



THE ERIE COUNTY LEGISLATURE

Session No. 13
JULY 10, 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. Meyers

PLEDGE OF ALLEGIANCE: Mr. Mills

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING: [Meeting No. 12](#)

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

DUPRE	Celebrating the 85th Anniversary of Rigidized Metals Corporation
DUPRE	Acknowledging Custard Corner during National Ice Cream Month
ST. JEAN TARD	Acknowledging Rosie's Handcrafted Ice Cream during National Ice Cream Month
KOOSHOIAN	Recognizing Northwestern Welding LLC during National Family Owned & Operated Businesses Day
KOOSHOIAN	Acknowledging Churn Soft Serve & Coffee during National Ice Cream Month
BARGNESI	Recognizing Sweet Beginnings Bakery during National Family Owned & Operated Business Day
BARGNESI	Acknowledging Lake Effect Ice Cream during National Ice Cream Month
VINAL	Acknowledging Sweet Emilia's Ice Cream during National Ice Cream Month
VINAL	Recognizing Ed Young's Ace Hardware during National Family Owned & Operated Businesses Day

GREENE	Honoring Destroyer Park Golf and Proclaiming July 12 & 13, 2025 as Destroyer Park Golf Days in Erie County, New York
GREENE	Honoring The Perfect Gift During Independent Retailer Month
MEYERS	Recognizing and Honoring Kerry Peek as Erie County Citizen of the Month - July 2025
MEYERS	Acknowledging Shady Shack Ice Cream during National Ice Cream Month
MEYERS	Recognizing Innsbruck Printing and Mailing Services during National Family Owned & Operated Businesses Day
TODARO & GREENE	Congratulating Molly White for Being Named Principal at Saint Gregory the Great School
TODARO	Celebrating the Grand Opening of Papi Grande's Mexican Restaurant and Cantina in Lancaster
TODARO	Recognizing David Konkle for Graduating from the United States Army Drill Sergeant Academy
TODARO	Recognizing Morganne Dee for Her Distinguished Athletic and Academic Career at Arcadia University
GILMOUR	Acknowledging HalleeZ during National Ice Cream Month
GILMOUR	Recognizing Nick Charlap's Ice Cream during National Family Owned & Operated Businesses Day
LORIGO	Recognizing George Janofsky for 50 Years of Service to the Rotary Club of East Aurora
LORIGO	Recognizing Sammy's Car Wash & Dog Wash Emporium on Being Named the East Aurora Kiwanis Business of the Year
LORIGO	Recognizing the West Seneca East Middle Yorkers Club for Their Efforts in Remembering Marine Lance Corporal Eric Orłowski
MILLS	Recognizing Orchard Park Equestrian on I Love Horses Day!

MILLS

Honoring Luke Danna Two-Time All-Bee Boys Lacrosse Player of the Year!

MILLS

Honoring Superintendent Daniel Pacos for Over Twenty Years of Distinguished Service to the Lake Shore Central School District

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	Energy & Environment
LL INTRO. 2-1 (2025)	MEYERS	Amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 1-2017	Government Affairs
LL INTRO. 3-1 (2025)	ST. JEAN TARD	Prohibition of Public Dumping on County Property	Energy & Environment
LL INTRO. 4-1 (2025)	ST. JEAN TARD & MEYERS	Amending Erie County Local Law 3 (2019) Establishing the Erie County Corrections Specialist Advisory Board	

COMMITTEE REPORTS:

LEGISLATOR RESOLUTIONS:

INTRO. 13-1	VINAL & DUPRE	Re-Allocation of 2025 Public Benefit Funding
-------------	---------------	--

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 13E-1	MEYERS	2025 Mid-Year Informational Erie County Budget Hearing Schedule	Finance & Management
COMM. 13E-2	COUNTY EXECUTIVE	Authorization to Accept FY24 State Interoperable Communications Grant Program Funds	Immediate Consideration Requested
COMM. 13E-3	COUNTY EXECUTIVE	Authorization to Accept FY24 Public Safety Answering Point Operation Grant Program Funds	Immediate Consideration Requested
COMM. 13E-4	COUNTY EXECUTIVE	HIV/STI/HCV Prevention and Related Services Grant	Immediate Consideration Requested
COMM. 13E-5	COUNTY EXECUTIVE	Authorization for Inter-Municipal Contracts for Public Health Emergencies	Immediate Consideration Requested
COMM. 13E-6	COUNTY EXECUTIVE	ECSD No. 6 Lackawanna WRRF & ORF Disinfection Systems Improvements Project Contracts	Energy & Environment
COMM. 13E-7	COUNTY EXECUTIVE	ECSD No. 5 Engineering Services - Transit Road Sanitary Sewer Upgrades, Request for Proposals	Energy & Environment
COMM. 13E-8	COUNTY EXECUTIVE	ECSD No. 3 - Partial Closure of Capital Reserve Funds	Energy & Environment
COMM. 13E-9	COUNTY EXECUTIVE	ECSD's Engineer Term Contract Agreement (Change Order No. 1 & Work Order No. DD-6)	Energy & Environment
COMM. 13E-10	COUNTY EXECUTIVE	ECSD No. 3 Engineering Term Contract Agreement (Work Order: ARC-7)	Energy & Environment
COMM. 13E-11	COUNTY EXECUTIVE	ECSD No. 3 Engineering Term Contract Agreement (Work Order: DD-5)	Energy & Environment
COMM. 13E-12	COUNTY EXECUTIVE	PILOT Agreement for Solar Energy Systems, Town of Cheektowaga	Economic Development
COMM. 13E-13	COUNTY EXECUTIVE	PILOT Agreement for Solar Energy Systems, Town of Tonawanda	Economic Development
COMM. 13E-14	COUNTY EXECUTIVE	PILOT Agreement for Marine Drive Apartments Phase 1 - City of Buffalo, Affordable Housing Development	Economic Development

