24%	
466280 Local Srce - ECMCC	(20,000)	(5,000)	(5,164)	164	103%	(14,836)	26%	
466360 Stadium Reimbursement	(900,000)	(75,000)	(162,650)	87,650	217%	(737,350)	18%	
466370 Key Bnk Ctr Reimb	(420,000)	(105,000)	(105,000)	0	100%	(315,000)	25%	
467000 Misc Depart Income	(8,903)	(2,226)	0	(2,226)	0%	(8,903)	0%	
479-00 Other Contributions	(10,000)	0	0	0	0%	(10,000)	0%	Through 25% of the year, the County has achieved 38% of the annual Other Sources revenue budget.
480020 Sale-Excess Material	(292,700)	(73,175)	(24,318)	(48,857)	33%	(268,382)	8%	
480030 Recycling Revenue	(29,000)	(7,250)	(5,128)	(2,122)	71%	(23,872)	18%	
Other Sources	(57,897,257)	(20,687,973)	(22,219,628)	1,531,655	107%	(35,677,629)	38%	
406610 STD Clinic Fees	(222,470)	(55,618)	(63,627)	8,010	114%	(158,843)	29%	
415000 Medical Exam Fees	(802,875)	(200,719)	(147,523)	(53,196)	73%	(655,352)	18%	
415050 Treasurer Fees	(125,000)	(31,250)	(21,288)	(9,962)	68%	(103,712)	17%	
415105 Passport Fees	(100,000)	(25,000)	(25,445)	445	102%	(74,555)	25%	
415110 Court Fees	(387,193)	(96,798)	(120,075)	23,277	124%	(267,118)	31%	
415120 Small Claims AR Fees	(1,328)	(332)	(125)	(207)	38%	(1,203)	9%	
415130 Auto Fees	(6,405,783)	(1,601,446)	(1,370,757)	(230,688)	86%	(5,035,026)	21%	

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Summary by Account Type

Account Type	Annual Budget	Period Budget		Actuals	Period Available		% of Period Budget Consumed		Annual Available Budget		% of Annual Budget Consumed		Comments/Key Items
		January-March	January-March		January-March	January-March	January-March	January-March	January-March	January-March	January-March	January-March	
415140 Comm of Educ Fees	(135,936)	(33,984)	(24,160)	(1,265,033)	(9,824)	71%	(111,776)	18%	(111,776)	(111,776)	18%		
415150 Recording Fees	(4,725,000)	(1,181,250)	(1,265,033)	(1,265,033)	83,783	107%	(3,459,967)	27%	(3,459,967)	(3,459,967)	27%		
415180 Vehicle Use Tax	(6,295,202)	(1,573,801)	(1,472,112)	(1,472,112)	(101,688)	94%	(4,823,090)	23%	(4,823,090)	(4,823,090)	23%		
415185 E-Z Pass Tag Sales	0	0	(775)	(775)	775	0%	775	0%	775	775	0%		
415200 Civil Serv Exam Fees	(40,000)	0	0	0	0	0%	(40,000)	0%	(40,000)	(40,000)	0%		
415510 Civil Proc Fees-Sher	(1,105,000)	(276,250)	(218,273)	(218,273)	(57,977)	79%	(886,727)	20%	(886,727)	(886,727)	20%		
415520 Sheriff Fees	(45,000)	(11,250)	(9,260)	(9,260)	(1,990)	82%	(35,740)	21%	(35,740)	(35,740)	21%		
415500 Inmate Discip Surch	(17,500)	(4,375)	(6,308)	(6,308)	1,933	144%	(11,192)	36%	(11,192)	(11,192)	36%		
415505 Drug Testing Charge	(25,000)	(6,250)	(9,608)	(9,608)	3,358	154%	(15,392)	38%	(15,392)	(15,392)	38%		
415510 Restitution Surcharge	(15,000)	(3,750)	(3,813)	(3,813)	63	102%	(11,187)	25%	(11,187)	(11,187)	25%		
415530 Bail Fee-Alt / Incar	(4,500)	(1,125)	0	0	(1,125)	0%	(4,500)	0%	(4,500)	(4,500)	0%		
415640 Probation Fees	(400,000)	(100,000)	(131,899)	(131,899)	31,899	132%	(268,101)	33%	(268,101)	(268,101)	33%		
415650 DWI Program	(982,802)	(245,701)	0	0	(245,701)	0%	(982,802)	0%	(982,802)	(982,802)	0%		
415670 Elec Monitoring Ch	(9,000)	(2,250)	(4,170)	(4,170)	1,920	185%	(4,830)	46%	(4,830)	(4,830)	46%		
415675 Comm Engagement Serv	(69,720)	(17,430)	(15,958)	(15,958)	(1,472)	92%	(53,762)	23%	(53,762)	(53,762)	23%		
415680 Pmt-Home Care Review	(4,000)	(1,000)	(7)	(7)	(993)	1%	(3,993)	0%	(3,993)	(3,993)	0%		
416020 Comm Sanitat & Food	(1,175,000)	(293,750)	(297,885)	(297,885)	4,135	101%	(877,115)	25%	(877,115)	(877,115)	25%		
416030 Realty Subdivisions	(12,000)	(3,000)	(1,475)	(1,475)	(1,525)	49%	(10,525)	12%	(10,525)	(10,525)	12%		
416040 Individ Sewr Sys Opt	(725,000)	(181,250)	(78,854)	(78,854)	(102,396)	44%	(646,146)	11%	(646,146)	(646,146)	11%		
416090 Pen & Fines-Health	(20,000)	(5,000)	(31,900)	(31,900)	26,900	638%	11,900	160%	11,900	11,900	160%		
416-50 PPJ Tests	(8,580)	(2,145)	(100)	(100)	(2,045)	5%	(8,480)	1%	(8,480)	(8,480)	1%		
416-60 TB Outreach	(47,380)	(11,845)	(10,825)	(10,825)	(1,020)	91%	(36,555)	23%	(36,555)	(36,555)	23%		
416-90 Immunizations/Service	(8,283)	(2,071)	(1,645)	(1,645)	(426)	79%	(6,638)	20%	(6,638)	(6,638)	20%		
416580 Training Course Fees	(63,910)	(15,978)	(75,600)	(75,600)	59,623	473%	11,690	118%	11,690	11,690	118%		
416610 Pub Health Lab Fees	(381,000)	(95,250)	(62,798)	(62,798)	(32,452)	66%	(318,202)	16%	(318,202)	(318,202)	16%		
416920 Medicd-Early Interv	(225,250)	(56,313)	(56,313)	(56,313)	1	100%	(168,937)	25%	(168,937)	(168,937)	25%		
416930 Ambulance Services	(375,000)	(93,750)	(240,946)	(240,946)	147,196	257%	(134,054)	64%	(134,054)	(134,054)	64%		
418040 Inspect Fee Wght/Meas	(145,546)	(36,387)	(45,916)	(45,916)	9,530	126%	(99,630)	32%	(99,630)	(99,630)	32%		
418050 Item Price Waivr Fee	(201,000)	(50,250)	(146,875)	(146,875)	96,625	292%	(54,125)	73%	(54,125)	(54,125)	73%		
418-00 Subpoena Fees	(8,517)	(2,129)	(3,015)	(3,015)	885	142%	(5,502)	35%	(5,502)	(5,502)	35%		
418500 Park & Rec Chgs-Camp	(220,000)	(96,120)	(106,414)	(106,414)	10,294	111%	(113,586)	48%	(113,586)	(113,586)	48%		
418510 Park & Rec Chgs-Shel	(505,000)	(223,111)	(224,500)	(224,500)	1,389	101%	(280,500)	44%	(280,500)	(280,500)	44%		
418520 Chgs-Park Emp Subsis	(16,200)	(4,050)	(2,990)	(2,990)	(1,060)	74%	(13,210)	18%	(13,210)	(13,210)	18%		
418530 Golf Chg-Other Fees	(360,000)	0	0	0	0	0%	(360,000)	0%	(360,000)	(360,000)	0%		
418540 Golf Chg-Greens Fees	(795,000)	(232,375)	(205,475)	(205,475)	(26,900)	88%	(589,525)	26%	(589,525)	(589,525)	26%		
418550 Sale of Forest Prod	(9,500)	(2,375)	(2,496)	(2,496)	121	105%	(7,004)	26%	(7,004)	(7,004)	26%		
418590 Spec Events Receipts	(3,000)	(750)	0	0	(750)	0%	(3,000)	0%	(3,000)	(3,000)	0%		
420000 Tx&Assm Svs-Oth Govt	(180,000)	(180,000)	(177,985)	(177,985)	(2,015)	99%	(2,015)	99%	(2,015)	(2,015)	99%		
420010 Elec Exp Other Govt	(8,907,562)	(8,907,562)	(8,907,562)	(8,907,562)	0	100%	0	100%	0	0	100%		
420030 Pol ce Svcs-Oth Govt	(307,550)	(76,888)	(77,158)	(77,158)	270	100%	(230,392)	25%	(230,392)	(230,392)	25%		
420040 Jail Facil - Oth Gov	0	0	(750)	(750)	750	0%	750	0%	750	750	0%		
420190 Gen Svc-Oth Gov	(960)	(240)	(240)	(240)	0	100%	(720)	25%	(720)	(720)	25%		

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Summary by Account Type

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
420271 CESQG Charges	(87,500)	(21,875)	0	(21,875)	0%	(87,500)	0%	
421000 Pistol Permits	(236,927)	(59,232)	(41,656)	(17,576)	70%	(195,271)	18%	
421500 Fines&Forfeited Bail	(9,000)	(2,250)	(3,175)	925	141%	(5,825)	35%	
421510 Fines and Penalties	(2,238)	(560)	(3,660)	3,101	654%	1,422	164%	After 25% of the year, the County has
466010 NSF Check Fees	(2,940)	(735)	(946)	211	129%	(1,994)	33%	achieved 42% of the annual Fees, Fines, or
466190 Item Pricing Penalty	(200,000)	(50,000)	(23,260)	(26,740)	47%	(176,740)	12%	Charges revenue budget.
466340 STCPDWI VIP Prs Fees	(15,000)	(3,750)	(3,075)	(675)	82%	(11,925)	21%	
Fees, Fines or Charges	(37,173,152)	(16,180,565)	(15,745,705)	(434,860)	97%	(21,427,448)	42%	
Local Source Revenue	(1,483,420,663)	(588,734,458)	(604,870,449)	16,136,012	103%	(878,550,214)	41%	
405570 ME 50% Fed Presch	(4,458,750)	(1,114,688)	(1,114,688)	0	100%	(3,344,062)	25%	
410070 FA-IV-B Preventive	(1,241,284)	(310,321)	(231,729)	(78,592)	75%	(1,009,555)	19%	
410080 FA-Admin Chargeback	1,835,629	458,907	458,908	(1)	100%	1,376,721	25%	
410120 FA-SNAP ET 100%	(338,786)	(84,697)	(86,771)	2,075	102%	(252,015)	26%	
410150 SSA-SSI Pri Inc Prg	(29,000)	(7,250)	(4,400)	(2,850)	61%	(24,600)	15%	
410240 HLD Rev D14.267 CoC	(7,066,371)	(1,724,344)	(1,660,833)	(63,511)	96%	(5,405,538)	24%	
410500 FA-Civil Defense	(340,921)	(85,230)	(85,230)	0	100%	(255,691)	25%	Federal Aid
410510 Fed Drug Enforcement	(20,000)	(5,000)	0	(5,000)	0%	(20,000)	0%	
410520 BuTalo Police Dept	(31,500)	(7,875)	(6,744)	(1,131)	86%	(24,756)	21%	Formula-driven Federal Aid
411000 MH Fed Medi Sal Sh	(856,677)	(212,669)	(162,491)	(50,178)	76%	(694,186)	19%	appears under budget, mainly in
411490 Fed Aid - TANF EFFE	(41,445,164)	(31,113,997)	(31,696,130)	582,133	102%	(9,749,034)	76%	Health and Human Service Departments, is
411495 FA - SYEP	(2,199,422)	(549,856)	(60,736)	(489,120)	11%	(2,138,686)	3%	offset by savings in associated
411500 Fed Aid - MA In House	1,590,610	397,653	146,451	251,202	37%	1,444,159	9%	expenditures.
411520 FA-Family Assistance	(37,605,744)	(8,401,436)	(7,696,889)	(704,547)	92%	(29,908,855)	20%	
411540 FA-Social Serv Admin	(24,862,311)	(4,715,578)	(4,307,120)	(408,458)	91%	(20,555,191)	17%	
411550 FA-Soc Serv Adm A-87	(2,483,160)	(620,790)	(231,449)	(389,341)	37%	(2,251,711)	9%	
411570 Fed Aid - SNAP Admin	(19,015,464)	(5,753,866)	(3,101,051)	(2,652,815)	54%	(15,914,413)	16%	
411580 Fed Aid - SNAP ET 50%	(5,286,643)	(1,321,661)	(720,135)	(601,526)	54%	(4,566,508)	14%	
411590 FA-HEAP	(4,258,266)	(1,064,567)	(1,470,398)	405,831	138%	(2,787,868)	35%	
411610 FA-Serv/Recipients	(5,347,532)	(336,883)	413,639	(750,522)	-123%	(5,761,171)	-8%	
411640 FA-Daycare Block Grt	(57,775,186)	(16,443,797)	(16,464,165)	20,369	100%	(41,311,021)	28%	
411670 FA-Refugee&Entrants	(189,777)	(47,444)	(73,152)	25,708	154%	(116,625)	39%	
411680 FA-Foster Care/Adopt	(22,595,331)	(4,898,833)	(4,481,935)	(416,898)	91%	(18,113,396)	20%	
411690 FA-IV-D Incentives	(446,844)	(111,711)	(151,212)	39,501	135%	(295,632)	34%	
411700 FA-TANF Safety Net	(300,967)	(75,242)	(88,624)	13,382	118%	(212,343)	29%	
411750 Workforce Invest Act	0	0	0	0	0%	0	0%	
411780 Fec Aid-Medicaid Adm	(221,850)	(55,463)	(55,462)	(1)	100%	(166,388)	25%	
414000 Federal Aid	(227,000)	(56,750)	(646,129)	589,379	1139%	419,129	285%	
414010 Federal Aid - Other	(92,971)	0	0	0	0%	(92,971)	0%	After 25% of the year, the County has
414020 Misc Federal Aid	(100,000)	(25,000)	(26,097)	1,097	104%	(73,903)	26%	achieved 31% of the budgeted Federal
414030 FMAP Revenue	0	0	(1,847)	1,847	0%	1,847	0%	revenue.
Federal Revenue	(235,410,682)	(78,288,385)	(73,606,418)	(4,681,967)	94%	(161,804,264)	31%	

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Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
405300 State Aid For DA Sal	(77,682)	0	0	0	0%	(77,682)	0%	
405310 St Re Indigent Care	(30,000)	(7,500)	(7,500)	0	100%	(22,500)	25%	
405170 SA-Crt Fac Incen Aid	(3,062,407)	(765,602)	(720,842)	(44,760)	94%	(2,341,565)	24%	
405190 SA-Aid-Octane Testing	(25,885)	(6,471)	(5,374)	(1,097)	83%	(20,511)	21%	
405500 SA-Spec Need Presch	(41,778,218)	(11,444,555)	(11,510,810)	66,256	101%	(30,267,408)	28%	State Aid
405520 SA-NYS DOH El Serv	(4,142,971)	(1,035,743)	(787,624)	(248,119)	76%	(3,355,347)	19%	
405530 SA-Admin Preschool	(454,616)	(113,654)	(461,850)	348,196	406%	7,234	102%	
405540 SA-Art VI-P H Work	(4,700,070)	(1,168,895)	(955,470)	(213,425)	82%	(3,744,600)	20%	Formula-driven State Aid
405560 SA-NYS DOH El Admin	(546,948)	(136,737)	(136,737)	0	100%	(410,211)	25%	appears under budget, mainly in
405590 SA-Medicaid El Admin	(221,850)	(55,463)	(55,463)	1	100%	(166,387)	25%	Health and Human Service Departments, is
405595 SA-Med Anti Fraud	(509,520)	(127,380)	(70,353)	(57,027)	55%	(439,167)	14%	offset by savings in associated
406000 SA-Fr Prob Serv	(1,399,470)	(349,868)	(349,868)	0	100%	(1,049,603)	25%	expenditures.
406010 SA-Fr Nav Law Enforc	(80,500)	(20,125)	0	(20,125)	0%	(80,500)	0%	
406020 SA-Snomob Lw Enforc	(10,000)	(2,500)	0	(2,500)	0%	(10,000)	0%	
406500 Re-ugee Hlth Assment	(91,041)	(22,760)	(18,298)	(4,462)	80%	(72,743)	20%	
406550 Emerg Med Training	(447,420)	(111,855)	(30,920)	(80,935)	28%	(416,500)	7%	
406560 SA-Art VI-Pub Health	(5,347,375)	(1,336,844)	(1,326,340)	(10,504)	99%	(4,021,035)	25%	
406810 SA-Foren Mntl Hea Sr	(2,906,036)	(726,509)	(641,873)	(84,636)	88%	(2,264,163)	22%	
406830 SA-Mental Health II	(38,065,244)	(9,323,117)	(9,723,218)	400,101	104%	(28,342,026)	26%	
406860 State Aid - OASAS	(17,896,529)	(4,262,376)	(4,202,740)	(59,636)	99%	(13,693,789)	23%	
406880 State Aid - OPWDD	(612,063)	(153,016)	(153,016)	0	100%	(459,047)	25%	
406890 Handpd Park Surch	(10,000)	(2,500)	(1,485)	(1,015)	59%	(8,515)	15%	
407E00 SA-MA In House	1,590,610	397,653	210,616	187,037	53%	1,379,994	13%	
407E10 SA-Spec Need Adult	(2,310)	(578)	0	(578)	0%	(2,310)	0%	
407E20 SA-Family Assistance	0	0	(9,533)	9,533	0%	9,533	0%	
407E40 SA-Soc Serv Admin	(32,386,177)	(8,096,544)	(7,323,451)	(773,094)	90%	(25,062,726)	23%	
407E00 SA-Sec Det Other Co	(1,044,516)	(261,129)	(322,535)	61,406	124%	(721,981)	31%	
407E10 SA-Sec Det Loc Yth	(2,772,899)	(665,819)	(601,793)	(64,026)	90%	(2,171,106)	22%	
407E25 SA-Raise the Age	(11,106,964)	(2,776,741)	(2,322,243)	(454,498)	84%	(8,784,721)	21%	
407E30 SA-Safety Net Assist	(10,396,797)	(2,599,199)	(2,884,083)	284,883	111%	(7,512,714)	28%	
407E40 SA-Emerg Assist/Adult	(842,624)	(210,656)	(85,615)	(125,041)	41%	(757,009)	10%	
407E50 SA-Foster Care/Adopt	(38,734,930)	(5,683,733)	(5,542,764)	(140,969)	98%	(33,192,166)	14%	
407E70 SA-EAF Prev POS	(5,647,584)	(1,411,896)	(880,276)	(531,620)	62%	(4,767,308)	16%	
407E80 SA-Serv Fr Recipnts	(7,149,746)	(3,587,437)	(3,949,777)	362,341	110%	(3,199,969)	55%	
407710 SA-Legal Serv/Disab	(105,504)	(26,376)	0	(26,376)	0%	(105,504)	0%	
407720 SA-Handicapped Child	0	0	(11,795)	11,795	0%	11,795	0%	
407740 SA-Veterans Srv Agenc	(70,000)	0	0	0	0%	(70,000)	0%	
407780 SA-Daycare Block Grt	(3,769,160)	(942,290)	(885,651)	(56,639)	94%	(2,883,509)	23%	
407795 State Aid - Code Blue	(484,000)	(121,000)	(333,157)	212,157	275%	(150,843)	69%	
408000 Youth-Reimb Programs	(825,389)	(201,775)	(201,774)	(1)	100%	(623,615)	24%	
408030 Homeless/Run NR RHY1	(90,390)	(22,598)	(22,597)	(1)	100%	(67,793)	25%	
408040 Homeless/Run Re RHY2	(135,584)	(33,896)	(33,896)	0	100%	(101,688)	25%	

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Summary by Account Type

Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
408055 Youth Sports/Edu Opp	(223,430)	(55,858)	(55,858)	1	100%	(167,572)	25%	
408056 Youth Team Sports	(472,082)	(118,021)	0	(118,021)	0%	(472,082)	0%	
408061 STSJP - RTA	(386,796)	(96,699)	(86,921)	(9,778)	90%	(299,875)	22%	
408065 Yth-Supervision	(429,055)	(107,264)	(75,035)	(32,229)	70%	(354,020)	17%	
408530 SA-Crim Justice Prog	(1,130,563)	(268,891)	35,086	(303,977)	-13%	(1,165,649)	-3%	
409000 State Aid Revenues	(1,774,588)	(1,717,125)	(3,045,457)	1,328,332	177%	1,270,869	172%	
409010 State Aid - Other	(4,146,516)	(56,290)	(185,805)	129,516	330%	(3,960,711)	4%	After 25% of the year, the County has
409020 SA-Misc	(94,301)	(20,495)	(4,896)	(15,599)	24%	(89,405)	5%	achieved 24% of the budgeted State
409030 SA-Main-Lieu of Rent	(157,578)	(39,395)	(39,395)	1	100%	(118,183)	25%	revenue.
409060 SA-Prob Pretrial Ser	(1,168,605)	0	0	0	0%	(1,168,605)	0%	
State Revenue	(246,373,323)	(60,066,385)	(59,818,384)	(248,000)	100%	(186,554,939)	24%	
450000 Interfnd Rev Non-Sub	(5,448,410)	0	0	0	0%	(5,448,410)	0%	
486010 Resid Equity Tran-In	(352,975)	0	0	0	0%	(352,975)	0%	
Interfund Revenue	(5,801,385)	0	0	0	0%	(5,801,385)	0%	
County Revenue	(1,971,006,053)	(727,089,207)	(738,295,252)	11,206,045	102%	(1,232,710,801)	37%	