COMM. 13E-15	COUNTY EXECUTIVE	NEST Board Household Hazardous Waste Funding	Energy & Environment
COMM. 13E-16	COUNTY EXECUTIVE	Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 - No-Cost Extension Contract Amendment	Energy & Environment
COMM. 13E-17	COUNTY EXECUTIVE	Amendment of Wendel WD Architecture, Engineering, Surveying & Landscape Architect PC - Professional Services Agreement for New Road	Economic Development
COMM. 13E-18	COUNTY EXECUTIVE	Conveyance of Property to NYSDOT, City of Buffalo	Economic Development
COMM. 13E-19	COUNTY EXECUTIVE	2025-2028 Agreement with Various Local Municipalities for Snow Removal & Ice Control on County Roads	Economic Development
COMM. 13E-20	COUNTY EXECUTIVE	Reconstruction of William St. - NYSDOT Right of Way Agreement, Town of Lancaster	Economic Development
COMM. 13E-21	COUNTY EXECUTIVE	Authorization to Accept NYSERDA Funding for the Clean Energy Communities Program - Botanical Gardens Heat Pump Installation	Economic Development
COMM. 13E-22	COUNTY EXECUTIVE	Countywide NYSDEC Environmental Compliance Term Agreement	Economic Development
COMM. 13E-23	COUNTY EXECUTIVE	Authorization to Award Horizon Health Services Inc. Funding & Enter into Contract	Health & Human Services
COMM. 13E-24	COUNTY EXECUTIVE	Acceptance and Distribution of Additional OMH Funding for Providers	Health & Human Services
COMM. 13E-25	COUNTY EXECUTIVE	Authorization to Contract with Erie 1 BOCES	Health & Human Services
COMM. 13E-26	COUNTY EXECUTIVE	Acceptance and Distribution of Additional OASAS Funding for Providers	Health & Human Services
COMM. 13E-27	COUNTY EXECUTIVE	Levy of 2025-2026 School Tax Budgets	Finance & Management
			Finance &

COMM. 13E-28	COUNTY EXECUTIVE	Authorization to Enter into a Professional Services Agreement with Corporate Business Solutions for the SAP General Ledger Upgrade	Management
COMM. 13E-29	COUNTY EXECUTIVE	Indigent Legal Services - 4th Upstate Quality Improvement and Caseload Reduction	Public Safety
COMM. 13E-30	COMPTROLLER	Sales & Compensating Use Tax Report - March, April, and May 2025	Finance & Management
COMM. 13E-31	COMPTROLLER	Department of Law Risk Retention Fund Spending - May 2025	Finance & Management
COMM. 13E-32	COUNTY CLERK	Notice of Property for 2025 In Rem Foreclosure Proceeding	Finance & Management

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 13D-1	PRINCIPAL PLANNER GATTI	SEQR for EC Agricultural & Farmland Protection Plan Update	Energy & Environment
-------------	-------------------------	--	----------------------

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

DUPRE

Celebrating the 85th Anniversary of Rigidized Metals Corporation

25PROC. 13-1

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, JULY 8, 2025

EC LEG JUL 7 '25 PM 4:59

Celebrating the 85th Anniversary of Rigidized Metals Corporation

WHEREAS, since 1940, *Rigidized Metals Corporation* has led the world in the development and production of deep-textured, three-dimensional engineered metal surfaces used in architectural, industrial and transportation applications, and have been a pillar of manufacturing here in Western New York; and

WHEREAS, Rigidized Metals proudly supports several local community organizations as well as educational programs and local artists; and

WHEREAS, a vast majority of Rigidized Metals' products are stainless steel and aluminum, both of which are 100% recyclable; and

WHEREAS, from serving the war efforts in the 1940s to providing solutions and offerings for transportation, aerospace, architecture and design today, Rigidized Metals' products can be found in a wide array of applications, including the futuristic IBM Building (now the United Steel Workers Building) in Pittsburgh, the iconic Unisphere in New York City, Cave of the Winds in Niagara Falls, NY and hundreds of other installations and countless applications, providing a strong, uniquely beautiful, and highly durable solution; and

WHEREAS, today, with its third generation of family-owned leadership, Rigidized Metals continues to lead the world in the development and production of engineered surfaces, now used in architectural, industrial, and transportation applications; and

WHEREAS, this Honorable Body appreciates, recognizes and gives thanks to active leaders of Rigidized Metals and values their longevity of 85 years in serving the Buffalo Community and representing Erie County; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature pauses in our deliberations to commemorate and recognize *Rigidized Metals* on 85 years of service in the Buffalo community! Job well done.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

DUPRE

Acknowledging Custard Corner during National Ice Cream
Month

25PROC. 13-2

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 1, 2025

FILED JUL 3 '25 PM 4:36

*Acknowledging Custard Corner during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *Custard Corner* has been serving customers from Buffalo's West Side, Downtown, all over Western New York & Ontario for over 30 years; and

WHEREAS, Custard Corner was established by Peter & Mary Elia in 1983 and taken over by current owners, Michael & Rene Wolasz; and

WHEREAS, Custard Corner is a family oriented outdoor seasonal restaurant serving grilled favorites, delicious custard and ice cream from Perry's Ice Cream; and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *Custard Corner* during *National Ice Cream Month*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

ST. JEAN TARD

Acknowledging Rosie's Handcrafted Ice Cream during
National Ice Cream Month

25PROC. 13-3

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 1, 2025

EC LEG JUL 1 '25 PM12:47

*Acknowledging Rosie's Handcrafted Ice Cream during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *Rosie's Handcrafted Ice Cream* recently opened their newest location at 488 West Utica Street and is already adding to the momentum of the growing West Side business district.; and

WHEREAS, this newest location is a passion project for co-owners Cassandra and Deacon Tasker; and

WHEREAS, *Rosie's Handcrafted Ice Cream* is made in-house using natural flavors and locally sourced seasonal ingredients; and

WHEREAS, The new shop also features a bar that offers craft beer and wine along with a selection of food items; and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *Rosie's Handcrafted Ice Cream* during *National Ice Cream Month*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

KOOSHOIAN

Recognizing Northwestern Welding LLC during National
Family Owned & Operated Businesses Day

25PROC. 13-4

Attachments

EC LEG JUN 30 '25 PM 6:15

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JUNE 23, 2025

*Recognizing Northwestern Welding LLC during
National Family Owned & Operated Businesses Day*

WHEREAS, *National Family Owned & Operated Businesses Day* is celebrated on June 23rd annually to salute the family-owned and operated businesses that have survived over time despite numerous challenges and setbacks in the market economy; and

WHEREAS, many people find family-owned businesses more customer-friendly, approachable, and trustworthy than large consortiums; and

WHEREAS, *Northwestern Welding LLC*, led by married couple Branden and Bryanna Tripi, along with Labrador Retriever Bo and German Sheppard Brynn are the faces of this small and successful business; and

WHEREAS, this business consists of a dedicated team who provide exceptional services including mobile welding, in-shop welding, custom metal fabrication and processes & certification; and

WHEREAS, *Northwestern Welding* has earned praise from their impressive workmanship and solid work ethic; and

WHEREAS, today, June 23rd is a day to recognize and honor the contributions of family-owned businesses, which play a vital role in our local economies and communities.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize *Northwestern Welding LLC* during *National Family Owned & Operated Businesses Day*.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

KOOSHOIAN

Acknowledging Churn Soft Serve & Coffee during National
Ice Cream Month

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

BARGNESI

Recognizing Sweet Beginnings Bakery during National Family
Owned & Operated Business Day

25PROC. 13-6

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

BUFFALO, NY, JUNE 23, 2025

*Recognizing Sweet Beginnings Bakery during
National Family Owned & Operated Businesses Day*

WHEREAS, *National Family Owned & Operated Businesses Day* is celebrated on June 23rd annually to salute the family-owned and operated businesses that have survived over time despite numerous challenges and setbacks in the market economy; and

WHEREAS, many people find family-owned businesses more customer-friendly, approachable, and trustworthy than large consortiums; and

WHEREAS, *Sweet Beginnings Bakery* is a family-owned business which opened in 2005 by husband-and-wife duo, Darren and Jamie Wells; and

WHEREAS, this family-owned business consists of a dedicated team who provide exceptional baked goods including breakfast pastries, specialty desserts, wedding cakes, cupcakes and many more delicious treats;

WHEREAS, *Sweet Beginnings Bakery* has earned praise from their wonderful customer service and solid work ethic; and

WHEREAS, today, June 23rd is a day to recognize and honor the contributions of family-owned businesses, which play a vital role in our local economies and communities.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize *Sweet Beginnings Bakery* during *National Family Owned & Operated Businesses Day*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

BARGNESI

Acknowledging Lake Effect Ice Cream during National Ice Cream Month

Attachments

25PROC. 13-7

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 1, 2025

EC LEG JUL 5 '25 PM 3:24

*Acknowledging Lake Effect Ice Cream during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *Lake Effect Artisan Ice Cream* is Western New York's premier small batch artisan ice cream company; and

WHEREAS, *Lake Effect* creates unique flavors that can't be found anywhere else; and

WHEREAS, Best of 716 Buffalo News awarded *Lake Effect as the "Best ice cream shop in WNY 2024"*; and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *Lake Effect Artisan Ice Cream* during *National Ice Cream Month*.