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Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Expense								
500300 Full Time - Salaries	303,278,645	73,326,161	67,542,753	5,783,407	92%	235,735,892	22%	Through 25% of the year, the County has expended 22% of budgeted salaries.
500310 Part Time - Wages	5,068,989	1,226,188	635,846	590,342	52%	4,433,143	13%	
500020 Regular PT - Wages	2,382,882	576,419	480,719	95,700	83%	1,902,163	20%	
500030 Seasonal - Wages	1,344,440	325,220	242,308	82,912	75%	1,102,132	18%	
Salaries	312,074,956	75,453,988	68,901,626	6,552,362	91%	243,173,330	22%	
500300 Sh ft Differential	2,710,783	655,208	724,032	(68,824)	111%	1,986,751	27%	
500320 Uniform Allowance	683,450	170,863	258,000	(87,138)	151%	425,450	38%	
500330 Holiday Worked	3,159,827	764,362	1,281,133	(516,771)	168%	1,878,694	41%	After 25% of the year, overtime is showing a neg variance of \$726K, nearly all of which is related to the Sheriff's Office.
500340 Line-up Pay	3,174,687	767,957	795,452	(27,496)	104%	2,379,235	25%	
500350 Other Employee Pymts	2,866,772	693,472	458,832	234,640	66%	2,407,940	16%	
501000 Overtime	26,181,203	6,329,783	7,055,367	(725,584)	111%	19,125,836	27%	
Non-Salaries	38,776,722	9,381,644	10,572,817	(1,191,173)	113%	28,203,905	27%	
504990 Reductions Per Srv	(3,000,000)	(725,700)	0	(725,700)	0%	(3,000,000)	0%	Salary Reserve related to the unbudgeted expenses for new PT positions in Sheriff's Office for Pistol Permits.
504992 Salary Reserves	310,932	77,733	0	77,733	0%	310,932	0%	
504995 HELP-Personnel Reser	(8,685,841)	(2,101,105)	0	(2,101,105)	0%	(8,685,841)	0%	
Countywide Adjustments	(11,374,909)	(2,749,072)	0	(2,749,072)	0%	(11,374,909)	0%	
Personnel Related Expense	339,476,769	82,086,560	79,474,443	2,612,118	97%	260,002,326	23%	
502000 Fringe Benefits	170,716,156	36,779,732	0	36,779,732	0%	170,716,156	0%	All departmental Fringe Benefit expense is budgeted in account 502000. Actual expense is recorded at the detailed level indicated. The exception is the budget for Workers Compensation and ECMC legacy-related expense.
502010 Employer FICA	0	0	4,823,799	(4,823,799)	0%	(4,823,799)	0%	
502020 Employer FICA-Medicare	0	0	1,114,693	(1,114,693)	0%	(1,114,693)	0%	
502030 Employee Health Ins	0	0	6,012,929	(6,012,929)	0%	(6,012,929)	0%	
502040 Dental Plan	0	0	401,603	(401,603)	0%	(401,603)	0%	
502050 Workers' Compensation	10,392,900	2,514,043	2,192,746	321,296	87%	8,200,154	21%	
502060 Unemployment Ins	0	0	100,825	(100,825)	0%	(100,825)	0%	
502070 Hosp & Med-Retirees'	1,336,644	323,334	6,305,763	(5,982,429)	1950%	(4,969,119)	472%	
502090 Hlth Ins Waiver	0	0	792,296	(792,296)	0%	(792,296)	0%	
502100 Retirement	0	0	11,142,663	(11,142,663)	0%	(11,142,663)	0%	
502130 WkrsCmp OtherFd Reim	(8,265,900)	(1,999,521)	(1,011,767)	(987,754)	51%	(7,254,133)	12%	After 25% of the year, the County has spent 18% of the total budgeted Fringe Benefit expense.
502140 3rd Party Recoveries	(1,500,000)	(362,850)	(493,693)	130,843	136%	(1,006,307)	33%	
Fringe Benefit Total	172,679,800	37,254,738	31,381,858	5,872,879	84%	141,297,942	18%	
505000 Office Supplies	1,245,602	340,576	95,937	244,638	28%	1,149,664	8%	
505200 Clothing Supplies	1,371,642	583,609	201,412	382,196	35%	1,170,229	15%	
505400 Food & Kitchen Supp	2,993,763	926,018	429,016	497,002	46%	2,564,747	14%	
505600 Auto Tr & Hvy Eq Sup	736,162	277,780	107,258	170,523	39%	628,904	15%	
505650 Fuel	2,135,000	533,750	459,583	74,167	86%	1,675,417	22%	
505800 Medical & Hlth Supp	2,291,467	781,837	388,173	393,665	50%	1,903,294	17%	
506200 Maintenance & Repair	3,842,137	1,401,173	558,645	842,529	40%	3,283,492	15%	
506400 Highway Supplies	0	0	0	0	0%	0	0%	
507000 E-Z Pass Supplies	3,859	965	0	965	0%	3,859	0%	
Supplies and Repairs	14,619,631	4,845,709	2,240,024	2,605,685	46%	12,379,607	15%	

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Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
555000 General Liability	5,000,000	832,737	(4,941)	837,678	-1%	5,004,941	0%	
555010 Settlmts/Jdgmnts-Lit	0	(3,770,000)	(3,712,460)	(57,540)	98%	3,712,460	0%	Risk Retention expense is budgeted in
555015 Litigation - ECC	0	0	0	0	0%	0	0%	account 555000 while actual expense is
555030 Litig & Rel Disburs.	0	0	22,851	(22,851)	0%	(22,851)	0%	recorded at a detailed level in the accounts
555040 Expert/Cons Fees-Lit	0	0	43,746	(43,746)	0%	(43,746)	0%	indicated. In total Risk Retention is on
555050 Insurance Premiums	0	0	713,542	(713,542)	0%	(713,542)	0%	budget for the period.
Risk Retention	5,000,000	(2,937,263)	(2,937,263)	0	100%	7,937,263	-59%	
510000 Local Mileage Reimb	1,896,759	514,740	399,398	115,341	78%	1,497,361	21%	
510100 Out Of Area Travel	895,167	230,403	75,420	154,983	33%	819,747	8%	
510200 Training And Educat	1,138,139	313,880	198,220	115,661	63%	939,919	17%	
511000 Control Board Expense	540,000	135,000	100,000	35,000	74%	440,000	19%	
515000 Utility Charges	3,464,595	867,633	775,257	92,377	89%	2,689,338	22%	
516040 DSS Trng & Edu Pro	1,306,025	326,506	325,540	966	100%	980,485	25%	
530000 Other Expenses	4,404,838	1,439,273	559,529	879,743	39%	3,845,309	13%	
530010 Chargebacks	1,803,277	450,819	503,021	(52,202)	112%	1,300,256	28%	
530030 Pivot Wage Subsidies	2,715,512	1,003,048	570,822	432,226	57%	2,144,690	21%	
545000 Rental Charges	16,300,799	4,638,286	3,958,086	680,201	85%	12,342,713	24%	
Other	39,465,111	6,982,327	4,528,030	2,454,296	65%	34,937,080	11%	
Non Profit Agency Subsidy	30,990,201	6,923,300	6,923,300	0	100%	24,066,902	22%	
Non Profit Purchase of Services	152,083,969	41,415,423	40,378,910	1,036,513	97%	111,705,059	27%	
516015 Stadium Insp & Compl	1,500,000	115,247	115,247	0	100%	1,384,753	8%	
516020 Prc Ser Cnt and Fees	29,167,068	1,033,838	1,033,838	0	100%	28,133,230	4%	
516021 Indep Procd Review	50,000	12,500	12,500	0	100%	37,500	25%	
516030 Maintenance Contracts	11,912,873	6,322,375	6,322,375	0	100%	5,590,498	53%	
516042 Foreclosure Action	2,821,461	0	0	0	0%	2,821,461	0%	
516055 Dept Pymnts to ECC	60,000	0	0	0	0%	60,000	0%	
516080 Life Safety Contract	1,826,346	426,972	426,972	0	100%	1,399,374	23%	
520000 Municipal Assoc Fees	131,146	32,787	121,213	(88,426)	370%	9,933	92%	
520010 Tx&Asses-Co Ownd Pr	600	150	123	27	82%	477	20%	
520020 Co Res Enrl Comm Col	10,831,665	26,121	26,121	0	100%	10,805,544	0%	
520040 Curr Pymts Mass Tran	3,657,200	914,300	914,300	0	100%	2,742,900	25%	
520050 Garbage Disposal	131,518	33,643	28,604	5,039	85%	102,914	22%	
520070 Buffalo Bills Maint	3,250,685	508,864	508,864	0	100%	2,741,821	16%	
520072 Working Capital Asst	2,082,283	0	0	0	0%	2,082,283	0%	
Professional Svcs Contracts a	67,422,845	9,426,796	9,510,156	(83,360)	101%	57,912,689	14%	
516060 Dept Payments-ECMCC	6,157,999	318,066	577,819	(259,753)	182%	5,580,180	9%	
516061 ECMCC Drug & Alcohol	566,031	141,508	141,508	0	100%	424,523	25%	
ECMCC Payments	6,724,030	459,573	719,327	(259,753)	157%	6,004,703	11%	
516060 Sales Tax Loc Gov 3%	432,451,271	96,249,167	102,626,755	(6,377,588)	107%	329,824,516	24%	
516070 Flat Dist from 1%	12,500,000	12,500,000	12,500,000	0	100%	0	100%	
520030 NFTA-Share Sales Tax	28,991,973	6,198,953	6,599,035	(400,082)	106%	22,392,938	23%	
Sales Tax to Local Government	473,943,244	114,948,120	121,725,790	(6,777,670)	106%	352,217,455	26%	

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Account Type	Annual Budget	Period Budget January-March	Actuals January-March	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Contractual	731,164,290	173,173,212	179,257,482	(6,084,270)	104%	551,906,808	25%	
561410 Lab & Tech Eqt	6,255,261	735,805	735,805	0	100%	5,519,456	12%	
561420 Office Furn & Fixt	906,440	80,390	80,390	0	100%	826,050	9%	
561430 Bldg Grs & Hwy Eqt	93,000	243,674	243,674	0	100%	(150,674)	262%	
561440 Motor Vehicles	12,599	0	0	0	0%	12,599	0%	
Equipment	7,267,299	1,059,869	1,059,869	0	100%	6,207,430	15%	
559000 County Share - Grants	12,405,524	968,697	968,697	0	100%	11,436,827	8%	
570020 Interfund - Road	13,804,466	7,991,320	7,991,320	0	100%	5,813,146	58%	
570025 InterFrd Co Share 911	8,579,736	2,360,179	2,360,179	0	100%	6,219,557	28%	
570030 Interfund-ECC Sub	19,804,317	0	0	0	0%	19,804,317	0%	
570050 InterFund Trans-Cap	44,463,541	1,723,577	1,723,577	0	100%	42,739,964	4%	
575040 I/F Expense-Utility	4,765,020	1,190,505	1,463,060	(272,555)	123%	3,301,960	31%	
Interfund Expense	103,822,604	14,234,278	14,506,834	(272,555)	102%	89,315,770	14%	
910600 ID Purchasing Srv	(330,829)	(82,707)	(73,394)	(9,314)	89%	(257,435)	22%	
910700 ID Fleet Services	(3,081,758)	(770,440)	(669,369)	(101,071)	87%	(2,412,389)	22%	
911400 ID District Atty Srv	(796,986)	(199,247)	(297,116)	97,870	149%	(499,870)	37%	
911500 ID Sheriff Div. Srvs	(240,263)	(60,066)	(83,143)	23,078	138%	(157,120)	35%	
911630 ID Correctional Fac	(28,846)	(7,212)	0	(7,212)	0%	(28,846)	0%	
912215 ID CPW Mail Srvs	(13,117)	(3,279)	(2,335)	(945)	71%	(10,782)	18%	
912500 ID -Highways Services	32,000	8,000	638	7,362	8%	31,362	2%	
912700 ID Health Services	(36,098)	(9,025)	(101,167)	92,143	1121%	65,069	280%	
912730 ID Health Lab Srv	22,007	5,502	0	5,502	0%	22,007	0%	
914C00 ID CW Accts Budget	(5,871)	(1,468)	(7,800)	6,332	531%	1,929	133%	
916C00 ID County Attny Srv	(224,528)	(56,132)	(4,972)	(51,160)	9%	(219,556)	2%	
916200 ID Env & Plan Srv	55,083	13,771	(955)	14,726	-7%	56,038	-2%	
916390 ID Senior Srvs Grant	25,882	6,471	0	6,471	0%	25,882	0%	
916500 ID CPS Services	(50)	(13)	0	(13)	0%	(50)	0%	
942000 ID Library Services	175,898	43,975	53,425	(9,450)	121%	122,474	30%	
980000 ID DISS Services	(2,442,493)	(610,623)	(709,881)	99,257	116%	(1,732,612)	29%	
Interdepartmental Billings	(6,889,969)	(1,722,492)	(1,896,069)	173,576	110%	(4,993,900)	28%	
Allocations	96,932,635	12,511,786	12,610,765	(98,979)	101%	84,321,870	13%	
525000 MMIS-Medicaid Loc Sh	213,379,184	47,411,064	47,411,064	0	100%	165,968,120	22%	The phase-out of eFMAP credits by NYS end
525000 UPL Expense	5,500,000	0	0	0	0%	5,500,000	0%	in 2025. Beginning in 2026, Erie County will
525030 MA - Gross Loc Pymts	25,840	2,302	2,302	0	100%	23,538	9%	return to our "hard cap" requirement of
525040 Family Assistance-FA	38,058,078	8,125,458	7,837,323	288,135	96%	30,220,755	21%	\$215.8M.
525050 CWS - Foster Care	99,224,153	19,840,703	19,087,048	753,655	96%	80,137,105	19%	
525060 Safety Net Assist	41,052,864	10,271,935	11,148,733	(876,798)	109%	29,904,131	27%	
525070 Emer Assist To Adlts	2,015,641	503,910	236,656	267,255	47%	1,778,985	12%	
525080 Ed Handicapped Child	323,819	80,955	58,241	22,714	72%	265,578	18%	
525031 Child Care - Title XX	2,158,893	539,723	426,156	113,568	79%	1,732,737	20%	
525032 Child Care - CCBG	57,775,186	16,443,797	16,911,761	(467,965)	103%	40,863,425	29%	
525097 Emer Rental Assist	1,430,933	430,933	262,320	168,612	61%	1,168,612	18%	

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525110 Meals On Wheels WNY	70,000	17,500	17,500	0	100%	52,500	25%	
525120 Adult Special Needs	2,310	578	0	578	0%	2,310	0%	
525130 OCFS Yth Fac Charges	5,500,000	1,375,000	1,375,000	0	100%	4,125,000	25%	For DSH, temporarily over budget due to initial \$40.2M payment in Feb. A \$6.7M net credit is expected later in the year to reconcile prior period over payments for SFY 21-22 & 22-23.
525140 HEAP Program Costs	891,613	445,807	(71)	445,877	0%	891,684	0%	
525150 DSH Expense	35,286,578	35,286,578	40,246,369	(4,959,791)	114%	(4,959,791)	114%	
525160 Indigent Care DSH	9,298,931	2,528,702	2,528,702	0	100%	6,770,229	27%	
528000 Svcs Spec Need Child	73,884,688	20,471,172	21,160,528	(689,356)	103%	52,724,160	29%	
528010 Svcs Early Inv Prog	8,455,044	2,113,761	1,607,397	506,364	76%	6,847,647	19%	
Program Specific	594,333,755	165,889,877	170,317,029	(4,427,152)	103%	424,016,726	29%	
570040 I/F Subsidy Debt Srv	45,015,517	6,859,346	6,859,346	0	100%	38,156,171	15%	
Debt Services	45,015,517	6,859,346	6,859,346	0	100%	38,156,171	15%	
All Other Operating Expense	1,528,798,237	371,322,125	376,872,545	(5,550,420)	101%	1,151,925,692	25%	
County Expense	2,040,954,806	490,668,423	487,728,846	2,939,577	99%	1,553,225,960	24%	
Net	69,948,753	(236,542,739)	(250,566,406)	14,145,622		320,520,159		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADM CL LEG	51008245	GRP 08	FT	P	09/12/2024	DISTRICT OFFICE STAFF	110		55,132.00		05	100.000
	55,132.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		

Totals for Legislative Branch

55,132.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT		COUNTY	
										VAC	CD	SHARE	
MGT CONS (CE)	51017910	GRP 15	FT	P	04/19/2025	BUDGET & MANAGEMENT DIVISION	110		94,652.00		02	100.000	
	94,652.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt			0	Temp Vac		1

Totals for Budget & Management

94,652.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ERP TR QL AS	51018920	GRP 13	FT	P	01/01/2025	APPLICATION SERVICES	110		78,000.00		01	100.000
	51018921	GRP 13	FT	P	01/01/2025	APPLICATION SERVICES	110		78,000.00		01	100.000
156,000.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2	
SR TCH SS SP	51016755	GRP 13	FT	P	07/01/2025	INFRASTRUCTURE SERVICES	110		78,000.00		01	100.000
78,000.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1	

Totals for Information & Support Services

234,000.00 Perm Budget Amt 3 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 3

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP DIR PUR	51C19003	GRP 15	FT	P	01/01/2025	PROCUREMENT	110		94,652.00		02	100.000
94,652.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		
SUR AS WA WK	51010435	GRP 07	FT	P	05/12/2025	SURPLUS AND ASSET MANAGEMENT	110		47,524.00		02	67.380
47,524.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		
Totals for Bureau of Purchase												
142,176.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
EQU EMP OP I	51010326	GRP 08	FT	P	02/28/2025	EQUAL EMP OPPORTUNITY, DIVERSITY & INCLUSION	110		55,132.00		01	100.000
	55,152.00	Perm Budget Amt			1	Perm Vac						
						0	Temp Budget Amt					
						0	Temp Vac					

Totals for Equal Employment Opportunity

55,132.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51011177	GRP 09	FT	T	04/22/2023	ACCOUNTING	110		58,577.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac			58,577.00	1		
ACCT AUDITOR	51009175	GRP 09	FT	P	04/29/2025	AUDIT & CONTROL	110		58,577.00		01	100.000
	58,577.00	Perm Budget Amt			1	Perm Vac				1		
PR ACCT ANAL	51017088	GRP 13	FT	T	01/04/2025	ACCOUNTING	110		78,000.00		01	100.000
	51017151	GRP 13	FT	P	10/21/2023	ACCOUNTING	110		78,000.00		01	100.000
	78,000.00	Perm Budget Amt			1	Perm Vac				2		
SR SYS ACCT	51015426	GRP 13	FT	T	10/05/2024	ACCOUNTING	110		78,000.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac				1		
STAFF AUD	51009171	GRP 11	FT	T	03/22/2025	AUDIT & CONTROL	110		67,823.00		01	100.000
	51009172	GRP 11	FT	P	06/21/2025	AUDIT & CONTROL	110		67,823.00		01	100.000
	67,823.00	Perm Budget Amt			1	Perm Vac				2		
Totals for Comptroller												
	204,400.00	Perm Budget Amt			3	Perm Vac			282,400.00	4		
										7		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51018230	GRP 09	FT	P	03/30/2024	RECORDING	110		58,577.00		01	100.000
58,577.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
MESSENGER	51016039	GRP 03	FT	T	01/01/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		38,490.00		03	100.000
0.00	Perm Budget Amt			0	Perm Vac	38,490.00	Temp Budget Amt	1	Temp Vac	1		
MOT VEH REP	00006606	GRP 05	FT	T	03/06/2025	AUTO BUREAU BRANCH OFFICES	110		46,261.00		01	100.000
51001434	GRP 05	FT	T	01/01/2025	AUTO BUREAU BRANCH OFFICES		110		46,261.00		01	100.000
0.00	Perm Budget Amt			0	Perm Vac	92,522.00	Temp Budget Amt	2	Temp Vac	2		
PRIN DOC CLK	510-8865	GRP 08	FT	P	05/16/2025	RECORDING	110		55,132.00		01	100.000
55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
RECEPTIONIST	51000180	GRP 03	FT	T	04/21/2025	RECORDING	110		42,767.00		02	100.000
0.00	Perm Budget Amt			0	Perm Vac	42,767.00	Temp Budget Amt	1	Temp Vac	1		
SR DOC CLK	00008734	GRP 06	FT	T	05/05/2025	RECORDING	110		49,021.00		01	100.000
00008740	GRP 06	FT	T	10/20/2023	RECORDING		110		49,021.00		01	100.000
51031414	GRP 06	FT	T	05/03/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS		110		49,021.00		01	100.000
51038346	GRP 06	FT	T	07/27/2024	ACTIONS AND PROCEEDINGS/PISTOL PERMITS		110		49,021.00		01	100.000
51018862	GRP 06	FT	P	04/21/2025	RECORDING		110		49,021.00		01	100.000
49,021.00	Perm Budget Amt			1	Perm Vac	196,084.00	Temp Budget Amt	4	Temp Vac	5		
Totals for County Clerk												
162,730.00	Perm Budget Amt			3	Perm Vac	369,863.00	Temp Budget Amt	8	Temp Vac	11		

Erie County
POSITION CONTROL
FULL TIME VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADM CRD DA	51018240	GRP 09	FT	P	06/12/2025	ADMINISTRATION	110		58,577.00	02	100.000	
58,577.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
ASST DA III	00090457	GRP 14	FT	P	02/22/2025	LOWER COURTS	110		86,143.00	04	100.000	
51017791	GRP 14	FT	P	02/22/2025	LOWER COURTS		110		86,143.00	04	100.000	
172,266.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
ASST DA IV	51008232	GRP 15	FT	P	03/29/2025	SUPERIOR COURTS	110		94,652.00	04	100.000	
94,652.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
ASST DI A VI	51014351	GRP 17	FT	P	01/02/2025	APPEALS	110		112,865.00	07	100.000	
112,865.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
ASSTCHPROMBU	51017742	GRP 13	FT	P	04/09/2024	ADMINISTRATION	110		78,000.00	07	100.000	
78,000.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
AST CNF SC D	51017038	GRP 11	FT	P	10/21/2024	ADMINISTRATION	110		67,823.00	04	100.000	
67,823.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
CON CR I-XII	51012731	GRP 12	FT	P	04/11/2025	SUPERIOR COURTS	110		72,051.00	02	100.000	
72,051.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
DATA ENT OPR	00062202	GRP 04	FT	T	03/08/2025	ADMINISTRATION	110		44,227.00	01	100.000	
51016915	GRP 04	FT	T	03/24/2025	LOWER COURTS		110		44,227.00	01	100.000	
0.00	Perm Budget Amt			0	Perm Vac	88,454.00	Temp Budget Amt	2	Temp Vac	2		
DEP DA PROS	00062348	GRP 19	FT	P	03/15/2025	ADMINISTRATION	110		132,725.00	04	100.000	
132,725.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
LEGAL	51017046	GRP 05	FT	T	02/08/2025	SUPERIOR COURTS	110		46,261.00	01	100.000	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT CS COUNTY	
										VAC	CD SHARE
0.00		Perm Budget Amt			0	Perm Vac	46,261.00	Temp Budget Amt		1	
								Temp Vac			