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

SUBJECT

VINAL

Acknowledging Sweet Emilia's Ice Cream during National Ice Cream Month

25PROC. 13-8

Attachments

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

EC LEG JUL 7 '25 PM 4:59

*Acknowledging Sweet Emilia's Ice Cream during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *Sweet Emilia's Ice Cream* is a premier small ice cream shop in the Town of Amherst; and

WHEREAS, *Sweet Emilia's* creates unique flavors cool specialty menu items that can't be found anywhere else; and

WHEREAS, *Sweet Emilia's* features a cannoli sundae, a town favorite ;and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *Sweet Emilia's Ice Cream* during *National Ice Cream Month*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

VINAL

Recognizing Ed Young's Ace Hardware during National
Family Owned & Operated Businesses Day

Attachments

25PROC. 13-9

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JUNE 23, 2025

*Recognizing Ed Young's Ace Hardware during
National Family Owned & Operated Businesses Day*

WHEREAS, *National Family Owned & Operated Businesses Day* is celebrated on June 23rd annually to salute the family-owned and operated businesses that have survived over time despite numerous challenges and setbacks in the market economy; and

WHEREAS, many people find family-owned businesses more customer-friendly, approachable, and trustworthy than large consortiums; and

WHEREAS, *Ed Young's Ace Hardware*, known for having the largest plumbing repair parts inventory in Western New York. is a family-owned independent business located in Williamsville, New York; and

WHEREAS, this family-owned business consists of a dedicated team of trained professionals in the hardware, paint, electrical, power equipment and plumbing fields; and

WHEREAS, *Ed Young's Ace hardware* has earned praise from their wonderful customer service and solid work ethic; and

WHEREAS, today, June 23rd is a day to recognize and honor the contributions of family-owned businesses, which play a vital role in our local economies and communities.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize *Ed Young's Ace Hardware* during *National Family Owned & Operated Businesses Day*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

GREENE

Honoring Destroyer Park Golf and Proclaiming July 12 & 13,
2025 as Destroyer Park Golf Days in Erie County, New York

25PROC. 13-10

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Honoring Destroyer Park Golf and Proclaiming July 12 & 13, 2025
as Destroyer Park Golf Days in Erie County, New York**

WHEREAS, the Erie County Legislature is proud to recognize and celebrate local organizations that bring international attention and inclusive recreation to our region; and

WHEREAS, *Destroyer Park Golf*, located in Akron, New York, is the first Park Golf course established in the United States and officially opened to the public on June 22, 2013; and

WHEREAS, Park Golf is a form of golf that was invented in Makubetsu, Hokkaido, Japan in 1983 and resembles a sport somewhere between golf and croquet; and

WHEREAS, Park Golf promotes mental and physical well-being, encourages multigenerational participation, and provides an inclusive recreational activity suitable for all ages and abilities with a strong emphasis on harmony with other players and the natural setting of the golf course; and

WHEREAS, *Destroyer Park Golf* was founded by Dick "The Destroyer" Beyer, a beloved local figure and international wrestling legend who developed a passion for Park Golf while spending over a decade in Japan, which has over 1,300 courses; and

WHEREAS, Dick Beyer envisioned bringing the uniquely accessible and inclusive game of Park Golf to America, and thanks to his vision, the sport has taken root in Western New York and now across the country; and

WHEREAS, *Destroyer Park Golf* is sanctioned by the Nihon (Japan) Park Golf Association, certified by both the NPGA and IPGAA, and is an official IPGAA Member Course, playing a critical role in expanding the sport throughout North America; and

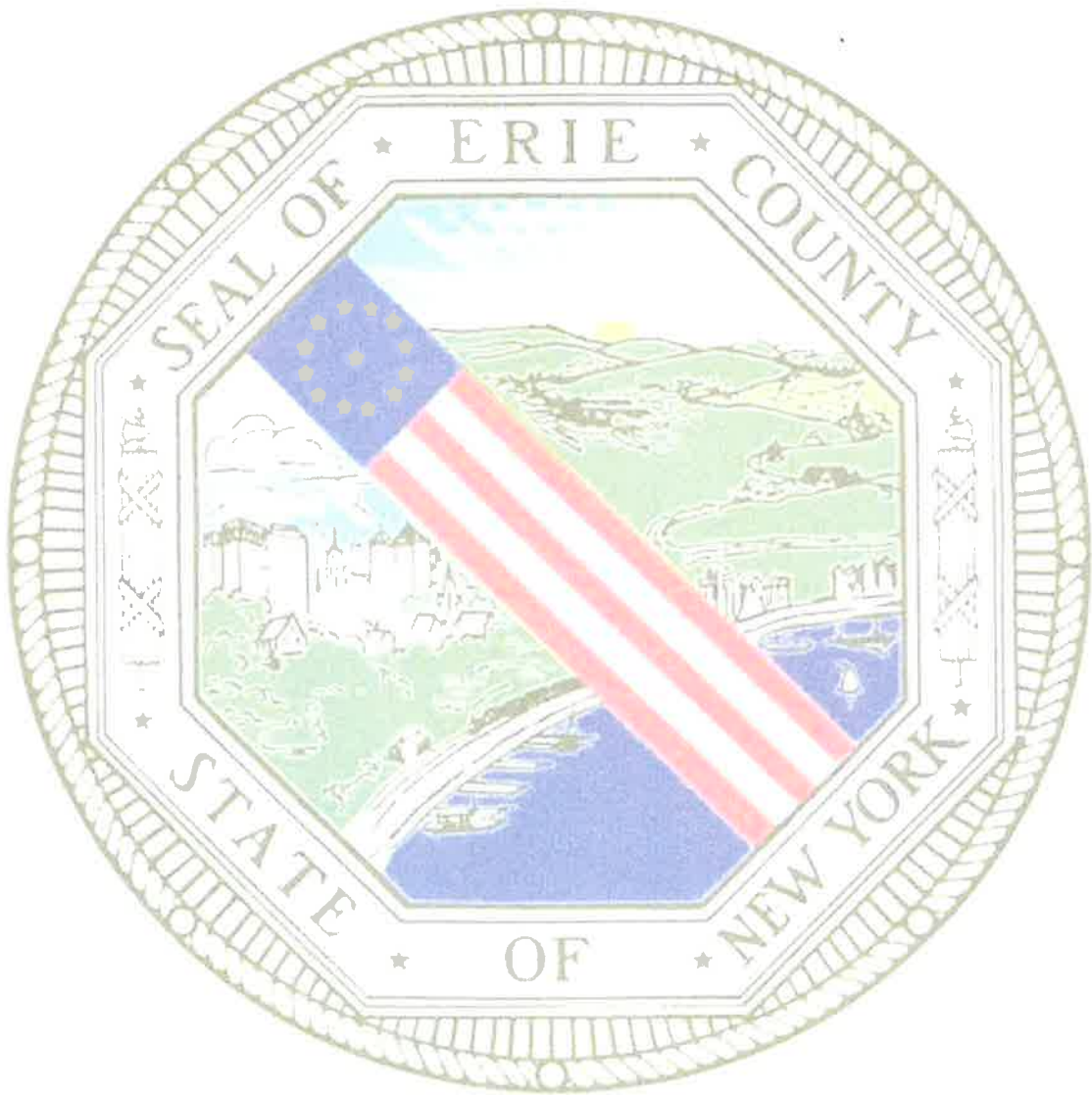
WHEREAS, July 12 through July 13, 2025, *Destroyer Park Golf* has the distinct honor of hosting the first International Park Golf Association America (IPGAA) Tournament in the United States in over 40 years, welcoming players and spectators from multiple continents; and