Totals for District Attorney

788,979.00	Perm Budget Amt	9	Perm Vac	134,715.00	Temp Budget Amt	3	Temp Vac			12
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADM ASST SH	51018680	GRP 10	FT	T	02/23/2025	ADMINISTRATION AND PROFESSIONAL SERVICES	110		64,495.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	64,495.00	Temp Budget Amt		1	Temp Vac	
CH ACT CL CV	51018678	GRP 07	FT	P	06/15/2024	CIVIL PROCESS	110		59,403.00	01	01	100.000
	59,403.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		1	Temp Vac	
DEP SH CRIM	00002437	GRP 08	FT	T	01/29/2025	POLICE/PATROL SERVICES	110		70,928.00	01	01	100.000
	00002457	GRP 08	FT	T	04/19/2025	POLICE/PATROL SERVICES	110		70,928.00	01	01	100.000
	00002468	GRP 08	FT	T	04/02/2025	COMMUNITY PROGRAMS	110		70,928.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	212,784.00	Temp Budget Amt		3	Temp Vac	
DET DEP	00002944	GRP 09	FT	T	04/06/2025	INVESTIGATIVE SERVICES	110		75,042.00	01	01	100.000
	0.00	Perm Budget Amt			0	Perm Vac	75,042.00	Temp Budget Amt		1	Temp Vac	
DOM VIO AD	51002648	GRP 06	FT	P	01/07/2025	COMMUNITY PROGRAMS	110		51,070.00	01	01	100.000
	51,070.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		1	Temp Vac	
EX ASST PR S	51009228	GRP 08	FT	T	10/19/2024	ADMINISTRATION AND PROFESSIONAL SERVICES	110		61,464.00	02	02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	61,464.00	Temp Budget Amt		1	Temp Vac	
RECEPTIONIST	51016626	GRP 03	FT	T	05/03/2025	ADMINISTRATION AND PROFESSIONAL SERVICES	110		44,691.00	02	02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	44,691.00	Temp Budget Amt		1	Temp Vac	
Totals for Office of the Sheriff												
	110,473.00	Perm Budget Amt			2	Perm Vac	458,476.00	Temp Budget Amt		7	Temp Vac	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CAP OFFC	C0C00805	GRP 12	FT	T	07/10/2024	SECURITY HC	110		86,975.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac		86,975.00	Temp Budget Amt	1	Temp Vac	
CN MD AS TR	51018826	GRP 08	FT	P	10/19/2024	COMMUNITY RE-INTEGRATION PROGRAM	110		84,450.00		01	100.000
	51018827	GRP 08	FT	P	10/19/2024	COMMUNITY RE-INTEGRATION PROGRAM	110		84,450.00		01	100.000
	168,900.00	Perm Budget Amt			2	Perm Vac		0.00	Temp Budget Amt	2	Temp Vac	
COR FAC MED	51010436	GRP 13	FT	P	10/15/2024	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51012333	GRP 13	FT	P	09/13/2024	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51012510	GRP 13	FT	P	01/07/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51018880	GRP 13	FT	P	01/01/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	249,540.00	Perm Budget Amt			4	Perm Vac		0.00	Temp Budget Amt	4	Temp Vac	
COR LIEUT	00001934	GRP 13	FT	T	04/06/2025	SECURITY CF	110		71,138.00		01	100.000
	0.00	Perm Budget Amt			0	Perm Vac		71,138.00	Temp Budget Amt	1	Temp Vac	
COR OFF	00002056	GRP 11	FT	P	03/12/2025	SECURITY CF	110		60,651.00		01	100.000
	60,651.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	1	Temp Vac	
COR OFF CF	510-8377	GRP 11	FT	P	04/29/2025	SECURITY CF	110		59,559.00		01	100.000
	510-8954	GRP 11	FT	P	02/21/2025	SECURITY CF	110		59,559.00		01	100.000
	119,118.00	Perm Budget Amt			2	Perm Vac		0.00	Temp Budget Amt	2	Temp Vac	
COR SERG	510-0817	GRP 12	FT	P	02/23/2013	SECURITY CF	110		65,002.00		01	100.000
	510-0818	GRP 12	FT	T	05/03/2025	SECURITY CF	110		65,002.00		01	100.000
	65,002.00	Perm Budget Amt			1	Perm Vac		65,002.00	Temp Budget Amt	2	Temp Vac	
DEP SH OF	00032560	GRP 08	FT	T	09/08/2025	SECURITY HC	110		66,581.00		01	100.000
	00032754	GRP 08	FT	T	05/04/2025	SECURITY HC	110		66,581.00		01	100.000
	51032381	GRP 08	FT	T	05/04/2025	SECURITY HC	110		66,581.00		01	100.000
	51010996	GRP 08	FT	T	04/19/2025	SECURITY HC	110		66,581.00		01	100.000
	51016779	GRP 08	FT	T	04/20/2025	SECURITY HC	110		66,581.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND Amt	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	0.00	Perm Budget Amt			0	Perm Vac	332,905.00	Temp Budget Amt	5	Temp Vac	5	
FIR DP SUP S	00003470	GRP 17	FT	P	04/26/2025	JAIL MANAGEMENT ADMINISTRATION	110		120,875.00		07	100.000
	120,875.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
HD NRS HC	51010587	GRP 10	FT	T	01/02/2025	HOLDING CENTER MEDICAL SERVICES	110		94,838.00		02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	94,838.00	Temp Budget Amt	1	Temp Vac	1	
ID OFFI (CF)	51018941	GRP 10	FT	P	01/23/2025	SECURITY CF	110		53,924.00		01	100.000
	53,924.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
KIT HLP HC	00005417	GRP 03	FT	P	03/23/2025	FOOD SERVICES HC	110		44,691.00		03	100.000
	44,691.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
LABORER SHER	00005679	GRP 04	FT	P	02/06/2025	PROGRAMS HC	110		46,170.00		03	100.000
	00005684	GRP 04	FT	P	04/20/2025	PROGRAMS HC	110		46,170.00		03	100.000
	92,340.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	
LIEUT OF	00006269	GRP 11	FT	P	04/25/2025	SECURITY HC	110		82,025.00		01	100.000
	82,025.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
MEDRECADM CF	51011707	GRP 10	FT	P	10/21/2024	HOLDING CENTER MEDICAL SERVICES	110		53,637.00		01	100.000
	53,637.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
RECEPTIONIST	00007719	GRP 03	FT	T	04/05/2025	JAIL MANAGEMENT ADMINISTRATION	110		44,691.00		02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	44,691.00	Temp Budget Amt	1	Temp Vac	1	
REG NURS HC	51007848	GRP 08	FT	P	05/05/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51010471	GRP 08	FT	T	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51010475	GRP 08	FT	P	02/05/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51016085	GRP 08	FT	T	05/18/2024	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51016087	GRP 08	FT	P	02/23/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51016088	GRP 08	FT	P	10/05/2024	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51017176	GRP 08	FT	P	01/25/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
422,250.00	Perm Budget Amt				5	Perm Vac	168,900.00	Temp Budget Amt	2	Temp Vac	7	
REG NURSE CH	51013383	GRP 08	FT	P	01/25/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		83,901.00		02	100.000
	51013385	GRP 08	FT	T	09/24/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110		83,901.00		02	100.000
83,901.00	Perm Budget Amt				1	Perm Vac	83,901.00	Temp Budget Amt	1	Temp Vac	2	
SGT OFFICER	00009611	GRP 11	FT	P	12/30/2024	TRANSPORTATION	110		76,550.00		01	100.000
	51005313	GRP 11	FT	T	04/06/2025	SECURITY HC	110		76,550.00		01	100.000
76,550.00	Perm Budget Amt				1	Perm Vac	76,550.00	Temp Budget Amt	1	Temp Vac	2	
SR AC CL T C	00008138	GRP 06	FT	P	10/19/2024	SECURITY HC	110		51,070.00		01	100.000
51,070.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
SR MD SC SH	51007811	GRP 04	FT	P	09/12/2024	HOLDING CENTER MEDICAL SERVICES	110		46,170.00		01	100.000
46,170.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
SR NUR PR CH	51008061	GRP 16	FT	P	07/12/2024	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
	51008063	GRP 16	FT	P	01/08/2025	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
	51008064	GRP 16	FT	P	06/08/2023	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
383,505.00	Perm Budget Amt				3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3	

Totals for Jail Management					29	Perm Vac	1,024,900.00	Temp Budget Amt	14	Temp Vac	43	
2,174,149.00	Perm Budget Amt											

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT			BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
2ND DC DSS	51011564	GRP 17	FT	P	05/03/2025	DSS COMMISS. OFFICE & COMM RELATIONS	110				112,865.00		07	47.370
	112,865.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
ACC CLK	51017001	GRP 04	FT	T	09/10/2022	PERSONNEL/PAYROLL	110				44,227.00		01	47.370
	0.00	Perm Budget Amt			0	Perm Vac	44,227.00	Temp Budget Amt	1	Temp Vac		1		
ACC CLK TYP	00000067	GRP 04	FT	P	07/01/2023	FINANCIAL RECORDS & SERVICES	110				44,227.00		01	49.200
	51003940	GRP 04	FT	P	10/18/2023	FINANCIAL RECORDS & SERVICES	110				44,227.00		01	47.370
	88,454.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
AD DR A PR S	51019051	GRP 13	FT	P	02/21/2025	ADULT & FAMILY SERVICES	110				78,000.00		01	49.200
	78,000.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
ADMIN CLERK	00000150	GRP 07	FT	T	04/19/2025	ADULT & FAMILY SERVICES	110				51,960.00		01	49.200
	0.00	Perm Budget Amt			0	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac		1		
AST SP INV	51006665	GRP 07	FT	T	05/03/2025	INVESTIGATIONS AND COLLECTIONS	110				51,960.00		01	37.870
	51017653	GRP 07	FT	P	03/07/2025	INVESTIGATIONS AND COLLECTIONS	110				51,960.00		01	37.870
	51,960.00	Perm Budget Amt			1	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac		2		
ATTORNEY SS	00002138	GRP 15	FT	T	01/26/2025	LEGAL SERVICES - IVD	110				94,652.00		01	39.200
	00002139	GRP 15	FT	T	01/11/2025	LEGAL SERVICES - IVD	110				94,652.00		01	39.200
	00002142	GRP 15	FT	T	04/19/2025	CHILDREN'S SERVICES	110				94,652.00		01	49.200
	00002148	GRP 15	FT	T	09/21/2024	CHILDREN'S SERVICES	110				94,652.00		01	49.200
	51002110	GRP 15	FT	T	01/26/2025	CHILDREN'S SERVICES	110				94,652.00		01	49.200
	51015201	GRP 15	FT	T	11/17/2024	CHILDREN'S SERVICES	110				94,652.00		01	49.200
	0.00	Perm Budget Amt			0	Perm Vac	567,912.00	Temp Budget Amt	6	Temp Vac		6		
CASE ASST SS	51018904	GRP 06	FT	P	01/01/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110				49,021.00		01	38.650
	51018905	GRP 06	FT	P	01/01/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110				49,021.00		01	38.650

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	0.00	Temp Budget Amt	FUND	GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
98,042.00	Perm Budget Amt				2	Perm Vac								2		
CASEMGR HP	51010086	GRP 09	FT	P	04/19/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	02	49.200	
58,577.00	Perm Budget Amt				1	Perm Vac								1		
CASEWORKER	00000894	GRP 09	FT	T	11/02/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	00000913	GRP 09	FT	P	10/05/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	00000941	GRP 09	FT	T	11/02/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	00000945	GRP 09	FT	P	06/15/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	00000948	GRP 09	FT	P	02/10/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	00000959	GRP 09	FT	P	08/10/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	00000966	GRP 09	FT	P	08/24/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	00000972	GRP 09	FT	P	09/06/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	00000978	GRP 09	FT	T	12/31/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	00001301	GRP 09	FT	T	04/19/2025	CPS AFTER HOURS PROGRAM		110	110				58,577.00	01	49.200	
	00001308	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51002677	GRP 09	FT	T	06/03/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51003672	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51004326	GRP 09	FT	P	02/22/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51004556	GRP 09	FT	T	02/08/2025	EMPLOYMENT ASSESSMENT		110	110				58,577.00	01	49.200	
	51005520	GRP 09	FT	P	04/19/2025	HOMEFINDING/RECRUITMENT		110	110				58,577.00	01	49.200	
	51007959	GRP 09	FT	P	04/14/2025	CPS AFTER HOURS PROGRAM		110	110				58,577.00	01	49.200	
	51009583	GRP 09	FT	P	02/22/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51009585	GRP 09	FT	P	12/23/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51009587	GRP 09	FT	P	01/27/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	51009590	GRP 09	FT	T	11/30/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51009594	GRP 09	FT	P	04/19/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51009600	GRP 09	FT	T	11/30/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51009721	GRP 09	FT	P	10/22/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51009746	GRP 09	FT	P	09/21/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51010689	GRP 09	FT	T	03/09/2025	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	51011562	GRP 09	FT	P	07/25/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	51011900	GRP 09	FT	P	03/26/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51011929	GRP 09	FT	P	03/08/2025	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	51011930	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51011952	GRP 09	FT	P	07/19/2023	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51011955	GRP 09	FT	P	08/24/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	
	51012060	GRP 09	FT	T	06/17/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51012071	GRP 09	FT	P	08/12/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51012076	GRP 09	FT	T	11/30/2024	CPS AFTER HOURS PROGRAM		110	110				58,577.00	01	49.200	
	51012078	GRP 09	FT	P	12/13/2024	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51012355	GRP 09	FT	P	04/10/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51012360	GRP 09	FT	P	02/08/2025	CHILD PROTECTIVE SERVICES		110	110				58,577.00	01	49.200	
	51012904	GRP 09	FT	P	11/16/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT		110	110				58,577.00	01	49.200	
	51012905	GRP 09	FT	P	12/16/2024	ADULT & FAMILY SERVICES		110	110				58,577.00	01	49.200	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	51013304	GRP 09	FT	P	11/04/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51013676	GRP 09	FT	T	11/16/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51014078	GRP 09	FT	P	08/24/2024	ADOPTION	110		58,577.00		01	49.200
	51018906	GRP 09	FT	P	01/01/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51018907	GRP 09	FT	P	01/01/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
1,933,041.00	Perm Budget Amt			33	Perm Vac	702,924.00	Temp Budget Amt	12	Temp Vac	45		
CH PR TM LDR	51013359	GRP 11	FT	T	01/25/2025	ADOPTION	110		67,823.00		01	49.200
	0.00	Perm Budget Amt		0	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac	1		
CH SUP INV	00001335	GRP 07	FT	T	03/09/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
	00001356	GRP 07	FT	P	03/08/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
	00001368	GRP 07	FT	P	04/22/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
103,920.00	Perm Budget Amt			2	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac	3		
CHF ACT CLK	00001163	GRP 07	FT	T	02/22/2025	FINANCIAL RECORDS & SERVICES	110		51,960.00		01	47.370
	51010953	GRP 07	FT	T	02/01/2024	FINANCIAL RECORDS & SERVICES	110		51,960.00		01	47.370
	0.00	Perm Budget Amt		0	Perm Vac	103,920.00	Temp Budget Amt	2	Temp Vac	2		
CLERK	510-6330	GRP 01	FT	P	04/05/2025	EC WORKS CENTER	110		40,941.00		01	38.650
	510-7002	GRP 01	FT	T	09/21/2024	EMPLOYMENT ASSESSMENT	110		40,941.00		01	32.290
40,941.00	Perm Budget Amt			1	Perm Vac	40,941.00	Temp Budget Amt	1	Temp Vac	2		
CLERK TYPIST	00001584	GRP 01	FT	T	09/07/2024	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		40,941.00		01	39.200
	00001589	GRP 01	FT	T	11/13/2024	CHILDREN'S SERVICES	110		40,941.00		01	49.200
	51009665	GRP 01	FT	T	06/15/2024	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
	51009667	GRP 01	FT	T	01/26/2025	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
	51009668	GRP 01	FT	T	05/03/2025	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
	51009671	GRP 01	FT	T	05/03/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		40,941.00		01	0.000
0.00	Perm Budget Amt			0	Perm Vac	245,646.00	Temp Budget Amt	6	Temp Vac	6		
SS 55A	30001523	GRP 01	FT	P	08/16/2024	FINANCIAL RECORDS & SERVICES	110		40,941.00		02	47.370

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
40,941.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
COMM COORD	51012686	GRP 11	FT	T	12/28/2024	DSS COMMISS. OFFICE & COMM RELATIONS	110		67,823.00		01	47.370
	0.00	Perm Budget Amt			0	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac	1	
CSWK ARAB SP	51017991	GRP 09	FT	P	05/04/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	58,577.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
CSWK SPAN SP	00000985	GRP 09	FT	P	06/15/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	00001327	GRP 09	FT	P	10/20/2021	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51004745	GRP 09	FT	P	03/22/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51006969	GRP 09	FT	P	02/22/2022	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51011555	GRP 09	FT	P	07/24/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51017351	GRP 09	FT	P	04/27/2022	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	351,442.00	Perm Budget Amt			6	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	6	
DIV EQ & INC	510-8177	GRP 11	FT	P	10/13/2023	SERVICES DIVISION ADMINISTRATION	110		67,823.00		01	49.200
	67,823.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
EMP COUNS	00003229	GRP 09	FT	T	04/19/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	00003253	GRP 09	FT	T	05/03/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	510-8957	GRP 09	FT	T	04/20/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	510-8958	GRP 09	FT	P	03/12/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	58,577.00	Perm Budget Amt			1	Perm Vac	175,731.00	Temp Budget Amt	3	Temp Vac	4	
EN CR 2	00003335	GRP 05	FT	T	03/23/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		46,261.00		02	0.000
	0.00	Perm Budget Amt			0	Perm Vac	46,261.00	Temp Budget Amt	1	Temp Vac	1	
EN CR A W SS	51006782	GRP 05	FT	P	02/12/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		46,261.00		07	0.000
	46,261.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
COMM CR WK 1	00003308	GRP 02	FT	T	05/03/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		41,556.00		02	0.000
	00003315	GRP 02	FT	T	11/30/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		41,556.00		02	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	FUND Amt	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	0.00	Perm Budget Amt			0	Perm Vac		83,112.00	Temp Budget Amt	110	2		
EN PRO COOR	51012055	GRP 12	FT	P	04/29/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM				72,051.00	01	01	0.000
	72,051.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	110	1		
EXDIRSPAWN	51011884	GRP 16	FT	T	02/22/2025	DSS COMMISS. OFFICE & COMM RELATIONS				103,811.00	01	01	47.370
	0.00	Perm Budget Amt			0	Perm Vac		103,811.00	Temp Budget Amt	110	1		
HD SWE	00004219	GRP 10	FT	P	05/23/2025	TTW-TRANSITION TO WORK TEAMS				62,215.00	01	01	0.000
	00004229	GRP 10	FT	T	01/26/2025	LONG TERM CARE ELIGIBILITY				62,215.00	01	01	0.000
	00004230	GRP 10	FT	P	04/01/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS				62,215.00	01	01	0.000
	00004240	GRP 10	FT	P	05/03/2025	TTW-TRANSITION TO WORK TEAMS				62,215.00	01	01	38.650
	51003675	GRP 10	FT	T	03/08/2025	LONG TERM CARE ELIGIBILITY				62,215.00	01	01	0.000
	186,645.00	Perm Budget Amt			3	Perm Vac		124,430.00	Temp Budget Amt	110	5		
HOMELER SV S	510-8854	GRP 10	FT	P	01/02/2025	TEMPORARY ASSISTANCE SERVICE TEAMS				62,215.00	01	01	38.650
	510-8855	GRP 10	FT	P	01/02/2025	TEMPORARY ASSISTANCE SERVICE TEAMS				62,215.00	01	01	38.650
	510-8856	GRP 10	FT	P	01/02/2025	TEMPORARY ASSISTANCE SERVICE TEAMS				62,215.00	01	01	38.650
	186,645.00	Perm Budget Amt			3	Perm Vac		0.00	Temp Budget Amt	110	3		
JR EMP COUNS	510-4033	GRP 07	FT	T	04/19/2025	EMPLOYMENT ASSESSMENT				51,960.00	01	01	32.290
	0.00	Perm Budget Amt			0	Perm Vac		51,960.00	Temp Budget Amt	110	1		
MGT&ORG CONS	00006354	GRP 14	FT	T	07/29/2023	FISCAL MANAGEMENT				86,143.00	01	01	47.370
	0.00	Perm Budget Amt			0	Perm Vac		86,143.00	Temp Budget Amt	110	1		
PARALEGAL	51009119	GRP 05	FT	P	04/05/2025	LEGAL SERVICES - IVD				46,261.00	01	01	39.200
	46,261.00	Perm Budget Amt			1	Perm Vac		0.00	Temp Budget Amt	110	1		
CLK	51018025	GRP 06	FT	P	02/22/2025	PERSONNEL/PAYROLL				49,021.00	01	01	47.370

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND		GRANT	BUDGETED		TOT		CS		COUNTY CD SHARE
							1	Perm Vac		0	Temp Vac	1	VAC	CD	SHARE	
49,021.00	Perm Budget Amt															
PRIN CLERK	00007389	GRP 06	FT	T	05/04/2025	FINANCIAL RECORDS & SERVICES			110		49,021.00			01	47.370	
	51003954	GRP 06	FT	T	01/25/2025	SERVICES DIVISION ADMINISTRATION			110		49,021.00			01	49.200	
0.00	Perm Budget Amt															
RECEPTIONIST	51016857	GRP 03	FT	P	04/19/2025	ADMIN. SUPPORT SERVICES ADMIN.			110		42,767.00			02	47.370	
42,767.00	Perm Budget Amt															
SOC WEL EX	00009762	GRP 06	FT	P	01/25/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	00009781	GRP 06	FT	P	07/02/2024	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	00009789	GRP 06	FT	T	11/30/2024	CHILD DAY CARE			110		49,021.00			01	49.200	
	00009820	GRP 06	FT	T	02/23/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS			110		49,021.00			01	38.650	
	00009832	GRP 06	FT	P	08/24/2024	INVESTIGATIONS AND COLLECTIONS			110		49,021.00			01	37.870	
	00009834	GRP 06	FT	T	02/23/2025	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	00009837	GRP 06	FT	T	01/27/2024	TTW-TRANSITION TO WORK TEAMS			110		49,021.00			01	38.650	
	00009855	GRP 06	FT	T	04/19/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	00009858	GRP 06	FT	P	07/13/2024	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	50.000	
	00009864	GRP 06	FT	P	09/09/2024	TEMPORARY ASSISTANCE SERVICE TEAMS			110		49,021.00			01	38.650	
	00009866	GRP 06	FT	P	08/24/2024	INVESTIGATIONS AND COLLECTIONS			110		49,021.00			01	37.870	
	00009873	GRP 06	FT	P	02/03/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	00009884	GRP 06	FT	T	12/29/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS			110		49,021.00			01	38.650	
	00009896	GRP 06	FT	P	02/08/2025	CHILD DAY CARE			110		49,021.00			01	49.200	
	00009912	GRP 06	FT	T	06/01/2024	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	00009920	GRP 06	FT	P	04/22/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	00009921	GRP 06	FT	T	08/24/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS			110		49,021.00			01	38.650	
	00009932	GRP 06	FT	P	06/21/2024	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	00009938	GRP 06	FT	T	10/05/2024	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	50.000	
	00009941	GRP 06	FT	T	01/25/2025	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	50.000	
	51002106	GRP 06	FT	T	08/24/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS			110		49,021.00			01	38.650	
	51002536	GRP 06	FT	P	04/01/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	51002538	GRP 06	FT	T	09/07/2024	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	50.000	
	51005503	GRP 06	FT	P	04/17/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	51005505	GRP 06	FT	P	02/22/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS			110		49,021.00			01	38.650	
	51007113	GRP 06	FT	P	05/17/2024	TTW-TRANSITION TO WORK TEAMS			110		49,021.00			01	38.650	
	51009784	GRP 06	FT	T	08/10/2024	TEMPORARY ASSISTANCE SERVICE TEAMS			110		49,021.00			01	38.650	
	51009785	GRP 06	FT	T	03/09/2024	TTW-TRANSITION TO WORK TEAMS			110		49,021.00			01	50.000	
	51009787	GRP 06	FT	P	10/16/2024	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	38.650	
	51009798	GRP 06	FT	P	08/27/2024	TEMPORARY ASSISTANCE SERVICE TEAMS			110		49,021.00			01	0.000	
	51009807	GRP 06	FT	P	05/03/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS			110		49,021.00			01	50.000	
	51009811	GRP 06	FT	P	02/25/2025	SNAP ELIGIBILITY TEAMS			110		49,021.00			01	0.000	
	51009820	GRP 06	FT	P	02/22/2025	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	51009822	GRP 06	FT	T	06/01/2024	LONG TERM CARE ELIGIBILITY			110		49,021.00			01	0.000	
	51009825	GRP 06	FT	P	06/11/2024	TEMP ASSIST SPECIALIZED TEAMS			110		49,021.00			01	38.650	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SOC WEL EX S	51039827	GRP 06	FT	T	08/24/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00	01		38.650
	51039836	GRP 06	FT	P	08/20/2024	LONG TERM CARE ELIGIBILITY	110		49,021.00	01		0.000
	51039845	GRP 06	FT	P	07/27/2024	INVESTIGATIONS AND COLLECTIONS	110		49,021.00	01		37.870
	51011710	GRP 06	FT	P	06/01/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00	01		50.000
	51016386	GRP 06	FT	T	01/27/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		49,021.00	01		0.000
	51016889	GRP 06	FT	T	08/24/2024	BFP - EMPLOYMENT & FIN PLANNING TEAMS	110		49,021.00	01		38.650
	51018831	GRP 06	FT	T	12/28/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00	01		50.000
	51018902	GRP 06	FT	P	01/01/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00	01		0.000
	51018903	GRP 06	FT	T	01/26/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00	01		0.000
	1,176,544.00 Perm Budget Amt										44	Temp Vac
SOC WEL EX S	03009946	GRP 06	FT	P	06/01/2024	TEMPORARY ASSISTANCE SERVICE TEAMS	110		49,021.00	01		38.650
	03009948	GRP 06	FT	P	09/07/2024	EC WORKS CENTER	110		49,021.00	01		38.650
	03009956	GRP 06	FT	P	12/14/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00	01		38.650
	51009779	GRP 06	FT	P	06/01/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00	01		38.650
196,084.00 Perm Budget Amt										4	Temp Vac	
SPEC INVEST	00009988	GRP 08	FT	T	05/03/2025	INVESTIGATIONS AND COLLECTIONS	110		55,132.00	01		37.870
	00009991	GRP 08	FT	T	04/05/2025	INVESTIGATIONS AND COLLECTIONS	110		55,132.00	01		37.870
0.00 Perm Budget Amt										2	Temp Vac	
SR CASWRKER	00008226	GRP 10	FT	T	05/03/2025	ADOPTION	110		62,215.00	01		49.200
	00008227	GRP 10	FT	P	01/09/2025	CHILD PROTECTIVE SERVICES	110		62,215.00	01		49.200
	00008272	GRP 10	FT	P	03/10/2025	ADULT & FAMILY SERVICES	110		62,215.00	01		49.200
	00008298	GRP 10	FT	P	06/30/2025	CHILD PROTECTIVE SERVICES	110		62,215.00	01		49.200
	00008314	GRP 10	FT	T	12/28/2024	CPS AFTER HOURS PROGRAM	110		62,215.00	01		49.200
	00008318	GRP 10	FT	T	03/09/2025	CHILD PROTECTIVE SERVICES	110		62,215.00	01		49.200
	51010083	GRP 10	FT	P	07/31/2024	CHILD PROTECTIVE SERVICES	110		62,215.00	01		49.200
	51013131	GRP 10	FT	T	12/15/2024	CHILD PROTECTIVE SERVICES	110		62,215.00	01		49.200
	51013677	GRP 10	FT	P	04/19/2025	ADULT & FAMILY SERVICES	110		62,215.00	01		49.200
	311,075.00 Perm Budget Amt										9	Temp Vac
SR CASWRKER	51016873	GRP 08	FT	P	04/19/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		55,132.00	01		39.200

SHORT		POSITION	JOB	EE	FILL	REFILL	FUNCTION		FUND	GRANT	Temp Vac		BUDGETED	TOT	CS	COUNTY
DESC	NUMBER	GROUP	GRP	STAT	DATE						1	0	AMOUNT	VAC	CD	SHARE
55,132.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt						1		
SR CL TYP	00008604	GRP 04	FT	P	04/20/2024	CHILD PROTECTIVE SERVICES		110					44,227.00	01	49.200	
	51003221	GRP 04	FT	P	05/22/2025	EC WORKS CENTER		110					44,227.00	01	38.650	
	51009631	GRP 04	FT	P	02/10/2025	EC WORKS CENTER		110					44,227.00	01	38.650	
	51013183	GRP 04	FT	T	05/18/2024	EMPLOYMENT ASSESSMENT		110					44,227.00	01	32.290	
	51017014	GRP 04	FT	P	03/08/2025	CHILD DAY CARE		110					44,227.00	01	49.200	
176,918.00	Perm Budget Amt				4	Perm Vac	44,227.00	Temp Budget Amt			1	Temp Vac		5		
SR CLERK	00008370	GRP 03	FT	T	04/21/2025	LEGAL SERVICES -IVD		110					42,767.00	01	39.200	
	00008407	GRP 03	FT	P	11/16/2024	INVESTIGATIONS AND COLLECTIONS		110					42,767.00	01	37.870	
	00008411	GRP 03	FT	P	04/06/2024	EC WORKS CENTER		110					42,767.00	01	38.650	
	51008319	GRP 03	FT	T	04/05/2025	SNAP ELIGIBILITY TEAMS		110					42,767.00	01	50.000	
	51008322	GRP 03	FT	P	04/20/2024	EC WORKS CENTER		110					42,767.00	01	38.650	
	51016862	GRP 03	FT	P	07/29/2024	FINANCIAL RECORDS & SERVICES		110					42,767.00	01	47.370	
	51016887	GRP 03	FT	T	02/22/2025	SNAP ELIGIBILITY TEAMS		110					42,767.00	01	50.000	
171,068.00	Perm Budget Amt				4	Perm Vac	128,301.00	Temp Budget Amt			3	Temp Vac		7		
SR EMP COUNS	00008769	GRP 10	FT	P	05/27/2025	EMPLOYMENT ASSESSMENT		110					62,215.00	01	32.290	
62,215.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt			0	Temp Vac		1		
SR SWE	00009331	GRP 07	FT	T	03/08/2025	SNAP ELIGIBILITY TEAMS		110					51,960.00	01	50.000	
	00009379	GRP 07	FT	T	04/19/2025	CHILD DAY CARE		110					51,960.00	01	49.200	
	00009393	GRP 07	FT	P	10/23/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS		110					51,960.00	01	38.650	
	00009420	GRP 07	FT	P	05/06/2025	LONG TERM CARE ELIGIBILITY		110					51,960.00	01	0.000	
	00009427	GRP 07	FT	T	03/08/2025	TTW-TRANSITION TO WORK TEAMS		110					51,960.00	01	38.650	
	00009441	GRP 07	FT	T	03/08/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS		110					51,960.00	01	38.650	
	00009458	GRP 07	FT	P	02/28/2025	LONG TERM CARE ELIGIBILITY		110					51,960.00	01	0.000	
	00009463	GRP 07	FT	P	03/01/2025	SNAP ELIGIBILITY TEAMS		110					51,960.00	01	50.000	
	00009478	GRP 07	FT	T	09/07/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS		110					51,960.00	01	38.650	
	00009500	GRP 07	FT	T	03/08/2025	TTW-TRANSITION TO WORK TEAMS		110					51,960.00	01	38.650	
	00009513	GRP 07	FT	T	08/24/2024	SNAP ELIGIBILITY TEAMS		110					51,960.00	01	50.000	
	51005466	GRP 07	FT	T	11/16/2024	SNAP ELIGIBILITY TEAMS		110					51,960.00	01	50.000	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	207,840.00	Perm Budget Amt			4	Perm Vac	415,680.00	Temp Budget Amt		8	Temp Vac	12
SS TM WKR	00009731	GRP 05	FT	P	02/25/2025	ADOPTION	110		46,261.00		01	49.200
	00009744	GRP 05	FT	T	05/03/2025	ADULT & FAMILY SERVICES	110		46,261.00		01	49.200
	00009746	GRP 05	FT	P	02/21/2025	HOMEFINDING/RECRUITMENT	110		46,261.00		01	49.200
	00009759	GRP 05	FT	P	10/20/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		46,261.00		01	49.200
	00009760	GRP 05	FT	T	10/20/2024	CHILD PROTECTIVE SERVICES	110		46,261.00		01	49.200
	51012085	GRP 05	FT	P	10/19/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		46,261.00		01	49.200
	185,044.00	Perm Budget Amt			4	Perm Vac	92,522.00	Temp Budget Amt		2	Temp Vac	6
SUP OF CL AD	510-2154	GRP 10	FT	P	04/01/2025	FISCAL MANAGEMENT	110		62,215.00		01	47.370
	62,215.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
WK REL SUP	000-0483	GRP 04	FT	P	10/05/2024	EMPLOYMENT ASSESSMENT	110		39,539.00		02	78.650
	51003667	GRP 04	FT	P	12/14/2024	EMPLOYMENT ASSESSMENT	110		39,539.00		02	78.650
	79,078.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2

Totals for Department of Social Services

6,455,994.00	Perm Budget Amt	119	Perm Vac	4,786,860.00	Temp Budget Amt	86	Temp Vac	205
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LABORER	000J5532	GRP 03	FT	P	04/10/2025	CUSTODIAL SERVICES	110		38,490.00		03	100.000
	000J5533	GRP 03	FT	T	03/22/2025	UNIFIED COURT SYSTEM	110		38,490.00		03	11.000
	51016607	GRP 03	FT	P	04/01/2025	CUSTODIAL SERVICES	110		38,490.00		03	100.000
	76,980.00	Perm Budget Amt			2	Perm Vac	38,490.00	Temp Budget Amt		1	Temp Vac	3
RECEPTIONIST	51011575	GRP 03	FT	T	02/10/2024	ADMINISTRATION - B&G	110		42,767.00		02	100.000
	0.00	Perm Budget Amt			0	Perm Vac	42,767.00	Temp Budget Amt		1	Temp Vac	1
Totals for Dept of Public Works												
	76,980.00	Perm Budget Amt			2	Perm Vac	81,257.00	Temp Budget Amt		2	Temp Vac	4

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FOR MH S I A	51016701	GRP 11	FT	T	08/20/2024	ADULT MENTAL HEALTH SERVICES	110		67,823.00		01	50.000
	51016702	GRP 11	FT	P	02/05/2025	ADULT MENTAL HEALTH SERVICES	110		67,823.00		01	50.000
67,823.00	Perm Budget Amt				1	Perm Vac	Temp Budget Amt	1	Temp Vac	2		
MH EM D R C	51018076	GRP 14	FT	P	03/22/2025	MENTAL HEALTH SERVICES	110		86,143.00		01	0.000
86,143.00	Perm Budget Amt				1	Perm Vac	Temp Budget Amt	0	Temp Vac	1		
SR CL TYP	00008507	GRP 04	FT	P	05/06/2025	ADULT MENTAL HEALTH SERVICES	110		44,227.00		01	30.000
44,227.00	Perm Budget Amt				1	Perm Vac	Temp Budget Amt	0	Temp Vac	1		

Totals for Dept of Mental Health

198,133.00	Perm Budget Amt	3	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac	4
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT		BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DET HM IN WK	00002973	GRP 09	FT	P	06/27/2024	INTAKE	110			58,577.00		01	51.000
	51016008	GRP 09	FT	P	09/30/2024	INTAKE	110			58,577.00		01	51.000
	117,154.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
DET SEC GD	00002962	GRP 06	FT	P	03/08/2025	BUILDING SERVICES	110			44,441.00		01	51.000
	00002965	GRP 06	FT	P	12/15/2023	BUILDING SERVICES	110			44,441.00		01	51.000
	51016805	GRP 06	FT	P	08/27/2022	BUILDING SERVICES	110			44,441.00		01	51.000
	133,323.00	Perm Budget Amt			3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3		
DET SHF SUFV	51003492	GRP 10	FT	P	07/10/2025	DETENTION SHIFT SUPERVISION	110			62,215.00		01	51.000
	62,215.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
DETFAC SG HP	000C2964	GRP 06	FT	P	04/14/2025	BUILDING SERVICES	110			44,441.00		02	51.000
	44,441.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
DIR DET PROG	51019105	GRP 14	FT	P	05/03/2025	ADMINISTRATION - DETENTION	110			86,143.00		01	51.000
	86,143.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
EX DIR YB SS	51019110	GRP 15	FT	P	05/03/2025	YOUTH DEV. DELINQUENCY PREVENTION	110			94,652.00		01	51.000
	94,652.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
JR YDW	51017894	GRP 06	FT	P	01/11/2025	SECURE DIRECT CARE SUPPORT	110			44,441.00		07	51.000
	51017896	GRP 06	FT	P	05/07/2025	SECURE DIRECT CARE SUPPORT	110			44,441.00		07	51.000
	88,882.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
JUVE JUS CON	51010680	GRP 10	FT	P	05/23/2024	JUVENILE DELINQUENCY SVCS TEAM-SSD JJC'S	110			62,215.00		01	51.000
	51010682	GRP 10	FT	T	06/10/2024	NON-SECURE CHILD CARE-JDST	110			62,215.00		01	0.000
	51010684	GRP 10	FT	T	01/27/2024	JUVENILE DELINQUENCY SVCS TEAM-SSD JJC'S	110			62,215.00		01	51.000
	51010687	GRP 10	FT	P	10/30/2024	NON-SECURE CHILD CARE-JDST	110			62,215.00		01	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
124,430.00	Perm Budget Amt				2	Perm Vac	124,430.00	Temp Budget Amt	2	Temp Vac	4
SR DIR YTH B	51015151	GRP 14	FT	T	02/23/2025	YOUTH DEV. DELINQUENCY PREVENTION	110	86,143.00		01	51.000
	0.00	Perm Budget Amt			0	Perm Vac	86,143.00	Temp Budget Amt	1	Temp Vac	1
SR PERS CLK	510-9109	GRP 07	FT	P	05/03/2025	ADMINISTRATION - DETENTION	110	51,960.00		01	51.000
	51,960.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
SR YTH DT WK	510-7666	GRP 08	FT	P	10/26/2024	YOUTH DETENTION - RAISE THE AGE	110	50,821.00		01	51.000
	50,821.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
YTH DE WK EP	000-0498	GRP 07	FT	P	04/08/2025	SECURE CHILD CARE	110	47,524.00		02	51.000
	000-0516	GRP 07	FT	P	05/08/2025	SECURE CHILD CARE	110	47,524.00		02	51.000
	95,048.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
YTH DET WK	000-0496	GRP 07	FT	P	07/20/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	000-0506	GRP 07	FT	T	02/24/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	000-0509	GRP 07	FT	P	01/03/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	000-0520	GRP 07	FT	P	02/05/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	51008656	GRP 07	FT	P	11/12/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	51010482	GRP 07	FT	P	02/25/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	51013102	GRP 07	FT	P	08/09/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	51015081	GRP 07	FT	T	03/09/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	51016667	GRP 07	FT	P	07/22/2024	SECURE CHILD CARE	110	47,524.00		01	51.000
	51019106	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	51019107	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	51019108	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110	47,524.00		01	51.000
	475,240.00	Perm Budget Amt			10	Perm Vac	95,048.00	Temp Budget Amt	2	Temp Vac	12

Totals for Youth Services Division

1,424,309.00	Perm Budget Amt	27	Perm Vac	305,621.00	Temp Budget Amt	5	Temp Vac	32
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PROB ASST	51010607	GRP 07	FT	T	04/19/2025	PROBATION SPECIAL PROGRAMS	110		51,960.00		01	88.000
	0.00	Perm Budget Amt			0	Perm Vac	Temp Budget Amt	1	Temp Vac	1		
PROB OFF SE	51019151	GRP 11	FT	P	04/30/2025	PROBATION SERVICES - ADULT	110		67,823.00		01	88.000
	67,823.00	Perm Budget Amt			1	Perm Vac	Temp Budget Amt	0	Temp Vac	1		
PROB OFFICER	00007464	GRP 11	FT	P	06/12/2025	PROBATION SPECIAL PROGRAMS	110		67,823.00		01	88.000
	51002465	GRP 11	FT	T	03/23/2025	PROBATION SERVICES - JUVENILE/FAM CRT	110		67,823.00		01	88.000
	67,823.00	Perm Budget Amt			1	Perm Vac	Temp Budget Amt	1	Temp Vac	2		
SR BILL AC C	51011816	GRP 08	FT	T	02/08/2025	PROBATION ADMINISTRATION & OPERATIONS	110		55,132.00		01	88.000
	0.00	Perm Budget Amt			0	Perm Vac	Temp Budget Amt	1	Temp Vac	1		
SR CL TYP	51009763	GRP 04	FT	T	02/08/2025	PROBATION SERVICES - ADULT	110		44,227.00		01	88.000
	51016683	GRP 04	FT	T	10/19/2024	PROBATION SERVICES - ADULT	110		44,227.00		01	88.000
	0.00	Perm Budget Amt			0	Perm Vac	Temp Budget Amt	2	Temp Vac	2		
Totals for Probation												
	135,646.00	Perm Budget Amt			2	Perm Vac	Temp Budget Amt	5	Temp Vac	7		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	51017987	GRP 04	FT	T	01/25/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		44,227.00		01	55.000
	0.00	Perm Budget Amt			0	Perm Vac	44,227.00	Temp Budget Amt	1	Temp Vac		
ADM AST ME	51017951	GRP 08	FT	P	01/11/2025	MEDICAL EXAMINER'S OFFICE	110		55,132.00		01	100.000
	55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
ASST SP ND D	51018936	GRP 12	FT	P	01/01/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		72,051.00		01	55.000
	72,051.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
AST DR CHD	00000398	GRP 10	FT	P	07/11/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		62,215.00		01	55.000
	62,215.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
CLIN LAB TEC	510-6659	GRP 11	FT	T	02/22/2025	ENVIRONMENTAL HEALTH LAB	110		67,823.00		01	64.000
	0.00	Perm Budget Amt			0	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac		
CLINICAL CRD	510-8709	GRP 11	FT	P	09/26/2024	EMS AMBULANCE OPERATIONS	110		67,823.00		01	91.000
	67,823.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
CRD PH	51002630	GRP 12	FT	P	07/11/2025	PUBLIC/GOVERNMENT OUTREACH	110		72,051.00		01	64.000
	72,051.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
DENT HYG	51009235	GRP 07	FT	P	10/05/2024	DENTAL HEALTH EDUCATION	110		51,960.00		01	64.000
	51,960.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
INV PH SAN	51002735	GRP 08	FT	P	05/12/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		55,132.00		01	64.000
	55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
PRCDM ASST	5-016831	GRP 07	FT	P	04/19/2025	EMS ADMINISTRATION	110		51,960.00		01	100.000

Report: ZHR_VACANT_POS_RPT
System: PRD/100/ZHR_VACANT_RPT
User: KAJDASZK
Department: 127 Health

Erie County
POSITION CONTROL
FULL TIME VACANCY BY DEPARTMENT, JOB

Page: 29
Date: 05/15/2025
Time: 08:54:57
As of: 05/15/2025

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	0	Temp Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
51,960.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
OUT AD HE EQ	51018077	GRP 07	FT	P	04/09/2025	OFFICE OF HEALTH EQUITY	110				51,960.00		01	64.000
51,960.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
PRIN CLERK	51016704	GRP 06	FT	T	02/09/2025	ACCOUNTING AND FISCAL MANAGEMENT	110				49,021.00		01	64.000
0.00	Perm Budget Amt			0	Perm Vac	49,021.00	Temp Budget Amt		1	Temp Vac		1		
PUB HLTH ED	51039233	GRP 08	FT	P	02/21/2025	HARM REDUCTION	110				55,132.00		01	64.000
55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
SCENE INV	51009212	GRP 08	FT	T	04/19/2025	MEDICAL EXAMINER'S OFFICE	110				55,132.00		01	100.000
0.00	Perm Budget Amt			0	Perm Vac	55,132.00	Temp Budget Amt		1	Temp Vac		1		
SR INV PH SN	00008818	GRP 10	FT	T	04/19/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110				62,215.00		01	64.000
510-3153	GRP 10	FT	P	P	05/13/2025	LEAD POISONING PREVENTION	110				62,215.00		01	64.000
62,215.00	Perm Budget Amt			1	Perm Vac	62,215.00	Temp Budget Amt		1	Temp Vac		2		
SR NURS PRAC	510-9127	GRP 16	FT	P	05/03/2025	STD OUTREACH	110				127,835.00		02	64.000
127,835.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
SR PH SANIT	51004759	GRP 12	FT	P	05/08/2025	LEAD POISONING PREVENTION	110				72,051.00		01	64.000
72,051.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
SR SCENE INV	51018912	GRP 11	FT	P	01/01/2025	MEDICAL EXAMINER'S OFFICE	110				67,823.00		01	100.000
67,823.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND		GRANT	BUDGETED AMOUNT		TOT VAC		CS CD		COUNTY SHARE