WHEREAS, *Destroyer Park Golf* and the IPGAA Tournament exemplify the spirit of innovation, community engagement, and international friendship, serving as a beacon of recreational excellence in Erie County.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proudly recognize and commend *Destroyer Park Golf* in Akron, New York, for its leadership in hosting this historic international event and for its dedication to promoting Park Golf in the United States; and be it further

RESOLVED, that July 12 and 13, 2025, be proclaimed *Destroyer Park Golf Days in Erie County, New York*.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6



Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

GREENE

Honoring The Perfect Gift During Independent Retailer Month

25PROC. 13-11

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

Honoring The Perfect Gift During Independent Retailer Month

WHEREAS, the Erie County Legislature recognizes the vital role independent retailers play in our local economy and community fabric, fostering entrepreneurship, creativity, and neighborhood connection; and

WHEREAS, *Independent Retailer Month* was first launched in the United States in July 2011 by Tom Shay and Kerry Bannigan, building on previous initiatives like National Independent Retailer Week and Independent Retail Week to highlight the importance of shopping locally and supporting independent businesses; and

WHEREAS, this month-long celebration encourages residents to intentionally engage with local retailers, strengthening small businesses that form the backbone of thriving communities and sustainable local economies; and

WHEREAS, *The Perfect Gift*, located in Clarence Center, New York, embodies the very spirit of Independent Retailer Month through its dedication to personalized service, unique product offerings, and steadfast support of the local community; and

WHEREAS, by fostering meaningful relationships with customers, *The Perfect Gift* has become a beloved destination for thoughtful gifts, creative items, and seasonal treasures, reflecting the passion, hard work, and entrepreneurial spirit of owner, *Deborah Tangelder*, and their dedicated staff; and

WHEREAS, *The Perfect Gift* is an active member of the Clarence Center business district through its many professional and philanthropic efforts, serving as both an example and reminder of the significant impact independent retailers have on Erie County's economic vitality and quality of life.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proudly honor *The Perfect Gift* for *Independent Retailer Month* in recognition of its outstanding contributions as an independent retailer and encourages residents throughout the region to support local businesses not just during *Independent Retailer Month*, but throughout the year.

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

MEYERS

Recognizing and Honoring Kerry Peek as Erie County Citizen
of the Month - July 2025

25PROC. 13-12

Attachments

ED LEG JUL 9 '25 4:50

**STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 10, 2025**

*Recognizing and Honoring Kerry Peek
Erie County Citizen of the Month - July 2025*

WHEREAS, Kerry Peek believes in treating all people of every race fair and hopes to continue to bring about equality and fairness; and

WHEREAS, Kerry began working at the Cheektowaga Senior Center in 1996 starting as our craft room instructor; and

WHEREAS, she then worked as the activities director and eventually became director in December (2016); and

WHEREAS, Kerry got involved early on in a collaboration with UB called "Team Alice" which works to protect older adults from medication harm; and

WHEREAS, this program has been utilized at the senior center and has helped educate many members and residents in the Town of Cheektowaga; and

WHEREAS, some of her notable accomplishments during her career at the center include bringing the Erie County Stay Fit Dining Program to the Cheektowaga Senior Center, starting a collaboration of craft instructors that led to the collaboration of Senior Center director's from all over Western New York in sharing ideas that benefit all senior citizens throughout the WNY area; and