Totals for Health

925,340.00	Perm Budget Amt	14	Perm Vac	278,418.00	Temp Budget Amt	5	Temp Vac	19
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AST DP CM BD	51007154	GRP 13	FT	P	02/13/2025	ADMINISTRATION-BOE - REP.	110		78,000.00	05	100.000	
78,000.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
CHF EL CL CU	00001199	GRP 09	FT	P	12/14/2024	ADMINISTRATION-BOE - DEM.	110		58,577.00	05	100.000	
51017706	GRP 09	FT	P	04/22/2023	ADMINISTRATION-BOE - REP.	110			58,577.00	05	100.000	
117,154.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	
COM OP BD EL	51004171	GRP 07	FT	P	01/17/2020	ADMINISTRATION-BOE - DEM.	110		51,960.00	05	100.000	
51006950	GRP 07	FT	P	01/20/2018	ADMINISTRATION-BOE - DEM.	110			51,960.00	05	100.000	
103,920.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	
ELEC INFSVAS	510-6503	GRP 08	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		55,132.00	05	100.000	
55,132.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
ELECT CLK	51004928	GRP 06	FT	P	01/28/2023	ADMINISTRATION-BOE - DEM.	110		49,021.00	05	100.000	
51004934	GRP 06	FT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
51007031	GRP 06	FT	P	09/21/2024	ADMINISTRATION-BOE - DEM.	110			49,021.00	05	100.000	
51008971	GRP 06	FT	P	07/01/2024	ADMINISTRATION-BOE - DEM.	110			49,021.00	05	100.000	
51009356	GRP 06	FT	P	01/09/2021	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
510-0510	GRP 06	FT	P	08/02/2019	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
510-2978	GRP 06	FT	P	09/18/2023	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
510-3177	GRP 06	FT	P	02/22/2021	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
51013451	GRP 06	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
51013458	GRP 06	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110			49,021.00	05	0.000	
51014311	GRP 06	FT	P	07/08/2024	ADMINISTRATION-BOE - REP.	110			49,021.00	05	100.000	
539,231.00	Perm Budget Amt				11	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	11	
INF SY SP BO	51011939	GRP 11	FT	P	05/09/2024	ADMINISTRATION-BOE - REP.	110		67,823.00	05	100.000	
67,823.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
COLLECT CLK	000C5297	GRP 04	FT	P	01/06/2025	ADMINISTRATION-BOE - REP.	110		44,227.00	05	100.000	
510C2204	GRP 04	FT	P	12/11/2024	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
510C3564	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
510C3566	GRP 04	FT	P	03/23/2024	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
510C4714	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
510C4715	GRP 04	FT	P	03/23/2024	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
510C6175	GRP 04	FT	P	01/06/2025	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	
51010579	GRP 04	FT	P	11/06/2021	ADMINISTRATION-BOE - DEM.	110			44,227.00	05	100.000	

Report: ZHR_VACANT_POS_RPT
System: PRD/100/ZHR_VACANT_RPT
User: KAUDASZK
Department: 150 Board of Elections

Erie County
POSITION CONTROL
FULL TIME VACANCY BY DEPARTMENT, JOB

Page: 32
Date: 05/15/2025
Time: 08:54:57
As of: 05/15/2025

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
353,816.00	Perm Budget Amt				8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	8
PRIN EL CLK	00007410	GRP 08	FT	P	01/01/2025	ADMINISTRATION-BOE - REP.	110	55,132.00		05	100.000
55,132.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
SEC COM ELEC	51001881	GRP 08	FT	P	01/09/2014	ADMINISTRATION-BOE - REP.	110	55,132.00		05	100.000
55,132.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
SR COM OP BD	51008095	GRP 08	FT	P	12/30/2024	ADMINISTRATION-BOE - DEM.	110	55,132.00		05	100.000
55,132.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
SR ELEC CLK	00008757	GRP 07	FT	P	02/26/2025	ADMINISTRATION-BOE - REP.	110	51,960.00		05	100.000
51002174	GRP 07	FT	P	P	05/10/2024	ADMINISTRATION-BOE - DEM.	110	51,960.00		05	100.000
51003617	GRP 07	FT	P	P	01/01/2024	ADMINISTRATION-BOE - REP.	110	51,960.00		05	100.000
155,880.00	Perm Budget Amt				3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	3
SUPV BA DES	51009102	GRP 12	FT	P	11/18/2023	ADMINISTRATION-BOE - DEM.	110	72,051.00		05	100.000
72,051.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
VOT MAC TECH	51008243	GRP 07	FT	P	03/28/2015	ADMINISTRATION-BOE - REP.	110	51,960.00		05	100.000
51010042	GRP 07	FT	P	P	04/06/2024	ADMINISTRATION-BOE - REP.	110	51,960.00		05	100.000
103,920.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
Totals for Board of Elections											
1,812,323.00	Perm Budget Amt				35	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	35

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST CA PG-7	00000341	GRP 17	FT	P	10/19/2024	LEGAL COUNSEL	110		112,865.00		04	100.000
	112,865.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac	

Totals for County Attorney - Dept of Law

112,865.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PERS CLK	51018913	GRP 06	FT	P	01/01/2025	BENEFIT SERVICES	110		49,021.00	01		100.000

49,021.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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Totals for Personnel

49,021.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DIR IN AS PR	51015091	GRP 15	FT	P	05/05/2025	ECONOMIC DEVELOPMENT	110		94,652.00	01	01	100.000
	94,652.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1
PLANNER	51016838	GRP 10	FT	P	12/16/2024	PLANNING	110		62,215.00	01	01	100.000
	62,215.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1

Totals for Environment & Planning Divis'n

156,867.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
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SHORT DESC		POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT		TOT VAC	CS COUNTY CD SHARE
CS MG SR SRV		00000859	GRP 07	FT	P	10/19/2024	COMMUNITY SERVICES COORDINATOR	110		51,960.00			01 50.000
		00000860	GRP 07	FT	P	04/01/2024	COMMUNITY SERVICES COORDINATOR	110		51,960.00			01 50.000
103,920.00		Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt			0	Temp Vac	2	

Totals for Senior Services

103,920.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PK MN WK I	51011828	GRP 03	FT	T	04/26/2025	ELLCOTT CREEK PARK	110		42,840.00		03	100.000
	0.00	Perm Budget Amt			0	Perm Vac	Temp Budget Amt			1		
PK MN WK II	51018291	GRP 05	FT	P	06/11/2025	SPRAGUE BROOK PARK	110		45,246.00		03	100.000
	45,246.00	Perm Budget Amt			1	Perm Vac	Temp Budget Amt			1		
							0.00			0		
RECEPTIONIST	51009708	GRP 03	FT	P	04/24/2025	PARKS ADMINISTRATION	110		42,767.00		02	100.000
	42,767.00	Perm Budget Amt			1	Perm Vac	Temp Budget Amt			1		
							0.00			0		

Totals for Parks

88,013.00	Perm Budget Amt	2	Perm Vac	42,840.00	Temp Budget Amt	1	Temp Vac	3
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG GD	51018684	GRP 06	FT	T	04/06/2025	BUILDING SECURITY	110		44,441.00		01	100.000
	0.00	Perm Budget Amt		0	Perm Vac	44,441.00	Temp Budget Amt	1	Temp Vac	1		

Totals for Emergency Services

0.00	Perm Budget Amt	0	Perm Vac	44,441.00	Temp Budget Amt	1	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND		GRANT	BUDGETED		TOT		CS		COUNTY	
										AMOUNT		VAC		CD		SHARE	

Totals for FUND 110

15,561,234.00	Perm Fund Amt	264	Perm Vac	8,140,983.00	Temp Fund Amt	142	Temp Vac	406
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Run Totals:	Total Perm Vac	264	Total Temp Vac	142	Total Vacancies	406	Total Positions	4,114	Percent	10%
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SUP ACCT PT	510-8297	GRP 11	PT	P	06/01/2024	DEPARTMENT OF REAL PROPERTY TAX	110	32,216.00	01	01	100.000
32,216.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		
TAX ACCT PT	510-5554	GRP 10	PT	P	01/01/2022	DEPARTMENT OF REAL PROPERTY TAX	110	29,552.00	01	01	100.000
29,552.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		

Totals for Real Property Tax Services

61,768.00	Perm Budget Amt	2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
MAN FELL SEA	51018937	SPECIAL	SeasonP		01/01/2025	AUDIT & CONTROL	110		0.00		07	100.000

0.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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Totals for Comptroller

0.00	Perm Budget Amt	1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED		TOT VAC	CS CD	COUNTY SHARE
									AMOUNT				
CLERK PT	51002309	GRP 01	PT	P	08/01/2024	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		19,447.00		02	100.000	
	51002354	GRP 01	PT	P	10/07/2023	RECORDING	110		19,447.00		02	100.000	
	51002358	GRP 01	PT	P	03/01/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		19,447.00		02	100.000	
	51004349	GRP 01	PT	T	01/13/2024	RECORDING	110		19,447.00		02	100.000	
58,341.00	Perm Budget Amt			3	Perm Vac	19,447.00	Temp Budget Amt	1	Temp Vac	4			
JR MT V CS P	51002288	GRP 05	PT	T	09/21/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002290	GRP 05	PT	P	10/26/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002296	GRP 05	PT	P	12/11/2023	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002299	GRP 05	PT	P	04/25/2025	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002300	GRP 05	PT	P	11/22/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002331	GRP 05	PT	P	06/15/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002332	GRP 05	PT	P	10/05/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002333	GRP 05	PT	P	10/12/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002336	GRP 05	PT	P	12/20/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51002338	GRP 05	PT	P	11/17/2024	AUTO BUREAU BRANCH OFFICES	110		18,905.00		02	100.000	
	51002340	GRP 05	PT	T	06/15/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	
	51008178	GRP 05	PT	P	05/30/2023	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000	

Totals for County Clerk

275,012.00	Perm Budget Amt	13	Perm Vac	63,395.00	Temp Budget Amt	3	Temp Vac	16
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SHORT DESC		POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT		TOT VAC	CS CD	COUNTY SHARE
DS SE RE S S		51011332	GRP 51	SeasonP		07/15/2023	STADIUM DETAIL	110		4,682.00			07	0.000
		51011333	GRP 51	SeasonP		04/19/2025	STADIUM DETAIL	110		4,682.00			07	0.000
		51011340	GRP 51	SeasonP		08/14/2021	STADIUM DETAIL	110		4,682.00			07	0.000
		51011342	GRP 51	SeasonP		08/13/2021	STADIUM DETAIL	110		4,682.00			07	0.000
		51011344	GRP 51	SeasonP		07/17/2021	STADIUM DETAIL	110		4,682.00			07	0.000
		51011346	GRP 51	SeasonP		04/19/2025	STADIUM DETAIL	110		4,682.00			07	0.000
		51011348	GRP 51	SeasonP		06/29/2024	STADIUM DETAIL	110		4,682.00			07	0.000
		51011349	GRP 51	SeasonP		04/05/2025	STADIUM DETAIL	110		4,682.00			07	0.000
37,456.00		Perm Budget Amt		8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac			8		
DS SEC RES S		510-1393	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1396	GRP 50	SeasonP		05/04/2015	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1401	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1402	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1421	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1426	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1430	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1439	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1462	GRP 50	SeasonP		12/18/2024	STADIUM DETAIL	110		2,840.00			07	0.000
		510-1483	GRP 50	SeasonP		07/18/2020	STADIUM DETAIL	110		2,840.00			07	0.000
		51011484	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		51011491	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		2,840.00			07	0.000
		51011499	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		2,840.00			07	0.000
		51011503	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		2,840.00			07	0.000
		51011578	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		51011583	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		51011585	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		5-011586	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		5-011592	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		5-011593	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00			07	0.000
		5-017491	GRP 50	SeasonP		02/07/2025	STADIUM DETAIL	110		1,420.00			07	0.000
		51017493	GRP 50	SeasonP		06/17/2023	STADIUM DETAIL	110		1,420.00			07	0.000
		51017500	GRP 50	SeasonP		07/16/2023	STADIUM DETAIL	110		1,420.00			07	0.000
		51017502	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		1,420.00			07	0.000
		51017507	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00			07	0.000
		51017517	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00			07	0.000
		51017521	GRP 50	SeasonP		07/20/2024	STADIUM DETAIL	110		1,420.00			07	0.000
		51017534	GRP 50	SeasonP		12/18/2024	STADIUM DETAIL	110		1,420.00			07	0.000
		51017542	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00			07	0.000
		51017547	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00			07	0.000
		51017548	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00			07	0.000
		51017549	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00			07	0.000
		51017552	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00			07	0.000
		51017553	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00			07	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	76,680.00	Perm Budget Amt			34	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	34	
DEP SH RES P	00002369	GRP 08	PT	P	01/13/2025	POLICE SUPPORT SERVICES	110		23,258.00		02	100.000
	51011893	GRP 08	PT	P	02/18/2025	POLICE SUPPORT SERVICES	110		7,753.00		02	100.000
	31,011.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	

Totals for Office of the Sheriff

145,147.00	Perm Budget Amt	44	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	44
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SHORT DESC		POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT		TOT VAC	COUNTY CD SHARE	
HC GD PT		51017847	GRP 08	PT	P	11/02/2024	SECURITY HC	110		19,149.00			02	100.000
		51017848	GRP 08	PT	P	11/11/2025	SECURITY HC	110		19,149.00			02	100.000
		51017854	GRP 08	PT	P	03/08/2025	SECURITY HC	110		19,149.00			02	100.000
		51017856	GRP 08	PT	P	11/15/2024	SECURITY HC	110		19,149.00			02	100.000
76,596.00		Perm Budget Amt		4	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac		4		
RECEP PT CF		51016679	GRP 05	PT	P	10/28/2024	JAIL MANAGEMENT ADMINISTRATION	110		17,357.00			02	100.000
17,357.00		Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for Jail Management

93,953.00 Perm Budget Amt 5 Perm Vac 0 Temp Vac 5

ERIE COUNTY POSITION CONTROL PART TIME VACANCY BY DEPARTMENT, JOB												
SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
EN CR 1 SEA	00003290	GRP 02	SeasonP		04/12/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		14,235.00		02	0.000
	14,235.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
CASEWKR PT	51011888	GRP 09	PT	P	09/04/2024	CHILD PROTECTIVE SERVICES	110		27,824.00		02	49.200
	51011889	GRP 09	PT	P	09/18/2024	CHILD PROTECTIVE SERVICES	110		27,824.00		02	49.200
	55,648.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
EN CR 1 PT	00003330	GRP 02	PT	P	03/20/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		19,739.00		02	0.000
	19,739.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
EN CR 2 PT	00003360	GRP 05	PT	P	04/15/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	00003367	GRP 05	PT	P	09/21/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7071	GRP 05	PT	P	01/30/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7074	GRP 05	PT	P	05/03/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7076	GRP 05	PT	P	03/23/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7079	GRP 05	PT	P	04/22/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7080	GRP 05	PT	P	03/27/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	510-7081	GRP 05	PT	P	11/24/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	175,792.00	Perm Budget Amt		8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	8		
PR SVC IN FT	510-2162	GRP 12	PT	P	10/19/2024	CHILD PROTECTIVE SERVICES	110		34,224.00		01	49.200
	34,224.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
Totals for Department of Social Services												
	299,638.00	Perm Budget Amt		13	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	13		

SHORT DESC	POSITION NUMBER	JOB GROUP	BE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CHAPLAIN PT	00001023	GRP 11	PT	P	03/15/2025	SECURE CHILD CARE	110		3,391.00		04	51.000
	51018227	GRP 11	PT	P	03/15/2025	SECURE CHILD CARE	110		16,956.00		04	51.000
20,347.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt		2		
DET HM IN PT	00002980	GRP 09	PT	P	03/15/2024	INTAKE	110		22,530.00		02	51.000
22,530.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt		1		
DET SEC GD P	00002970	GRP 06	PT	P	07/09/2021	BUILDING SERVICES	110		14,102.00		01	51.000
14,102.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt		1		
YTH DET WK P	51016802	GRP 07	PT	T	06/15/2024	SECURE PART TIME YDW CHILD CARE	110		15,080.00		02	51.000
0.00	Perm Budget Amt				0	Perm Vac	15,080.00	Temp Budget Amt		1		
56,979.00	Perm Budget Amt				4	Perm Vac	15,080.00	Temp Budget Amt		1		
										5		

Totals for Youth Services Division

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
C IN C EMS P	51005153	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,645.00	4	02	100.000
	51005155	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,645.00		02	100.000
	51005158	GRP 15	PT	P	01/06/2020	EMS TRAINING	110		1,820.00		02	100.000
	51005175	GRP 15	PT	P	03/26/2025	EMS TRAINING	110		5,233.00		02	100.000
22,343.00	Perm Budget Amt			4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac			
C L IN EMS P	51005230	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		3,490.00		02	100.000
	51005231	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		3,499.00		02	100.000
	51005232	GRP 08	PT	P	12/04/2024	EMS TRAINING	110		2,173.00		02	100.000
	51005244	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		2,810.00		02	100.000
	51005275	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		3,499.00		02	100.000
	51006162	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		3,976.00		02	100.000
19,447.00	Perm Budget Amt			6	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	6		
EM MED TEC P	51018049	GRP 07	PT	P	11/16/2024	EMS AMBULANCE OPERATIONS	110		24,681.00		01	91.000
24,681.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
LAB TEC EC P	51017937	GRP 11	PT	P	07/31/2023	ENVIRONMENTAL HEALTH LAB	110		32,216.00		01	0.000
32,216.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
PR WK IN PT	51005284	GRP 01	PT	P	10/19/2024	EMS TRAINING	110		1,201.00		02	100.000
	51005289	GRP 01	PT	P	05/26/2021	EMS TRAINING	110		827.00		02	100.000
	51005291	GRP 01	PT	P	05/20/2023	EMS TRAINING	110		827.00		02	100.000
	51005293	GRP 01	PT	P	01/15/2022	EMS TRAINING	110		1,201.00		02	100.000
	51005297	GRP 01	PT	P	12/14/2024	EMS TRAINING	110		1,397.00		02	100.000
	51005299	GRP 01	PT	P	03/26/2025	EMS TRAINING	110		1,476.00		02	100.000
	51006178	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		590.00		02	100.000
	51006180	GRP 01	PT	P	04/20/2024	EMS TRAINING	110		590.00		02	100.000
	51006183	GRP 01	PT	P	12/14/2024	EMS TRAINING	110		590.00		02	100.000
8,699.00	Perm Budget Amt			9	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	9		
PR NRS PT	51012177	GRP 08	PT	P	08/05/2022	YOUTH DETENTION HEALTH SERVICES	110		39,853.00		02	50.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND		GRANT	BUDGETED		TOT		CS		COUNTY	
										AMOUNT		VAC		CD		SHARE	
	39,853.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt				0	Temp Vac				1

Totals for Health

147,239.00	Perm Budget Amt	22	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	22
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CH EL CL C P	51003576	GRP 09	PT	P	01/08/2016	ADMINISTRATION-BOE - DEM.	110		27,824.00	05		100.000
27,824.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
DABAPRCOPBOE	51014951	GRP 13	PT	P	06/20/2020	ADMINISTRATION-BOE - REP.	110		10,500.00	05		100.000
10,500.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
ELC FIN CL P	51007156	GRP 06	PT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		23,285.00	05		100.000
23,285.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
ELC IN S S P	51027157	GRP 11	PT	P	03/19/2020	ADMINISTRATION-BOE - REP.	110		32,216.00	05		100.000
32,216.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
ELE WKR PTNB	00033139	GRP 01	PT	P	03/13/2021	ADMINISTRATION-BOE - REP.	110		10,708.00	05		100.000
00033141	GRP 01	PT	P	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,708.00	05		100.000
00033143	GRP 01	PT	P	P	01/04/2025	ADMINISTRATION-BOE - REP.	110		9,711.00	05		100.000
00033145	GRP 01	PT	P	P	08/16/2024	ADMINISTRATION-BOE - REP.	110		10,708.00	05		100.000
00033150	GRP 01	PT	P	P	07/24/2020	ADMINISTRATION-BOE - REP.	110		10,708.00	05		100.000
00033151	GRP 01	PT	P	P	05/02/2025	ADMINISTRATION-BOE - DEM.	110		10,708.00	05		100.000
00033155	GRP 01	PT	P	P	12/02/2024	ADMINISTRATION-BOE - DEM.	110		10,708.00	05		100.000
00033157	GRP 01	PT	P	P	01/18/2020	ADMINISTRATION-BOE - REP.	110		3,897.00	05		100.000
00033159	GRP 01	PT	P	P	12/14/2024	ADMINISTRATION-BOE - DEM.	110		10,708.00	05		100.000
00033161	GRP 01	PT	P	P	05/01/2021	ADMINISTRATION-BOE - REP.	110		6,850.00	05		100.000
00033165	GRP 01	PT	P	P	11/05/2022	ADMINISTRATION-BOE - REP.	110		3,897.00	05		100.000
51007645	GRP 01	PT	P	P	11/29/2024	ADMINISTRATION-BOE - DEM.	110		19,447.00	05		100.000
51012655	GRP 01	PT	P	P	11/18/2024	ADMINISTRATION-BOE - DEM.	110		19,447.00	05		100.000
51012657	GRP 01	PT	P	P	12/14/2024	ADMINISTRATION-BOE - DEM.	110		19,447.00	05		100.000
51016026	GRP 01	PT	P	P	08/17/2023	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000
51016027	GRP 01	PT	P	P	08/21/2021	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000
51016028	GRP 01	PT	P	P	10/21/2023	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000
51016029	GRP 01	PT	P	P	08/16/2019	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000
51016030	GRP 01	PT	P	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000
51016105	GRP 01	PT	P	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		19,447.00	05		100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
274,334.00	Perm Budget Amt				20	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	20
JR EL CL PT	51005585	GRP 04	PT	P	01/11/2025	ADMINISTRATION-BOE - REP.	110		21,008.00		05	100.000
	51008264	GRP 04	PT	P	11/29/2024	ADMINISTRATION-BOE - DEM.	110		21,008.00		05	100.000
	51012979	GRP 04	PT	P	01/01/2016	ADMINISTRATION-BOE - REP.	110		21,008.00		05	100.000
63,024.00	Perm Budget Amt				3	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	3
MATECHOE PT	51007110	GRP 07	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000
	51008695	GRP 07	PT	P	08/16/2024	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000
49,362.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2
PR EL C A PT	51016471	GRP 08	PT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		26,188.00		05	100.000
26,188.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
PR SUVP EL P	51035970	GRP 09	PT	P	04/26/2021	ADMINISTRATION-BOE - DEM.	110		27,824.00		05	100.000
27,824.00	Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	1
SR EL CL PT	51034839	GRP 07	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000
	51014079	GRP 07	PT	P	09/02/2017	ADMINISTRATION-BOE - REP.	110		24,681.00		05	100.000
49,362.00	Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	2
Totals for Board of Elections												
583,919.00	Perm Budget Amt				33	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac	33

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERNS	51016837	GRP 01	SeasonP		03/16/2024	PLANNING	110		14,959.00	07	100.000	
	51017359	GRP 01	SeasonP		05/17/2024	ENVIRONMENTAL COMPLIANCE	110		9,448.00	07	32.400	
	51017360	GRP 01	SeasonP		11/12/2024	ENVIRONMENTAL COMPLIANCE	110		9,448.00	07	32.400	
	51017362	GRP 01	SeasonP		08/14/2023	ENVIRONMENTAL COMPLIANCE	110		9,448.00	07	32.400	
43,303.00			Perm Budget Amt	4		0.00	Temp Budget Amt	0	Temp Vac	4		

Totals for Environment & Planning Divis'n

43,303.00			Perm Budget Amt	4		0.00	Temp Budget Amt	0	Temp Vac	4		
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BEAC SUPV SE	51006350	GRP 49	SeasonP		08/21/2024	WENDT/BENNETT BEACH PARK	110		9,320.00	07		100.000
	9,320.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1	
LIFEGD CP S	51003312	GRP 47	SeasonP		09/08/2024	WENDT/BENNETT BEACH PARK	110		8,920.00	02		100.000
	51005651	GRP 47	SeasonP		08/23/2024	WENDT/BENNETT BEACH PARK	110		8,920.00	02		100.000
	17,840.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2	
LIFEGD SEAS	51003309	GRP 45	SeasonP		08/26/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	51003603	GRP 45	SeasonP		08/12/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	51004452	GRP 45	SeasonP		09/01/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	51005656	GRP 45	SeasonP		09/08/2024	WENDT/BENNETT BEACH PARK	110		4,260.00	02		100.000
	51005657	GRP 45	SeasonP		08/14/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	51013372	GRP 45	SeasonP		08/14/2024	WENDT/BENNETT BEACH PARK	110		4,260.00	02		100.000
	51017911	GRP 45	SeasonP		08/09/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	51017912	GRP 45	SeasonP		08/23/2024	WENDT/BENNETT BEACH PARK	110		8,520.00	02		100.000
	59,640.00	Perm Budget Amt			8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	8	
PARK ATT SEA	51011822	GRP 33	SeasonP		10/28/2024	CHESTNUT RIDGE PARK	110		5,813.00	03		100.000
	51011823	GRP 33	SeasonP		11/16/2024	COMO LAKE PARK	110		5,813.00	03		100.000
	51011825	GRP 33	SeasonP		11/01/2024	WENDT/BENNETT BEACH PARK	110		5,813.00	03		100.000
	51012681	GRP 33	SeasonP		09/09/2024	GROVER CLEVELAND PARK	110		12,456.00	03		100.000
	51018542	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018545	GRP 33	SeasonP		04/21/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018546	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018547	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018548	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018549	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018550	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018576	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018577	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018578	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018580	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00	03		100.000
	51018581	GRP 33	SeasonP		12/06/2024	PARKS ADMINISTRATION	110		13,148.00	03		100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	0.00	Temp	Budget Amt	FUND	GRANT	0	Temp	Vac	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	187,671.00	Perm Budget Amt			16	Perm Vac								16				

Totals for Parks

274,471.00	Perm Budget Amt	27	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	27
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SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED		TOT		CS		COUNTY	
									AMOUNT	VAC	CD	SHARE				

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
Totals for FUND 110											

2,033,438.00	Perm Fund Amt	170	Perm Vac	78,475.00	Temp Fund Amt	4	Temp Vac		174		
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Run Totals:	Total Perm Vac	170	Total Temp Vac	4	Total Vacancies	174	Total Positions	666	Percent	26%
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Erie County Legislature

Meeting Date: 05/22/2025

SUBJECT

COMM. 10M-1

EC RESTORATIVE
JUSTICE COALITION

Appointment to the ECCSAB

Attachments

25COMM. 10M-1



May 6, 2025

To Whom It May Concern:

I would like to recommend Kelly Dumas to serve on the Erie County Corrections Specialist Advisory Board. Kelly has vast experience helping individuals and families as a Social Worker and as a Counselor. She also has been trained in Restorative Practices and is currently supporting a Restorative Diversion program the Erie County Restorative Practices is offering to court involved youth. I believe she would be an excellent candidate to serve on your advisory board.

Erie County Restorative Justice Coalition's LORE program (Leading with Our Resilience Everyday) is an 8 week program that helps individuals become more resilient. Over eight weeks, the LORE program covers discovering one's core-self, risky behavior, understanding triggers and de-escalation, understanding healthy relationships, grief and loss, navigating shame, taking accountability for harmful behavior, and forgiveness. In 2025, we will serve 75 people in the program. Kelly is providing 1:1 counseling services to people as part of the LORE Program. She has also provided additional support in our classes.

Within the criminal justice system, we have numerous opportunities to help those incarcerated and those who work within the system. Kelly's experience as a community member and as a Clinical Social Worker will bring a healing focus lens to conversations around program development and program assessment. Her understanding of Restorative Practices along with her professional experience will make her a formidable member of the Erie County Corrections Specialist Advisory Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Prinzing".

Andrew Prinzing

Director of Training

Erie County Restorative Justice Coalition

567 Hertel Avenue

Buffalo, NY 14214

Erie County Legislature
Meeting Date: 05/22/2025

SUBJECT		
COMM. 10M-2	ECCRC	EC Charter Revision Commission Recommendations
Attachments		
25COMM. 10M-2		



County of Erie Charter Revision Commission

92 Franklin St., 4th Fl., Buffalo, NY 14202

May 15, 2025

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

EC LEG MAY 15 '25 PM 4:35

RE: Erie County Charter Revision Commission

Dear Honorable Members:

As Chair of the Erie County Charter Revision Commission, I would like to express my sincere gratitude for the opportunity to serve and engage with our community on proposed modifications, amendments, and recommendations to the Erie County Charter.

From the outset, our Commission approached this responsibility with seriousness and dedication. We met frequently, conducted robust discussions, and most importantly, listened, both to one another and to the members of the public who participated in our hearings. Beginning on December 27, 2024, and concluding on May 5, 2025, the Commission held a total of eight public hearings across the County. These hearings were well-attended and included input from residents as well as elected officials at the County, Town, City, and Village levels.

Following extensive review and deliberation, the Commission considered a total of sixty-two recommendations. Each proposal was first vetted in subcommittee and if a recommendation was brought before the full Commission, there was a vote. 33 recommendations were submitted, and 27 recommendations were approved to be provided to the legislature for potential amendment to the current Charter.

Among the most frequently discussed and passionately voiced topics were matters related to elections and ballot access. The public expressed strong interest in adopting Ranked Choice Voting, reducing the number of signatures required for Independent Nominating Petitions, and implementing term limits for County-wide elected officials. Additionally, the creation of a formal nepotism policy for County Employees was widely supported. We ultimately chose that our commission wasn't the correct forum for us to make formal recommendations on these topics, but feel they are noteworthy for your consideration.

Another prevailing concern was presenting any recommendation that was recently rejected by public referendum. Specifically, community members voiced firm opposition to revisiting the November 2024 sales tax proposition, which was defeated at the ballot box. The consensus was clear: proposals that have been explicitly rejected by voters should not be reintroduced through Charter amendment within such a short timeframe.

This letter cannot capture every idea or concern raised during our proceedings. However, the full scope of our work and all formal recommendations are available on the Commission's website for public review.

On behalf of the entire Commission, I extend our collective appreciation for the opportunity to serve Erie County in this capacity. It has been an honor to participate in this important civic process. Should you have questions or concerns, please do not hesitate to contact me directly.

Sincerely,

Shawn Connolly
Chair of Erie County Charter Revision Commission

Ph.: 716/858-7500 - FAX: 716/858-8895



County of Erie Charter Revision Commission

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2721 Transit Rd. Suite 116
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State Senator April N. McCants-Baskin
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Assemblymember David J. DiPietro
411 Main St.
East Aurora, NY 14052

Assemblymember Andrew M. Molitor
2 E. 2nd St. Fenton Building / Suite 320
Jamestown, NY 14701

Introducer's Memorandum to Recommendation Intro No 1

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation is to adjust the dollar amount to account for inflation from the time it was originally enacted. It was the consensus of the Committee that \$10,000.00 was too low a figure in a nearly \$2 Billion annual budget. The Committee believes \$50,000.00 would be a large enough figure to allow the County Executive flexibility in shifting budget funds while also being a low enough threshold to retain the Legislatures' oversight on such transfers.

Recommendation

Amend- Article 25, Section 2511 of the Charter as follows:

The County Executive may at any time during the fiscal year transfer part or all of the unencumbered appropriation balance between classifications of expenditures within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer (1) would result in an increase exceeding ~~ten thousand dollars (\$10,000)~~ **fifty thousand dollars (\$50,000.00)**, or such larger amount as may be prescribed by local law, during the fiscal year in any one line item in the budget as adopted, or (2) would affect any salary rate or salary total. If the county executive requests in writing, the County Legislature by resolution effective immediately may transfer part or all of any unencumbered appropriation balance from one county administrative unit to another. But no transfer shall be made from appropriations for debt service, and no appropriation may be reduced below any amount required by law to be appropriated. On or before the 15th day of the following month the County Executive shall provide the Legislature a monthly report of all transfers made pursuant to this section.

Introducer's Memorandum to Recommendation Intro No 2

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation to Amend Article 22, Section 2205(7) to permit the advisory board creating authority to abolish the board when deemed appropriate. The County Attorney's Office reviewed and provided the following analysis, "Article 22, Section 2205(7) currently provides that the advisory board creating authority (the CE or the ECL) may recommend to the ECL that a board be abolished if it fails to meet regularly. This language could result in a situation where the ECL is recommending to itself that a board be abolished and could also result in a situation where the CE required to obtain legislative approval to abolish a board of his own creation.

Recommendation

Amend Article 22, Section 2205(7) of the Charter as follows:

7. Advisory boards shall meet at least four times per year, and meetings shall be held in compliance with the Open Meetings Law. If a board fails to hold the minimum number of meetings, the creating authority shall investigate why, and is authorized to remove an in-effective chair or any inactive members, or to recommend that the legislature abolish the board **when deemed appropriate.**

Introducer's Memorandum to Recommendation Intro No 4

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation to Amend Article 25, Section 2504 is to remove the County Attorney and formally add the Parks Commissioner, DPW Commissioner, and the Deputy County Executive to the capital projects committee membership. This was reviewed by County Attorney's Office and it was determined there is no legal impediment to implementing this proposed amendment.

Recommendation

Amend Article 25, Section 2504(2) of the Charter as follows:

2. Capital Projects Committee. To assist in the consideration of capital projects and the capital program, there shall be a Capital Projects Committee consisting of the County Executive, the Deputy County Executive, the Comptroller, the Budget Director, the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Parks and Recreation, the Commissioner of the Department or Public Works, the County Attorney, and such other administrative heads as the County Executive may designate, and the following members of the County Legislature; the chair, the chair of the Finance and Management Committee, and the majority and minority leaders. The County Executive shall be solely responsible for the capital program and budget as submitted to the County Legislature and no members of the latter body shall be obliged to support any project by reason of membership on the Capital Projects Committee. The County Executive shall be the chair and the Budget Director shall be the vice chair of this committee.

Introducer's Memorandum to Recommendation Intro No 5

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation is to amend Article 25, Section 2508(3) to contemplate the restoration of budgetary levels equal to those proposed prior to reductions made in contemplation of additions or increases which ultimately fail upon reconsideration. The County Attorney reviewed this and provided the following analysis: "this proposed amendment would provide clarity relative to the consequences of a budgetary process currently not contemplated by the Charter."

Recommendation

Amend Article 25, Section 2508(3) of the Charter as follows:

3. The County Executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which he or she objects with the reasons for his or her objections, and shall return the budget with his or her objections to the Clerk of the County Legislature who shall present the same to the County Legislature on or before the seventh business day after the sixth of December. The County Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such re-consideration two thirds of all members of the County Legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any addition and increases not so objected to by the County Executive, shall be deemed adopted. **If upon such reconsideration two third of all members of the County Legislature fail to approve such additions and increases so objected to, the budget excluding such addition and increases shall be deemed adopted and any budgetary reductions made in contemplation of such excluded**

additions and increases shall re-vert back to their originally proposed funding levels.

Introducer's Memorandum to Recommendation Intro No 6

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation is to clarify how conflicts between Section 2205 and the absence of rules for committees and boards in other sections is resolved; "Where written language is absent all boards will conform to the rules of section 2205" or "committees and Boards with rules explicitly written in the charter will disregard section 2205" This was reviewed by the County Attorney's Office and the following analysis was provided, "Article 22, Section 2205 ("2205") of the Charter currently provides that " ... Unless otherwise stipulated elsewhere in this charter or through NYS law, advisory boards for Erie County shall be constituted as follows:" This current language functions to allow for specific Erie County advisory boards established in the Charter or state law to deviate from the default framework provided for by 2205. Given this language, there are no conflicts between 2205 and other sections of the charter which establish the composition of advisory boards outside of the framework provided in 2205; however, advisory boards solely established in the Erie County Administrative Code are not contemplated here and therefore could be in conflict with 2205."

Recommendation

Amend the first paragraph of Article 22, Section 2205 of the Charter as follows:

Section 2205. Advisory boards. To better fulfill the purpose, responsibilities and goals of each department of the County, or comply with the requirements of NYS law, citizens' advisory boards may be established. Unless otherwise stipulated elsewhere in this charter, **the Erie County Administrative Code**, or through NYS law, advisory boards for Erie County shall be constituted as follows:

Introducer's Memorandum to Recommendation Intro No 7

Sponsored by Commission Member: Gerald Paradise III, as a commission member.

The intent and purpose of this recommendation is to add language to the Charter to allow for public comment during Legislative sessions. Several speakers at the public hearings as well as written correspondence to the Commission stated they were in favor of allowing the public to speak at Legislature meetings similar to what occurs at Town Board meetings.

Recommendation

Add a section in the Charter; Section 212.

“Public Comment. At the beginning of every meeting of the Legislature there shall be an opportunity given to members of the public in attendance to address the Legislature. The Chair of the Legislature shall be empowered to create rules regarding public comment and such rules must be published on the county website.”

Introducer's Memorandum to Recommendation Intro No 8

**Sponsored by Commission Member: Gerald Paradise III, as Chair
and on behalf of the Budget, Operations, & Miscellaneous Committee**

The intent and purpose of this recommendation is to strike a balance between maintaining the oversight over contract extensions by the Legislature, while also allowing greater flexibility in allowing extensions to be slightly longer than currently allowed before approval is required.

Recommendation

Amend- Article 26, Section 2602A of the Charter as follows:

“Section 2602A. Amendments to contracts. No contract to which the County of Erie is a party, regardless of prior authorization granted to the County Executive or any other individual acting on behalf of the County, shall be amended to extend the stated terms of the contract, including any explicitly options to extend, in excess of ~~three~~ **six** months beyond the terms stated in the original contract, without the approval of the Legislature.

Introducer's Memorandum to Recommendation Intro No 9

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Probation

The intent and purpose of this recommendation is to clarify titles that require Peace Officer status so that future commissioners and deputies' qualifications are more clearly stated. This is recommended by the Department of Probation and reviewed the County Attorney's Office providing the following analysis, "Title 9, Section 347(4)(f) of the New York Codes Rules and Regulations empowers the NYS Commissioner of the Division of Criminal Justice Services to promulgate required qualifications of probation professional personnel to include commissioners and deputy commissioners of probation departments."

Recommendation

Amend Article 22, Section 2203 of the Charter as follows:

Section 2203. Department of Probation. There shall be a Department of Probation headed by a Commissioner who shall be appointed by the County Executive, subject to confirmation by the County Legislature. Probation **Administrators**, Officers, and Supervisors staffing the Probation Department shall be New York State Certified Peace Officers and have met the mandated training requirement of a Probation Officer **as required by law and** as specified by the New York Department of Criminal Justice Service and **shall be** appointed under the provisions of New York Civil Service Law.

Introducer's Memorandum to Recommendation Intro No 10

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Central Police Services

The intent and purpose of this recommendation is to amend wording regarding applicants, so it isn't as strict and hurts the process of filling vacancy in the future. This is recommended by the Department of Central Police Services Planning and reviewed the County Attorney's Office, who provides there is no legal impediment to this change.

Recommendation

Amend Article 15, Section 1501 of the Charter as follows:

Section 1501. Department of Central Police Services: Commissioner. There shall be a Department of Central Police Services, the head of which shall be the Commissioner of Central Police Services. He or she shall be appointed by the County Executive, subject to confirmation by the County Legislature.

from a list of ~~six qualified~~ candidates **provided by the Central Services Board of Trustees. The list shall name six qualified candidates including at least one female candidate and at least one candidate from an under-represented minority group. ~~one of which must be female, and an additional one of which must be from an underrepresented minority group, provided by the Central Police Service Board of Trustees.~~**

Should the Central Police Services Board of Trustees be unable to identify qualified candidates who meet the description herein, they shall submit a list qualified candidates in such quantity and demographic as may be identified and available at the time of vacancy or impending vacancy in the Office of the Commissioner. The Commissioner shall serve at the pleasure of the County Executive.

Introducer's Memorandum to Recommendation Intro No 11

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee

Department of Environment and Planning

The intent and purpose of this recommendation is to add #8 to Section 1002, creating language that the commissioner ensures compliance with County Local Law 18 and all applicable local, state, and federal regulations around county's affordable housing initiatives. Additionally, in Charter Section 1004.3, adding word "wetlands" in second sentence in second paragraph. This is recommended by the Environment and Planning and reviewed the County Attorney's Office providing the following analysis, "In relation to the promotion of fair housing in Erie County, Erie County Local Law 4-2018 states that: 'The County Executive shall designate the Commissioner of the Department of Environment and planning to perform enforcement ...', and further states that: 'The (Erie County Fair Housing) Board shall be staffed by the Department of Environment and Planning and its Commissioner shall serve as an ex-officio, non-voting member of the Board. There is no legal impediment to amending Section 1004.3 to include the term "wetlands."'

Recommendation

Amend Article 10, Section 1002(6) and Section 1004.3 as follows:

Section 1002. Powers and duties of Commissioner. The Commissioner of Environment and Planning shall have the following powers and duties:

1. He or she shall administer the planning, environmental compliance, drainage, flood control, solid waste management, sewerage planning, construction and management functions vested in the executive branch of the County government, provided, how-ever, that this provision shall not be deemed to restrict the powers or duties of any administrative body appointed, designated, or established in accordance with article five a of the County law and the Erie County Charter and Administrative Code.
2. He or she shall head the Department of Environment and Planning, supervise and direct its officers and employees, and make such assignments of powers and duties among them as he or she may consider advisable.
3. He or she may promulgate, administer, enforce and amend a county environmental quality code, as provided for by ~~pursuant to section nine hundred three of this charter~~ this Article. (Previous section 903 is now

1003. This amendment is recommended to prevent future inconsistencies).

4. He or she may, if authorized to do so by appropriate federal or state authorities, administer or enforce federal or state laws, rules, regulations, orders or programs in relation to the control, enhancement and preservation of environmental resources.
5. He or she shall advertise and call for bids on the construction of each sewer project of the County and such other projects as may be assigned to this department by the County Legislature, open such bids publicly, tabulate them and submit recommendations with respect thereto to the County Legislature and County Executive.
6. He or she shall have such additional powers and duties as may be prescribed by law, regulation, and the County Executive.
7. He or she shall have all powers necessary or proper to the exercise of any of the duties or functions of the Commissioner of the Department of Environment and Planning.

Section 1004.3. Powers, duties and functions of the Council. The Council shall review and investigate ecologically sound methods of planning the use of the County's resources. In conjunction with the Deputy Commissioner of Environmental Compliance it shall prepare an annual recommendations report based on that investigation and transmit same to the County Executive and the Legislature. The report shall include a section on the needs of those living in areas of urban or rural poverty where the impact of environmental degradation may be more severe.

The Council shall keep an index of all open areas within the County, with the plan of obtaining information pertinent to sound ecological utilization of such areas including land owned by any municipality within the County. It shall keep an index of all wetlands, open marsh lands swamps, and all other wet lands in a like manner. and may recommend a program for their ecologically suitable utilization. The Council shall develop and maintain an inventory of natural resources within the County and such other environmental information as may be appropriate. Said inventory shall include wetlands and open spaces and may include, but not be limited to, factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat unique natural areas, and scenic, historic, and archaeological sites.

Introducer's Memorandum to Recommendation Intro No 12

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Information and Support Services

The intent and purpose of this recommendation is to the change following titles:

- 1) "Director of Information and Support Services" to "Chief Information Officer"
- 2) "Director of Data Processing" to "Director of Information Technology"
- 3) "data processing" to "information technology"

This was reviewed by the County Attorney's office who indicated there are no legal impediments to implementing the suggested amendments.

Recommendation

Amend Article 3, Section 310 of the Charter as follows:

Section 310. Division of Information and Support Services.

- 1) There shall be in the office of the County Executive a Division of Information and Support Services, headed by a **Chief Information Officer** ~~Director of Information and Support Services~~ who shall be appointed by and serve at the pleasure of the County Executive. The ~~Director~~ **Chief Information Officer** shall provide such information and support services as provided for in the Administrative Code and shall operate such other central facilities as may be established by the County Executive within the appropriations provided there for.
- 2) Within the Division of Information and Support Service there shall be an Office of **Information Technology** ~~Data Processing~~, headed by the Director of **Information Technology** ~~Data Processing~~ who shall be appointed by and serve at the pleasure of the County Executive. The Director shall be a person meeting such qualifications as may be set out in this Charter or in the Administrative Code at the time of his or her appointment. The Director shall perform such **information technology** ~~data processing~~ services as provided for in the Administration Code.
- 3) Subject to the approval of the County Legislature, the County Executive may enter into a contract with the federal government, state government or any municipal corporation to provide **information technology data processing** services to such governments or units of government.

Introducer's Memorandum to Recommendation Intro No 13

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee

Department of Senior Services

The intent and purpose of this recommendation to change "Senior Services" to Department of the Aging, change all instances of senior citizens to older adults and in section 16.03 and make modifications as the advisory board of code, refers back to charter, but charter doesn't specify terms of advisory board"

The County Attorney's Office's reviewed this recommendation and identified that there are no legal impediments to implementing the first two suggested amendments. Further, "Department for the Aging" is appropriate. Finally, "the intent of Section 16.03 of the Administrative Code is to defer to the general provisions of Article 22, Section 2205 of the Charter as they relate to advisory board establishment and composition and not Article 16 of the Charter which establishes and describes the Department of Senior Services."

Recommendation

Amend Article 16 of the Charter as follows:

Article 16 - Department ~~for the Aging of Senior Services~~ • Charter

Section 1601 Department ~~for the Aging of Senior Services~~; Commissioner

Section 1602 Powers and duties

Section 1603 Advisory board

Section 1601. Department ~~for the Aging of Senior Services~~; Commissioner.

There shall be a Department ~~for the Aging of Senior Services~~, the head of which shall be the Commissioner. The Commissioner of said department shall be appointed by and shall serve at the pleasure of the County Executive.