WHEREAS, Kerry also started the Thursday Van Shuttle that brought Cheektowaga seniors to the senior center to participate in activities and more recently started a shuttle to bring seniors to the center for our outdoor summer gazebo concerts; and

WHEREAS, in 2021, Kerry (and the staff) were honored by the Cheektowaga Chamber of Commerce with the “Community Impact Award” being recognized for their dedicated service to the Cheektowaga community; and

WHEREAS, we truly owe special recognition and praise Kerry for working tirelessly to help our seniors improve and maintain their safety and well-being; and

WHEREAS, the dedication and exceptional work of Kerry Peek throughout her career in the Town is nothing short of outstanding, and it is with great admiration that this Honorable Body acknowledges and congratulates her for her devotion to Erie County and her commitment to service.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby honors Kerry Peek as the Erie County Legislature’s Citizen of the Month for July 2025 for her exceptional dedication and service to the Erie County community today and for many more years to come.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

MEYERS

Acknowledging Shady Shack Ice Cream during National Ice Cream Month

25PROC. 13-13

Attachments

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

*Acknowledging Shady Shack Ice Cream during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *Shady Shack Ice Cream* is a premier small ice cream shop in the Town of Cheektowaga; and

WHEREAS, *Shady Shack* creates unique flavors cool specialty menu items that can't be found anywhere else; and

WHEREAS, *Shady Shack* features their well-known "Shady Swirls" featuring soft or hard served ice cream mixed with your favorite candies; and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *Shady Shack* during *National Ice Cream Month*.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

MEYERS

Recognizing Innsbruck Printing and Mailing Services during
National Family Owned & Operated Businesses Day

25PROC. 13-14

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JUNE 23, 2025

EC LEG JUN 30 '25 PM7:17

***Recognizing Innsbruck Printing & Mailing Services during
National Family Owned & Operated Businesses Day***

WHEREAS, *National Family Owned & Operated Businesses Day* is celebrated on June 23rd annually to salute the family-owned and operated businesses that have survived over time despite numerous challenges and setbacks in the market economy; and

WHEREAS, many people find family-owned businesses more customer-friendly, approachable, and trustworthy than large consortiums; and

WHEREAS, *Innsbruck Printing & Mailing Services* has been serving Western New York for the past 30 years; and

WHEREAS, this family-owned business strives for the highest quality possible while maintaining competitive pricing; and

WHEREAS, *Innsbruck Printing & Mailing* has earned praise from their wonderful customer service and a solid work ethic; and

WHEREAS, today, June 23rd is a day to recognize and honor the contributions of family-owned businesses, which play a vital role in our local economies and communities.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize *Innsbruck Printing & Mailing Services* during *National Family Owned & Operated Businesses Day*.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

TODARO & GREENE

Congratulating Molly White for Being Named Principal at
Saint Gregory the Great School

Attachments

25PROC. 13-15

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

Congratulating Molly White for Being Named Principal at Saint Gregory the Great School

WHEREAS, the Erie County Legislature is proud to recognize outstanding leaders in education who demonstrate unwavering dedication to student growth, academic excellence, and faith-based learning; and

WHEREAS, *Saint Gregory the Great School*, located in Amherst, New York, celebrated its grand opening on September 7, 1960, with 386 students, who were taught by the Sisters of Saint Francis and several dedicated lay teachers; and

WHEREAS, since its founding, *Saint Gregory the Great School* has earned a reputation as an outstanding school, providing a highly valued and accredited education steeped in faith, tradition, and a strong set of values; and

WHEREAS, *St. Gregory the Great School* in Williamsville, New York, has officially appointed *Molly White*, of Lancaster, New York, as its new Principal for the 2025–2026 academic year, following her successful tenure as Interim Principal; and

WHEREAS, *Mrs. White* brings over a decade of experience in Catholic education as both a classroom teacher and administrator, and during her interim role, she was praised for her vision, compassion, and energy; and

WHEREAS, prior to being named Principal, *Mrs. White* led several important initiatives that have had a lasting impact on families at *Saint Gregory the Great School*, including expanding the early childhood program, enhancing the after-school program, and revitalizing the school's fundraising efforts; and

WHEREAS, a devoted advocate for faith formation and spiritual development, *Mrs. White* actively supports programs like the Catechesis of the Good Shepherd, which fosters prayer and spiritual growth among the youngest learners; and

WHEREAS, *Molly White* looks to lead *Saint Gregory the Great School* into its next chapter and create a school culture grounded in faith, academic excellence, and joyful learning.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to extend congratulations to *Molly White* on her official appointment as *Principal of St. Gregory the Great School* and commend her for her commitment to Catholic education and her exemplary leadership.