Section 1602. Powers and duties. The Commissioner of the department shall:

1. Act as a local administrative officer for planning and coordination of services for ~~older adults senior citizens~~ cooperation with the County Executive and the County Legislature;
2. Serve as an advocate in order to make existing service systems more effective and accessible to ~~older adults senior citizens~~;
3. Assess the future needs of ~~older adults senior citizens~~ the continuance of beneficial programs and to implement additional services according to need and de-mographics including handicapped and disabled ~~older adults senior citizens~~;

4. Apply for such federal and state funds and grants as may be beneficial to ~~older adults senior citizens~~;
5. Function as a coordinator with the cities, towns and villages within the County for community - based systems for ~~older adults senior citizens~~;
6. Gather and disseminate information relating to the needs of the aging and inform the public through an awareness program of the services and facilities available to ~~older adults senior citizens~~;
7. Initiate and monitor programs to preserve the safety of ~~older adults senior citizens~~ with respect to transportation services and crime prevention;
8. Perform such further duties as may be prescribed or directed by the County Executive or the County Legislature.

Section 1603. Advisory board. There shall be established an advisory board to the Department ~~for the Aging of Senior Services~~.

Introducer's Memorandum to Recommendation Intro No 15

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee

The intent and purpose of this recommendation is "Amend Article 17, Section 1701 of the Charter to remove the requirement to appoint the Commissioner of Public Advocacy from among the department's division directors so that the commissioner and one of the division directors need not serve in two positions simultaneously." The County Attorney reviewed this recommendation and found it to align the Charter with the department's current structure and operations as budgeted by the County Legislature and remove an unnecessary limitation on who may serve as commissioner. Further, it would allow the commissioner and division directors to better devote individual time and attention to carrying out their respective duties and missions. This amendment would still permit the commissioner to be appointed from among the division directors as Section 1701 provides, because the County Executive already has the power and option to appoint a single individual to serve in multiple administrative head positions under Article 3, Section 307 of the Charter.

Recommendation

Amend Article 17, Section 1701 of the of the Charter as follows:

Section 1701. Department of Public Advocacy. There shall be a Department of Public Advocacy, the head of which shall be the Commissioner. The Commissioner of said Department shall be appointed ~~from among the division directors~~ by and shall serve at the pleasure of the County Executive, subject to approval of the County Legislature.

Introducer's Memorandum to Recommendation Intro No 16

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee

The intent and purpose of this recommendation to amend Article 17, Section 1705 to change the name of the advisory entity from "advisory commission to the division on the status of women" to "advisory board to the division on the status of women." The County Attorney's Office reviewed this and found no legal impediment to implementing this proposed amendment.

Recommendation

Amend Article 17, Section 1705 of the Charter as follows:

Section 1705. Advisory ~~Board Commission~~ to Division on the Status of Women. There shall be an ~~Advisory Board~~. The ~~Board Commission~~ shall consist of nine to fifteen members to be appointed by the County Executive subject to confirmation by the County Legislature. The County Executive shall appoint to the ~~Board Commission~~ at least two persons recommended by each of the majority and minority leaders of the Legislature.

Nominations for the remaining positions shall be actively solicited from groups which represent and are active in the area of women's concerns. The Departments of Health, Mental Health, Senior Services, Social Services, Youth Services, and the Equal Employment Opportunity Office shall each designate one person to serve as an ex-officio non-voting member of the ~~Board Commission~~. The membership of the ~~Board Commission~~ shall reflect the diversity of women and their concerns in Erie County.

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 Commission~~ shall annually designate one member to serve as ~~Board Commission~~ chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, ~~Board Commission~~ shall appoint a successor to that office from the ~~Board's Commission~~ membership.

The County Executive shall require any county department, division, board, council, committee, authority or agency, or other unit to provide such facilities, assistance and data as will enable the commission to properly effectuate its powers and duties under this article.

Introducer's Memorandum to Recommendation Intro No 17

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee

Department of Social Services

The intent and purpose of this recommendation to change the term “welfare” to “services,” and insert language as necessity by New York State Law. This is recommended by the Department of Social Services and review by the County Attorney's Office. The County Attorney's Office supports the modifications to 1201 and 1202. N.Y. Social Services Law §116 establishes the term length of five years.

Recommendation

Section 1201. Department of Social Services; Commissioner; County Welfare Act repealed. There shall be a Department of Social ~~Welfare~~ **Services** headed by a Commissioner who shall be appointed by the County Executive subject to confirmation by the County Legislature **for a five-year term**. The Erie County Social Welfare Act, being chapter twenty-eight of the laws of nineteen hundred thirty-eight as amended, is hereby repealed as of January first, nineteen hundred sixty-one.

Section 1202. Powers and duties of the Commissioner. Except as otherwise provided in this Charter, the Commissioner of Social Services shall have all the powers and perform all the duties conferred on or required of a county commissioner of public welfare under the ~~Social Welfare~~ **Social Services** Law or other applicable law and perform such additional and related duties as the County Executive may prescribe.

Introducer's Memorandum to Recommendation Intro No 19

Sponsored by Commission Member William Schmid & Scott Kroll

The intent and purpose of this recommendation is to remove personal pronouns from the Erie County Charter in order to be inclusive of all potential individuals in Erie County government. Rather than include currently used personal pronouns, and also to avoid the necessity of anticipating future usage of not included pronouns, using descriptive nouns serves the purpose of being inclusive. The usage of nouns also removes potential ambiguity that the use of pronouns may cause.

Amend- Article 2, Section 202.1 of the Charter as follows:

Section 202.1. Qualifications and eligibility of County legislators. At the time of nomination or appointment and throughout the term of office, each County legislator shall be a duly qualified elector of the legislative district from which ~~he or she~~ the County legislator is elected. A County legislator shall not hold any other salaried elective public office during ~~his or her~~ the County legislator's tenure. Where a vacancy in an appointive County office takes place and the right to fill said vacancy is vested in the County Executive, subject to confirmation by the County Legislature, or the power of appointment is vested in the County Legislature, a person, otherwise qualified, who is a member of the County Legislature at the time the vacancy occurs may be appointed to fill the vacancy provided ~~he or she~~ the County legislator shall have resigned prior to such appointment.

Amend- Article 2, Section 202.1 of the Charter as follows:

Section 205. Procedure for adoption of local laws. Every local law adopted by the County Legislature shall be certified by the Clerk thereof after its adoption by such body and shall be presented to the County Executive for approval by him or her. No local law shall be approved by the County Executive until a public hearing thereon has been held before him or her. This hearing shall be held on public notice of at least five days, such notice to be given by the County Executive within ten days after the local law shall have been presented to him or her, and the hearing shall be held within twenty days after such presentation. If the County Executive approves the local law, ~~he or she~~ the County Executive shall sign it and return it to the Clerk of the County Legislature. If ~~he or she~~ the County Executive

disapproves it ~~he or she the County Executive~~ shall return it to the Clerk with ~~his or her the County Executive's~~ objections stated in writing, and the Clerk shall present the law with such objections to the County Legislature at its next regular meeting. Such objections shall be entered in the Legislature's record of proceedings. The County Legislature within thirty days thereafter may reconsider the local law. If after the reconsideration such local law is repassed by a vote of at least two thirds of the total voting power of the County Legislature, it shall be deemed adopted, notwithstanding the objections of the County Executive. Only one vote shall be had upon such reconsideration. The vote shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the record of proceedings. If within thirty days after a local law shall have been presented to him or her the County Executive shall neither approve it nor return it to the Clerk with ~~his or her the County Executive's~~ objections, the local law shall be deemed to be adopted in like manner as if ~~he or she the County Executive~~ had signed it. At any time prior to the approval of a local law or to its return by the County Executive, the County Legislature may recall the same and reconsider its action thereon.

Amend- Article 3, Section 301 of the Charter as follows:

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~~ The County Executive's term of office shall begin with the first day of January next following ~~his or her the County Executive's~~ 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. At the time of ~~his or her the County Executive's~~ election and throughout ~~his or her the County Executive's~~ term of office ~~he or she the County Executive~~ shall be a qualified elector of the County. ~~He or she~~ The County Executive shall devote ~~his or her the County Executive's~~ whole time to the duties of ~~his or her the County Executive's~~ office and shall hold no other public office, except as provided in section three hundred seven hereof.

Amend- Article 3, Section 303, paragraph 3 of the Charter as follows:

3. Supervise and direct the internal organization and reorganization of each department or other administrative unit the head of which ~~he or she~~ the County Executive has power to appoint.

Amend- Article 3, Section 306 of the Charter as follows:

Section 306. Division of Purchase; Purchasing Act repealed. There shall be in the office of the County Executive a Division of Purchase, headed by a Purchasing Director who shall be appointed by and serve at the pleasure of the County Executive. Such director shall possess at least five years of practical experience in the area of purchasing, and/or shall possess at least five years professional training in the area of purchasing, or shall possess a combination of said requirements totaling at least five years. The Purchasing Director shall, in accordance with requirements as to advertising and competitive bidding, make all purchases and sales of materials, supplies and equipment and contract for the rental or servicing of equipment for the County, except as otherwise provided in this Charter or the Administrative Code. ~~He or she~~ The Purchasing Director shall not contract for or furnish any services, equipment or other articles except upon receipt of authorized requisitions and certifications as to the availability of funds. The Erie County Purchasing Act, being chapter one hundred sixty seven of the laws of nineteen hundred seventeen as amended, is hereby repealed as of January first, nineteen hundred sixty one. Amended by Local Law No. 5 1980.

Amend- Article 5, Section 502 of the Charter as follows:

Section 502. Powers and duties of the Commissioner. Except as otherwise provided in this Charter, the Commissioner of Health shall have all the powers and perform all the duties conferred or imposed upon county health commissioners and/or county boards of health by law. ~~He or she~~ The Commissioner of Health shall perform such additional and related duties as the County Executive may prescribe.

The Commissioner shall supervise and be responsible for, and shall appoint and have charge of the County medical examiners and their staff, which County medical examiners

shall be physicians duly licensed to practice in the State of New York. The medical examiners shall have such powers and duties as are or may be prescribed by any state law, county law, special act, or local law, including any duties previously assigned to the Medical Director as regards inquiries into deaths occurring without medical attendance. The Chief Medical Examiner shall be keeper of the morgue.

Amend- Article 6, Section 601 of the Charter as follows:

Section 601. Department of Law; County Attorney. There shall be a Department of Law headed by the County Attorney, who shall be appointed by the County Executive subject to confirmation by the County Legislature. ~~He or she~~ **The County Attorney** shall be a member in good standing of the bar of the State of New York.

Amend- Article 6, Section 602 of the Charter as follows:

Section 602. Powers and duties. The County Attorney shall be the legal advisor for the County and, on its behalf in County matters, of its officers and administrative units. ~~He or she~~ **The County Attorney** shall, in all County legal matters of a civil nature, advise all County officers and employees and, where in the interest of the County, prepare all necessary papers and written instruments in connection therewith, prosecute or defend all actions or proceedings of a civil nature brought by or against the County; prepare resolutions, ordinances, legalizing acts and local laws to be presented for action by the County Legislature, together with notices and other items in connection therewith; and perform such additional and related duties as may be prescribed by law, by the County Executive or by resolution of the County Legislature.

Amend- Article 9, Section 902 of the Charter as follows:

Section 902. Powers and duties. The Commissioner of Personnel shall have, with reference to the civil service of the County, the powers and duties of a county civil service commissioner as provided by the Civil Service Law, and, ~~he or she~~ **the Commissioner of Personnel** shall be subject to supervision and control by the State Civil Service

Commission as are county civil service commissions. Provided, however, that the State Civil Service Commission shall have exclusive jurisdiction to prepare and rate examinations and establish eligibility lists for all positions under the jurisdiction of the County Personnel Commissioner. The Commissioner shall perform such additional and related duties as the County Executive may prescribe.

Amend- Article 10, Section 1001 of the Charter as follows:

Section 1001. Department of Environment and Planning; Commissioner; qualifications. There shall be a Department of Environment and Planning headed by a Commissioner. ~~He or she~~ **The Commissioner** shall be appointed by the County Executive, subject to confirmation by the County Legislature. ~~He or she~~ **The Commissioner** shall possess not less than a baccalaureate degree in an appropriate subject field and suitable experience in private or public administration and environmental resource programs or regional, county or municipal planning.

Amend- Article 10, Section 1002 of the Charter as follows:

Section 1002. Powers and duties of Commissioner. The Commissioner of Environment and Planning shall have the following powers and duties:

1. ~~He or she~~ **The Commissioner** shall administer the planning, environmental compliance, drainage, flood control, solid waste management, sewerage planning, construction and management functions vested in the executive branch of the County government, provided, however, that this provision shall not be deemed to restrict the powers or duties of any administrative body appointed, designated, or established in accordance with article five a of the County law and the Erie County Charter and Administrative Code.
2. ~~He or she~~ **The Commissioner** shall head the Department of Environment and Planning, supervise and direct its officers and employees, and make such assignments of powers and duties among them as ~~he or she~~ **the Commissioner** may consider advisable.

3. ~~He or she~~ The Commissioner may promulgate, administer, enforce and amend a county environmental quality code, pursuant to section nine hundred three of this charter.
4. ~~He or she~~ The Commissioner may, if authorized to do so by appropriate federal or state authorities, administer or enforce federal or state laws, rules, regulations, orders or programs in relation to the control, enhancement and preservation of environmental resources.
5. ~~He or she~~ The Commissioner shall advertise and call for bids on the construction of each sewer project of the County and such other projects as may be assigned to this department by the County Legislature, open such bids publicly, tabulate them and submit recommendations with respect thereto to the County Legislature and County Executive.
6. ~~He or she~~ The Commissioner shall have such additional powers and duties as may be prescribed by the County Executive.
7. ~~He or she~~ The Commissioner shall have all powers necessary or proper to the exercise of any of the duties or functions of the Commissioner of the Department of Environment and Planning.

Amend- Article 10, Section 1003 of the Charter as follows:

Section 1003. County environmental quality code. To the extent applicable to the control and enhancement of the quality, use or enjoyment of air and water resources, the authority conferred upon a board of health by the Public Health Law to formulate, promulgate, adopt, publish and enforce rules, regulations, orders and directions for the security of life and health to be known as a sanitary code may be exercised by the Commissioner of Environment and Planning in formulating, promulgating, adopting, publishing and enforcing an environmental quality code. The Commissioner may also promulgate such other and additional rules and regulations as ~~he or she~~ the Commissioner shall consider appropriate to enhance the quality, use and enjoyment of air, water and other resources within the County, in furtherance of public health, safety, and welfare. This shall not be deemed to limit the authority of the Commissioner of Health or the Board of Health to promulgate such additional regulations for the security of life and health as may be necessary. Before adopting any provision or amendment of the County environmental quality code, the

Commissioner shall conduct a public hearing, pursuant to the procedures set forth in section 9.06(a) of the Erie County Administrative Code. Following such public hearing, if the Commissioner's decision is to adopt said proposed code or amendment, ~~he or she~~ **the Commissioner** shall file a copy of the said preliminary decision with the Clerk of the Legislature. If the County Legislature shall so direct, pursuant to section 9.06(a) of the Erie County administrative code, the Commissioner shall conduct a second public hearing.

Nothing in this section shall be construed to mean that the Commissioner must promulgate or enforce such rules, regulations, orders and directions except as ~~he or she~~ **the Commissioner** has the necessary staff and funds to do so.

Amend- Article 11, Section 1001 of the Charter as follows:

Section 1101. Department of Public Works; Commissioner; Qualifications. There shall be a Department of Public Works headed by a Commissioner. ~~He or she~~ **The Commissioner** shall be appointed by the County Executive, subject to confirmation by the County Legislature and shall be a professional engineer licensed and registered by the State of New York.

Amend- Article 13, Section 1301 of the Charter as follows:

Section 1301. Department of Mental Health; Commissioner. There shall be a Department of Mental Health, the head of which shall be the Commissioner of Mental Health. ~~He or she~~ **The Commissioner** shall be appointed by the County Executive subject to confirmation by the County Legislature. The Commissioner shall meet those qualifications fixed by the State Office of Mental Health and in existence at the time of ~~his or her~~ **the Commissioner's** appointment.

Amend- Article 13, Section 1302 of the Charter as follows:

Section 1302. Powers and duties. Except as otherwise provided in this Charter, the Commissioner of Mental Health shall have all the powers and perform all the duties

conferred or imposed upon directors of mental health and/or community health boards by law. Within appropriations made available there for, the Commissioner shall perform all duties with respect to child mental health services. The Commissioner or ~~his or her~~ the Commissioner's designee shall serve as the Director of Community Services prescribed by Mental Hygiene Law §41.09. ~~He or she~~ The Commissioner shall perform such additional and related duties as the County Executive may prescribe.

Amend- Article 14, Section 1401 of the Charter as follows:

Section 1401. Department established; Commissioner of Homeland Security and Emergency Services. There shall be a Department of Homeland Security and Emergency Services, the head of which shall be the Commissioner of Homeland Security and Emergency Services. ~~He or she~~ The Commissioner shall be appointed by the County Executive subject to confirmation by the County Legislature to serve at the pleasure of the County Executive.

Amend- Article 15, Section 1501 of the Charter as follows:

Section 1501. Department of Central Police Services; Commissioner. There shall be a Department of Central Police Services, the head of which shall be the Commissioner of Central Police Services. ~~He or she~~ The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature, from a list of six qualified candidates, one of which must be female, and an additional one of which must be from an under-represented minority group, provided by the Central Police Services Board of Trustees. The Commissioner shall serve at the pleasure of the County Executive.

Amend- Article 18, Section 1801 of the Charter as follows:

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~~ The County Comptroller's term of office shall begin with the first day of January next following ~~his or her~~ the County Comptroller's election and shall be for four years. At the time of ~~his or her~~ the County

Comptroller's election and throughout ~~his or her~~ the County Comptroller's term of office ~~he or she~~ the Comptroller shall be a qualified elector of the County. ~~He or she~~ The Comptroller shall devote ~~his or her~~ the County Comptroller's whole time to the duties of ~~his or her~~ the County Comptroller's 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.

Amend- Article 19, Section 1901 of the Charter as follows:

Section 1901. Election. There shall be a County Clerk who shall be elected from the County at large. ~~His or her~~ The County Clerk's term of office shall begin with the first day of January next following ~~his or her~~ the County Clerk's election, and shall be for four years except as otherwise provided in this Charter. At the time of ~~his or her~~ the County Clerk's election and throughout ~~his or her~~ the County Clerk's term of office ~~he or she~~ the Clerk shall be a qualified elector of the County. ~~He or she~~ the Clerk shall devote ~~his or her~~ the County Clerk's whole time to the duties of ~~his or her~~ the County Clerk's office and shall hold no other public office.

Amend- Article 19, Section 1902 of the Charter as follows:

Section 1902. Powers and duties. Except wherein consistent with this Charter, the County Clerk shall have and exercise all powers and duties now or hereafter conferred or imposed upon him or her by any applicable law. ~~He or she~~ the Clerk shall perform such additional and related duties as may be prescribed by local law.

Amend- Article 20, Section 2001 of the Charter as follows:

Section 2001. Election. There shall be a District Attorney who shall be elected from the County at large. ~~His or her~~ The District Attorney's term of office shall begin with the first day of January next following ~~his or her~~ the District Attorney's election, and shall be for four years except as otherwise provided in this Charter. At the time of ~~his or her~~ the District

Attorney's election and throughout ~~his or her~~ the District Attorney's term of office ~~he or she~~ the District Attorney shall be a qualified elector of the County. ~~He or she~~ The District Attorney shall devote ~~his or her~~ the District Attorney's whole time to the duties of ~~his or her~~ the District Attorney's office and shall hold no other public office.

Amend- Article 20, Section 2002 of the Charter as follows:

Section 2002. Powers and duties. The District Attorney shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by any applicable law. ~~He or she~~ The District Attorney shall perform such additional and related duties as may be prescribed by local law.

Amend- Article 21, Section 2101 of the Charter as follows:

Section 2101. Election. There shall be a Sheriff who shall be elected from the County at large. ~~His or her~~ The Sheriff's term of office shall begin with the first day of January next following ~~his or her~~ the Sheriff's election and shall be for four years except as otherwise provided in this Charter. At the time of ~~his or her~~ the Sheriff's election and throughout ~~his or her~~ the Sheriff's term of office ~~he or she~~ the Sheriff shall be a qualified elector of the County. ~~He or she~~ the Sheriff shall devote ~~his or her~~ the Sheriff's whole time to the duties of ~~his or her~~ the Sheriff's office and shall hold no other public office.

Amend- Article 21, Section 2102 of the Charter as follows:

Section 2102. Powers and duties. The Sheriff shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by any applicable law. ~~He or she~~ The Sheriff shall perform such additional and related duties as may be prescribed by local law.

Amend- Article 25, Section 2507 of the Charter as follows:

Section 2507. Budget controls.

1. No County officer, employee, department or other administrative unit or subdivision thereof, or other spending agency shall, during a fiscal year, expend or contract to expend any money or incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amounts appropriated for such fiscal year or for any other purpose, except as otherwise provided in this code or the local finance law. If one or more of the independently elected officials (Clerk, Comptroller, District Attorney, Sheriff) becomes aware of a deficit or impending deficit in ~~his or her~~ ~~the elected official's~~ department, ~~he or she~~ ~~the elected official~~ shall notify the Legislature immediately so that, subject to section 2510 of this Charter, remedial action can be taken. The unexpended balance of each appropriation, less the commitments outstanding at the close of the fiscal year for which it was made, shall lapse at the close of such fiscal year; provided that nothing herein contained shall be construed to require the lapsing of appropriations which may be or are required to be made for an indefinite period or which include state refunds, allocations or grants applicable to said appropriations pursuant to any other provisions of law; and provided further that nothing herein shall be construed to prevent the making of appropriations or contracts for the construction of permanent public improvements or works not to be completed during the fiscal year, or the acquisition of property therefor, or the establishment of bond or capital accounts, sinking funds or reserve funds, and each such appropriation, account or fund shall continue in force until the purpose for which it was made shall have been accomplished or shall have been abandoned by a two thirds vote of the County Legislature. Any contract, verbal or written, made in violation of this section shall be null and void.

Amend- Article 25, Section 2508 of the Charter as follows:

Section 2508. Adoption of budget.

1. The County Legislature after one or more public hearings thereon, may strike items of appropriation from the tentative budget or reduce items therein, excepting appropriations required by law or for debt service. The County Legislature after one

or more hearings, may add items to or increase items in such budget, provided that such additions or increases are stated separately and distinctly. Decreases shall not require executive approval.

The report of the Budget Committee to the County Legislature concerning amendments to the County Executive's tentative budget shall be presented to the Legislature and laid on the table at least forty eight hours prior to the annual meeting for budget adoption as prescribed in this section.

Budget amendments proposed subsequent to the tabling of the Budget Committee report, or less than forty eight hours prior to the annual meeting, shall be considered separately with each line item voted on individually on the floor of the legislature.