FRANK J. TODARO
Erie County Legislator, District 8

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

TODARO

Celebrating the Grand Opening of Papi Grande's Mexican
Restaurant and Cantina in Lancaster

Attachments

25PROC. 13-16

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Celebrating the Grand Opening of
Papi Grande's Mexican Restaurant and Cantina in Lancaster**

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, Mexican cuisine is one of only 30 cuisines to be considered world heritage, setting it apart from so many others not only for its history but also for how popular it has become; and

WHEREAS, Mexican cuisine is one of the oldest food traditions in the world, with the cuisine existing for over nine thousand years before encountering and being influenced by Spanish food in the 15th century, eventually turning it into the cuisine we all know and love today; and

WHEREAS, there are over a hundred countries that utilize unique cooking styles and techniques, making Mexican cuisine approachable to people with different preferences and tastes; and

WHEREAS, Western New York is home to many different types of Mexican restaurants, from authentic cantinas to American-influenced fast-food restaurants; and

WHEREAS, Jimmy Spano opened Papi Grande's with the hope of creating an entertaining space where guests can have great Mexican-inspired food and delicious cocktails; and

WHEREAS, after years of serving satisfied customers and establishing a faithful following, Papi Grande's Mexican Restaurant and Cantina is happy to be opening its third location in western New York, further adding to its already growing and vibrant downtown of Lancaster; and

WHEREAS, Papi Grande's Mexican Restaurant and Cantina looks forward to becoming part of the community, hosting trivia nights, offering taco Tuesday specials, and featuring a huge patio for outdoor seating during the summer months.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate Jimmy Spano and Papi Grande's Mexican Restaurant and Cantina on its Grand Opening in Lancaster, New York, and wishes it many years of success.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

TODARO

Recognizing David Konkle for Graduating from the United
States Army Drill Sergeant Academy

Attachments

25PROC. 13-17

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing David Konkle for Graduating from the
United States Army Drill Sergeant Academy**

WHEREAS, the Erie County Legislature is pleased to honor individuals in our community who enhance the quality of life for their family, friends, and neighbors through their conscientious and selfless service; and

WHEREAS, **David Konkle** is a Depew native and a graduate of Depew High School, class of 2012, where he played both football and wrestling; and

WHEREAS, **David Konkle** has spent the entirety of his adult life serving others as a firefighter, paramedic, and police officer in the U.S. Army; and

WHEREAS, **David Konkle** started serving as a volunteer firefighter in 2009 for the Depew West End Hose Company No. 6 while still in high school; and

WHEREAS, **David Konkle** became a paramedic in 2012, a role he maintained until he enlisted in the U.S. Army in 2018, where he served two tours in Afghanistan in the Infantry from 2018 to 2019 and from 2020 until 2021; and

WHEREAS, on July 2, 2025, **David Konkle** graduated from the U.S. Army Drill Sergeant Academy in Columbia, South Carolina; and

WHEREAS, **Sergeant David Konkle** is the embodiment of service, selflessly dedicating his time and his life to others, and looks forward to training the next generation of soldiers, imparting a sense of selflessness to all who may serve under him.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and thank **David Konkle** for his lifelong commitment of service to his community, state, and country, and congratulate him on his graduation from the U.S. Army Drill Sergeant Academy.

FRANK J. TODARO

Erie County Legislator, District 8

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

TODARO

Recognizing Morganne Dee for Her Distinguished Athletic and Academic Career at Arcadia University

25PROC. 13-18

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Morganne Dee for Her Distinguished
Athletic and Academic Career at Arcadia University**

WHEREAS, the Erie County Legislature is pleased to honor individuals who reflect positively on our community through their academic and athletic achievements and endeavors; and

WHEREAS, **Morganne Dee**, a proud Lancaster High School alumnus, class of 2021, recently graduated from Arcadia University of Glenside, Pennsylvania, with a degree in Business Administration with many accolades to her name; and

WHEREAS, **Morganne Dee** was a three-sport athlete in both college and high school, playing field hockey in the fall, ice hockey in the winter, and lacrosse in the spring; and

WHEREAS, throughout her time at Arcadia, **Morganne Dee** earned many athletic recognitions and awards, including recently earning the **Middle Atlantic Conference Field Hockey Senior Scholar Athlete Award**, which she has described as the award she is most proud of; and

WHEREAS, in addition to her athletic success, **Morganne Dee** also excelled academically, and was recognized with Arcadia's **Business Administration Distinguished Achievement Award**, graduating with a 3.92 GPA, one of the highest GPAs among many of her teams; and

WHEREAS, **Morganne Dee** has made her Lancaster community proud through her outstanding achievements, exhibiting the highest level of passion and commitment to her classes, teams, family, and friends.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize Lancaster native, **Morganne Dee**, for her many academic and athletic achievements during her collegiate career and wish her continued success in all her future endeavors.

FRANK J. TODARO
Erie County Legislator, District 8

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

GILMOUR

Acknowledging HalleeZ during National Ice Cream Month

Attachments

25PROC. 13-19

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

EC LEG JUL 8 '25 AM 9:50

*Acknowledging HalleeZ during
National Ice Cream Month*

WHEREAS, *National Ice Cream Month* is celebrated every July in the United States; and

WHEREAS, on these hot summer days, there's nothing like the cool, creamy deliciousness of ice cream; and

WHEREAS, *HalleeZ* is a premier small ice cream shop in the City of Lackawanna; and

WHEREAS, *HalleeZ* creates unique flavors, cool specialty menu items that can't be found anywhere else; and

WHEREAS, *HalleeZ* features their own unique flavors such as "Blue Moon", an ice cream flavor that features a mix of fruity, vanilla, and potentially citrus notes, with some describing it as like fruit loops and Biscoff; and

WHEREAS, *National Ice Cream Month* was created to recognize ice cream's popularity and its contribution to the American economy and culture.