2. If the budget is passed by the County Legislature with no additions or increases, such budget shall be deemed to have been adopted without any further action by the County Executive; if, however, the budget as passed by the County Legislature contains any such additions or increases, the same shall be presented by the Clerk of the Legislature to the County Executive not later than the second business day after the sixth of December, for ~~his or her~~ the County Executive's consideration of such additions or increases. If the County Executive approves all additions and increases, ~~he or she~~ the County Executive shall affix ~~his or her~~ the County Executive's signature to a statement thereof and return the budget and such statement to the Clerk of the Legislature. The budget, including the additions and increases as part thereof, shall then be deemed adopted.
3. The County Executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which ~~he or she~~ the County Executive objects with the reasons for ~~his or her~~ the County Executive's objections, and shall return the budget with ~~his or her~~ the County Executive's objections to the Clerk of the County Legislature who shall present the same to the County Legislature on or before the seventh business day after the sixth of December. The County Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such reconsideration two thirds of all members of the County Legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any additions and increases not so objected to by the County Executive, shall be deemed adopted.

4. If a budget with additions or increases is not returned by the County Executive to the Clerk of the Legislature with ~~his or her~~ the County Executive's objections on or before the seventh business day after the sixth of December, it shall be deemed adopted.
5. If a budget has not been adopted, as herein provided, on or before the tenth business day after the sixth December in each year, then the tentative budget as submitted by the County Executive, plus all additions and increases to which ~~he or she~~ the County Executive has failed to object, shall be the budget for the ensuing fiscal year.
6. Four copies of the budget as adopted shall be certified by the County Executive and by the Clerk of the County Legislature. One such copy shall be filed in the office of the County Executive, and one each in the offices of the County Comptroller, the Commissioner of Finance and the Clerk of the County Legislature. The budget as so certified shall be printed or otherwise reproduced and copies shall be made available.

Amend- Article 26, Section 2601 of the Charter as follows:

Section 2601. Administrative unit defined; administrative and advisory boards.

"Administrative unit" shall mean any department, executive division, institution, office or other agency of County government except a bureau, division, section or other subordinate part of any of the foregoing.

The Board of Trustees of the Buffalo and Erie County Public Library and the Board of Trustees of the Erie County Technical Institute shall continue to be administrative boards heading the respective administrative units. Every other board, all appointive members of which are appointed by the County Executive, shall be an advisory board. An advisory board shall have no administrative or appointive powers but, when requested by the County Executive, shall assist him or her in the recruitment of candidates to fill a vacant position as head of the respective administrative unit.

Except as otherwise provided in this Charter, advisory boards shall consist of such numbers and the members thereof shall be appointed for such terms as may be provided in the Administrative Code. In the absence of any such provision, the number of members shall be not less than five nor more than fifteen as determined by the County Legislature and appointments shall be for five year staggered terms. Initial appointments shall be for

such periods as will result, as nearly as practicable, in the same number of term expirations each year. If a vacancy occurs other than by the expiration of a term, appointment to fill such vacancy shall be for the unexpired portion of such term.

Before approving or vetoing any local law or ordinance specifying functions affected thereby of any administrative unit in which an advisory board has been appointed, the County Executive shall refer such local law or ordinance to such advisory board for consideration and recommendation.

It shall be the duty of each advisory board to study conditions in its respective field, with particular reference to the policies and programs in Erie County, and to report its findings and recommendations to the County Executive, who shall forward the same together with any comments ~~he or she~~ the County Executive may choose to make, to the County Legislature.

Introducer's Memorandum to Recommendation Intro No 20

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Mental Health

The intent and purpose of this recommendation is to remove unnecessary language (1302) and add qualifications regarding the commissioner (1301). This recommendation by the Department of Health was reviewed by the County Attorney's Office who provided the following analysis: There is no legal impediment to specifically qualify the Commissioner's required provision of child mental health services to "appropriations made available there for." Additionally, there is no legal impediment to referencing the required qualification review. Section 41.05 of the New York State Mental Hygiene Law requires that, to be eligible for state aid, a county must establish a local governmental unit for the provision of local service, with a director of community services as its chief executive officer. Here the establishment of an Erie County Department of Mental Health and the appointment of its commissioner satisfy those respective requirements. Part 102 of Title 14 of the Code, Rules and Regulations of the State of New York (14 NYCRR 102) specifically delineates standards regarding the qualifications of a director of community services and further directs the Inter-Office Coordinating Council to promulgate procedures for the review of a candidate's qualifications against those standards articulated in 14 NYCRR 102.

Recommendation

Amend Article 13, Sections 1301 and 1302 of the Charter as follows:

Section 1301. Department of Mental Health: Commissioner. There shall be a Department of Mental Health, the head of which shall be the Commissioner of Mental Health. He or she shall be appointed by the County Executive

subject to confirmation by the County Legislature. The Commissioner shall meet ~~the those~~ qualifications required of ~~directors of community service~~ fixed by the State Office of Mental Health and in existence at the time of his or her appointment. ~~The credentials of a candidate for appointment to the position of Commissioner shall be submitted to the New York State Inter-Office Coordinating Council ("IOCC") for review pursuant to the procedures promulgated by the IOCC at the time of such submission.~~

Section 1302. Powers and duties. Except as otherwise provided in this Charter, the Commissioner of Mental Health shall have all the powers and perform all the duties conferred or imposed upon directors of mental health and/or community health boards by law. ~~With appropriations made available there for~~ The Commissioner shall perform all duties with respect to child mental health services. The Commissioner or his or her designee shall serve as the Director of Community Services prescribed by Mental Hygiene Law §41.09. He or she shall perform such additional and related duties as the County Executive may prescribe.

Introducer's Memorandum to Recommendation Intro No 21

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Health

The intent and purpose of this recommendation is to modify language in section 505 to resolve conflict and be updated in the following ways:

- 1) In the Charter, the Public Health Lab Director is a CSEA position, but Section 505 gives the Commissioner power to appoint. Modifying this language would resolve a conflict with the plain reading and Labor agreements.
- 2) Change Public Health Council as its full name is Public Health and Health Planning Council.

This language has been reviewed by County Attorney's office who provided the following analysis:

- 1) Amend the Charter to remove appointing authority from the Department of Health Commissioner relative to the positions of Director of the Public Health Lab and Director of the Division of Services to Persons with Special Needs.
- 2) There is no legal impediment to this change.

Recommendations

Amend Article 5, Section 505 of the Charter as follows:

Section 505. County Laboratory District; County Laboratory; Director. The County, including the cities, towns, villages and special districts situated therein shall continue to be a county laboratory district. There shall be in the Department an Erie County Laboratory headed by a Director. The Commissioner of Health shall appoint as Laboratory Director a person who shall possess such qualifications as may be prescribed by the Public Health

and **Health Planning** Council of the State of New York for a clinical laboratory director. Such appointments shall be for the term or balance thereof of the Commissioner making such appointment.

The Director shall exercise all the powers and duties heretofore or hereafter conferred or imposed upon him by the County Charter, by the Administrative Code, by order or direction of the Commissioner of Health and by any applicable act of the Legislature not inconsistent with the County Charter or the Administrative Code. Such powers and duties shall include, but shall not be limited to, any power or duty conferred or imposed upon a county laboratory board and the director of a county laboratory district by the Public Health Law or other applicable law.

Introducer's Memorandum to Recommendation Intro No 22

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Health

The intent and purpose of this recommendation is to modify language in multiple sections in 506. These modifications include changing language signifying the Department of Health is led by a Director, not Deputy Commissioner, make changes that are consistent with the Department, removing the word adults as this division only serves birth to five, change the spelling of insure to ensure (as it's currently incorrect) and finally remove medical needs as this division only handles development. The County Attorney reviewed this recommendation and found no legal impediment to these changes.

Recommendations

Amend Article 5, Section 506 of the Charter as follows:

Section 506. Division of Services to Persons with Special Needs; ~~Deputy Commissioner~~ Director. There shall be in the Department a Division of Services to Persons with Special Needs, headed by a ~~Deputy Commissioner~~ Director. The ~~Deputy Commissioner~~ Director shall be appointed by the Commissioner and serve at the Commissioner's pleasure. The ~~Deputy Commissioner~~ Director shall ensure the continuance of beneficial programs and implement additional services in the County for ~~adults and~~ youths with special developmental ~~medical~~ needs.

Introducer's Memorandum to Recommendation Intro No 23

Sponsored by Commission Member: William Schmid, as Chair and on behalf of the Executive Committee.

Department of Personnel

The intent and purpose of this recommendation is to modify the term commissioner to read commission as NYS Civil Service Law Section 15(I)(b) provides that "A personnel officer (EC Commissioner of Personnel) shall have all the powers and duties of a municipal civil service commission." The reference goes to the powers and duties of the commission as a whole and not simply an individual commissioner. The County Attorney's office reviewed this and suggested the recommendations below.

Recommendations

Section 901. Department of Personnel; Commissioner: **divisions**. There shall be a Department of Personnel headed by a Commissioner, who shall be appointed by the County Executive subject to confirmation by the County Legislature **for a term of six years. Within such departments there shall be a Division of Personnel Services and a Division of Civil Service Administration and Enforcement.**

Section 902. Powers and duties.

Except as otherwise provided in this Charter, the Personnel Commissioner shall:

- (a) The Commissioner of Personnel shall have,** with reference to the civil service of the County, the powers and duties of **a county** municipal civil service commissioner as provided by the Civil Service Law, and he or she shall be subject to supervision and control by the State Civil Service Commission as are county civil service commissions, **as are county personnel officers. Provided, however, that the State Civil Service Commission shall have exclusive jurisdiction to prepare and**

~~rate examinations and establish eligibility list for all positions under the jurisdictions of the County Personnel Commissioner.~~

- ~~(b) The Commissioner shall perform such additional and related duties as the County Executive may prescribe. Enforce all countywide Policies and Procedures for County employees.~~
- (c) Foster and develop programs for the improvement of employee effectiveness, including programs for training and development, safety, health and counseling, with a focus on opportunities for promotion of minorities, women, veterans and individuals with disabilities.
- (d) Perform such other and related duties as shall be required or delegated to him by the county executive or county legislature.

Section 903. Division of Personnel Services.

The Division of Personnel Services shall be responsible for the presentation, implementation and management of employee benefits for all County employees in accordance with County policy and the appropriate collective bargaining agreement, if applicable.

Section 904. Division of Civil Service Administration.

The Division of Civil Service Administration shall be responsible for administering and enforcing the provisions of Civil Service Law within Erie County.

Introducer's Memorandum to Recommendation Intro No 24

Sponsored by Commission Member: Jesse Simmons, as Chair and on behalf of the Legislature, Other Elected Officials & Commissions Committee

The intent and purpose of this recommendation is to amend Article 26, Section 2606 as its preempted by state law and should be replaced to correctly state that the Governor fills all vacancies in the offices of County Clerk, District Attorney or Sheriff pursuant to statute. The County Attorney's Office reviewed this and recommended change as it would eliminate conflict between state law and the Charter and end confusion caused by retaining the preempted language. "State law preempts local law with respect to the offices of County Clerk, District Attorney, and Sheriff, because those officers perform state functions according to statute despite being elected and serving at the county level. Pursuant to New York County Law§ 400(7) and the Public Officers Law, the Governor fills a vacancy in each of these elective offices by appointment. Accordingly, the County Legislature may not appoint anyone to fill a vacancy in any of these elec-tive offices as Section 2606 of the Charter provides.

Recommendation

Amend Article 26, Section 2606 of the Erie Charter as follows:

Section 2606. Filling vacancy in elective office of County Clerk, District Attorney or Sheriff. Pursuant to law, a A-vacancy, ~~otherwise than by expiration of term of removal by the Governor,~~ in the elective office of County Clerk, District Attorney or Sheriff shall be filled by the Governor by appointment, and the appointment shall continue until and including the thirty-first day of December succeeding the first annual election at which the vacancy can be filled by election. ~~pursuant to law by the County Legislature, of a qualified elector of the County having the same political affiliation as the person last elected to such office. A vacancy occurring in such office as the result of removal of the incumbent by the Governor, of a qualified elector of the County having the same political affiliation as the person last elected to such office. The person appointed by either the County Legislature or the~~

~~Governor shall hold office by virtue of such appointment until the commencement of the political year next succeeding the first annual election after the happening of the vacancy at which election a County Clerk, District Attorney, or Sheriff, as the case may be, shall be elected for the balance of the term, if any.~~

Introducer's Memorandum to Recommendation Intro No 25

Sponsored by Commission Member: Jesse Simmons, as Chair and on behalf of the Legislature, Other Elected Officials & Commissions

The intent and purpose of this recommendation is to amend Article 26, Section 2601 of the Charter to remove provisions regarding the composition of advisory boards. These provisions conflict with those contained in the default provisions of Article 22, Section 2205 of the Charter. The County Attorney reviewed this and recommended an amendment as it would work to alleviate a conflict in terms and the associated confusion of implementation. It noted by the County Attorney's office for the following on the paragraph beginning with "Before approving or vetoing ...," they stated, *"I am not aware of this provision ever being applied and am inclined to recommend its repeal."*

Recommendation

Amend Article 26, Section 2601 of the Charter as follows:

Section 2601. Administrative unit defined; administrative and advisory boards. "Administrative unit" shall mean any department, executive division, institution, office or other agency of County government except a bureau, division, section or other subordinate part of any of the foregoing.

The Board of Trustees of the Buffalo and Erie County Public Library and the Board of Trustees of the SUNY Erie County Community College shall continue to be administrative boards heading the respective administrative units. Every other board, all appointive members of which are appointed by the County Executive, shall be an advisory board. An advisory board shall have no administrative or appointive powers but, when requested by the County Executive, shall assist him or her in the recruitment of candidates to fill a vacant position as head of the respective administrative unit.

~~Except as otherwise provided in this Charter, advisory board shall consist of such number and the members thereof shall be appointed for such terms as~~

~~may be provided in the Administrative Code. In the absence of any such provision, the number of members shall be not less than five nor more than fifteen as determined by the County Legislature and appointments shall be for five year staggered terms. Initial appointments shall be for such periods as will result, as nearly as practicable, in the same number of term expirations each year. If the vacancy occurs other than by the expiration of a term, appointment to fill such vacancy shall be for the unexpired portion of such term.~~

~~Before approving or vetoing any local law or ordinance specifying functions affected thereby of any administrative unit in which an advisory board has been appointed, the County Executive shall refer such local law or ordinance to such advisory board for consideration and recommendation.~~

It shall be the duty of each advisory board to study conditions in its respective field, with particular reference to the policies and programs in Erie County, and to report its findings and recommendations to the County Executive, who shall forward the same together with any comments he or she may choose to make, to the County Legislature.

Introducer's Memorandum to Recommendation Intro No 26

Sponsored by Commission Member: Jesse Simmons, as Chair and on behalf of the Legislature, Other Elected Officials & Commissions Committee.

Comptroller

The intent and purpose of this recommendation is to amend two sections as requested by the Comptroller's office.

- 1) Section 1801 to "Other than those powers assigned to the Department of Real Property Tax Services specifically pursuant to section 402, any reference to "County Treasurer" in state or county law shall be assumed to mean "County Comptroller."
- 2) Section 1802 of the Charter making changes that require the Comptroller to certify the availability of funds for all capital projects and mandating that the Comptroller be solely responsible for the investment of County funds. Additionally, amend Section 1802 to mandate that the Comptroller be designated as an authorized signatory on all accounts under the county's tax ID number.

The County Attorney's Office reviewed these recommendations and found there is no legal impediment to implementing these proposed amendments.

Recommendation

Adopt and modify all language in Charter as follows:

"Other than those powers assigned to the Department of Real Property Tax Services specifically pursuant to section 402, any reference to "County Treasurer" in state or county law shall be assumed to mean "County Comptroller."

Amend Article 18, Section 1802(3) of the Charter as follows:

3. Examine all requisitions for the encumbering of funds for the expenditure of which the County is responsible. ~~and After such examination,~~ certify as to the availability of funds ~~for all capital projects. therefor~~

Amend Article 18, Section 1802(19) as follows:

19. Have custody of all accounts ~~and be solely responsible for the investment of all funds maintained by the County and its officers and agents.~~

Amend Article 18, Section 1802 of the Charter by adding a new subsection 20 as follows:

20. Be designated as an authorized signatory on all bank accounts bearing the county's tax identification number.

201. Be responsible for the provision of all accounting services to all County departments, offices and units as part of a centralized accounting system.

Introducer's Memorandum to Recommendation Intro No 27

Sponsored by Commission Member: Jesse Simmons, as Chair and on behalf of the Legislature, Other Elected Officials & Commissions.

The intent and purpose of this recommendation to amend the first paragraph of Article 26, Section 2608 of the Charter as follows:

Section 2608. Charter revision commission. The Erie County Charter shall undergo a mandatory decennial review, and the review shall commence by seating a Charter Review Commission ~~October 15, 2024~~ not before January 1, 2035 and not later than January 15, 2035. The Charter Review Commission shall report its recommendations to the Erie County Legislature no later than ~~May 15, 2024~~ June 15, 2035. ~~The Charter Revision Commission shall conduct at least one (1) public hearing prior to December 31, 2034. The Charter Revision Commission shall only be required to consider those proposal submitted to the Commission on or before April 15, 2035.~~

Introducer's Memorandum to Recommendation Intro No 28

Sponsored by Commission Member: Shawn Connolly, Chair.

Department of Health

The intent and purpose of this recommendation is to move EMS provisions from Department of Homeland Security and Emergency Services to the Department of Health. This would allow EMS to be found in the Charter.

The County Attorney's Office reviewed this recommendation and provided the following analysis: The Division of Emergency Medical Services ("EMS") is not currently referenced anywhere in the Charter. Reference to EMS is only found in Article 14, Section 14.03 of the Administrative Code where it is placed within the Department of Homeland Security and Emergency Services. Article 5 of the Charter can be amended to place EMS within the Department of Health; however, absent a repeal of Section 14.02 of the Administrative Code we would be left with conflicting provisions. EMS would live under the Department of Health in the Charter and under the Department of Homeland Security Emergency Service in the Administrative Code. Today, the Division of EMS can be found within the Department of Health in the Erie County Budget.

Recommendation

Repeal Section 14.02 & 14.03 of the Administrative Code and create section 507 and 508 in the Department of Health.

Section 507. Power and duties and Emergency Medical Services

The commissioner of emergency services shall have and exercise all the powers and duties granted or imposed by the laws of the state of New York upon a county director of emergency medical services, a county fire coordinator, a county director of civil defense and a county director of disaster preparedness and all the duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance or resolution of the county legislature, by order or direction of the county

executive, or by applicable provision of any act of the state legislature not inconsistent with the county charter or this code.

Section 508. Division of Emergency Medical Services

The division of emergency medical services shall be headed by a deputy commissioner who shall be appointed by the county executive, subject to confirmation by the county legislature, to serve at the pleasure of the county executive. The deputy commissioner of emergency medical services shall, when so directed by the commissioner, have and exercise any or all of the powers and duties vested in and imposed upon a county director of emergency medical services by the laws of the state of New York and any related powers and duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance or resolution of the county legislature, by order or direction of the county executive, or by applicable provision of any act of the state legislature not inconsistent with the county charter or this code; shall maintain advanced life support response readiness as outlined by article 30 of the public health law; maintain pre-hospital educational initiatives; initiate coordination of mass casualty incidents and large scale planned events; coordinate public health preparedness planning and response of emergencies.

Introducer's Memorandum to Recommendation Intro No 29

Sponsored by Commission Member: Gerald Paradise III, as a commission member.

The intent and purpose of this recommendation is to update Section 2703 to reflect that the office of District Attorney and County Clerk are currently elected in even numbered years.

(*** The County Legislature should update Section 2703 for the offices of County Executive and Comptroller to be even year if Chapter 741 of the Laws of 2023 ("Even Year Election Law") is upheld as constitutional.)

Recommendation

Amend Section 2703 of the Charter as follows:

Section 2703. Terms of certain elective county officers. The terms of office for the county executive, comptroller, county clerk, district attorney and sheriff shall be four years, and the election of any such officer shall be in an odd numbered year, **except that the office(s) of county clerk and district attorney shall be held in an even numbered year.** Provided that any such officer elected in nineteen hundred sixty or nineteen hundred sixty two shall be elected for three years; and provided, further, that an interim election to fill the remainder of an unexpired term may be held in any year.

Introducer's Memorandum to Recommendation No. 30

Sponsored by Commission Member Andrea Ó Súilleabháin

The intent and purpose of this recommendation to Amend Section 2205 is to add greater accountability, engagement, and efficacy for Advisory Boards. This includes requiring each board to set purpose and objectives, to have criteria for membership, to have a public application process, to publish minutes in a timely manner, to publicly present its annual report in a meeting of the County Legislature, and other requirements outlined below.

Recommendation

Section 2205. Advisory boards. To better fulfill the purpose, responsibilities and goals of each department of the County, or comply with the requirements of NYS law, citizens' advisory boards may be established. Unless otherwise stipulated elsewhere in this charter or through NYS law, advisory boards for Erie County shall be constituted as follows:

1. New advisory boards may be established by the County Executive or the County Legislature. For each new board, the relevant department will provide a statement of purpose and objectives for approval by the County Executive or the County Legislature.
2. Advisory boards shall consist of an odd number of members, at least seven and at most fifteen. Members shall be residents of Erie County. Each board should have criteria for membership to ensure broad representation, including seats for subject matter experts, relevant community representatives, and individuals from underrepresented populations.
3. Members shall be appointed by the creating authority through a transparent application and selection process. For each advisory board, the process shall include a public call for applications with public notice of the application requirements.

4. Members shall serve three-year terms and may serve no more than two consecutive terms; those who have served two consecutive terms shall be eligible again after a two-year absence.
5. The creating authority shall fill any vacancies **through a public application process opened** within sixty days. If a member leaves a board before the end of his or her term, the replacement shall serve for the duration of the term; if the time remaining in the term is less than eighteen months, the replacement shall still be eligible for two consecutive full terms at the conclusion of the partial one.
6. Each advisory board shall elect one of its members to serve a two-year term as chair; no chair may serve more than two consecutive terms.
7. Advisory boards shall meet at least ~~four~~ **six** times per year, and meetings shall be held in compliance with the Open Meetings Law. If a board fails to hold the minimum number of meetings, the creating authority shall investigate why, and is authorized to remove an ineffective chair or any inactive members, or to recommend that the legislature abolish the board when deemed appropriate. **Members with more than three unexcused absences within a year may be removed by the legislature.**
8. **Minutes of each advisory board meeting should be published within ten business days.**
9. Each advisory board chair shall submit an annual report to the County Executive and the Legislature stating the board's accomplishments during the past year and plans for the upcoming year. **Each advisory board should present their annual report publicly to the County Legislature to ensure oversight of their activities and efficacy.**
10. Members of advisory boards shall serve without compensation. **Members are required to complete an ethics acknowledgement form upon appointment and annually thereafter.**

11. To further define their structure and procedures, each advisory board may adopt bylaws that are not in conflict with this section, subject to the approval of the creating authority.
12. Every effort shall be made to achieve diversity on advisory boards. Added by Local Law No. 1-2017.