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature acknowledges *HalleeZ* during *National Ice Cream Month*.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

GILMOUR

Recognizing Nick Charlap's Ice Cream during National Family
Owned & Operated Businesses Day

Attachments

25PROC. 13-20

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JUNE 23, 2025

EC LEG JUN 30 '25 PM 7:17

*Recognizing Nick Charlap's Ice Cream (Hamburg Location)
during National Family Owned & Operated Businesses Day*

WHEREAS, *National Family Owned & Operated Businesses Day* is celebrated on June 23rd annually to salute the family-owned and operated businesses that have survived over time despite numerous challenges and setbacks in the market economy; and

WHEREAS, many people find family-owned businesses more customer-friendly, approachable, and trustworthy than large consortiums; and

WHEREAS, *Nick Charlap's Ice Cream* has been serving Western New York over the past 50 years; and

WHEREAS, this family-owned business strives for the highest quality possible while maintaining competitive pricing; and

WHEREAS, Nick Charlap's specialty is producing premium homemade hard ice cream (40+ flavors), which has become widely known for its creamy decadence; and

WHEREAS, today, June 23rd is a day to recognize and honor the contributions of family-owned businesses, which play a vital role in our local economies and communities.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize *Nick Charlap's Ice Cream* during *National Family Owned & Operated Businesses Day*.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

LORIGO

Recognizing George Janofsky for 50 Years of Service to the
Rotary Club of East Aurora

Attachments

25PROC. 13-21

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing George Janofsky for 50 Years of
Service to the Rotary Club of East Aurora**

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 17, 2025, **George Janofsky** of East Aurora, New York, was awarded the **Paul Harris Fellowship Award** for his outstanding contributions and over fifty years of service to the Rotary Club of East Aurora; and

WHEREAS, the Rotary Club of East Aurora is a proud member of the community and Rotary International, whose volunteers work tirelessly towards their goals of promoting peace, fighting disease, providing sanitary living conditions, supporting education and youth opportunities, and improving the overall well-being of the community; and

WHEREAS, the **Paul Harris Fellowship Award** was created in 1957 in honor of Rotary International founder Paul Harris to recognize members' contributions to humanitarian and educational programs, and is presented to those who have dedicated their lives to helping others in the community and beyond; and

WHEREAS, continuing his accomplished career as a club member, **George Janofsky** continues to make a difference in the community into the next generation, sponsoring his daughter Rosemary to join as one of the club's newest members in June 2025; and

WHEREAS, **George Janofsky** and his fellow members of the Rotary Club of East Aurora continue to devote their efforts to making the Village of East Aurora a vibrant and prosperous place to live.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **George Janofsky** for fifty years of service to the Rotary Club of East Aurora and recognizes his outstanding contributions to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

LORIGO

Recognizing Sammy's Car Wash & Dog Wash Emporium on
Being Named the East Aurora Kiwanis Business of the Year

Attachments

25PROC. 13-22

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

**Recognizing Sammy's Car Wash & Dog Wash
Emporium on Being Named the East Aurora
Kiwanis Business of the Year**

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

WHEREAS, in June 2025, **Sammy's Car Wash and Dog Wash Emporium** of East Aurora, New York, was honored as the **Kiwanis Business of the Year** by the Kiwanis Club of East Aurora; and

WHEREAS, the Kiwanis Business of the Year award is presented to businesses that make a significant impact in the community by supporting neighboring non-profit organizations, being involved in East Aurora's numerous events throughout the year, and having a longstanding positive reputation with customers; and

WHEREAS, owner **Sammy Cosmano** has been a longtime supporter of the Kiwanis Club of East Aurora, as well as several other charitable groups such as the Greater East Aurora Music Hall of Fame and the Boys & Girls Club of East Aurora; and

WHEREAS, **Sammy's Car Wash & Dog Wash Emporium** has been family-owned and operated since the 1970s and later expanded to offer self-serve car cleaning and professional detailing services; and

WHEREAS, as a result of its commitment to the principles of hard work and customer satisfaction, **Sammy's Car Wash & Dog Wash Emporium** has established itself as a staple of the East Aurora community, providing services year-round to customers while supporting its neighbors.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Sammy's Car Wash & Dog Wash Emporium** on being named the **East Aurora Kiwanis Business of the Year** and recognizes the significant contributions it makes to the community.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

LORIGO	Recognizing the West Seneca East Middle Yorkers Club for Their Efforts in Remembering Marine Lance Corporal Eric Orlowski
--------	---

25PROC. 13-23	Attachments
---------------	-------------

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:*

**Recognizing the West Seneca East Middle
Yorkers Club for their Efforts in Remembering
Marine Lance Corporal Eric Orlowski**

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

WHEREAS, Marine Lance Corporal Eric Orlowski, an alumnus of West Seneca East Middle School, was deployed to Iraq as a part of Operation Iraqi Freedom, tragically making the ultimate sacrifice in combat on March 22, 2003; and

WHEREAS, in remembrance of Lance Cpl. Orlowski's heroism, a memorial garden was erected at East Middle School shortly after the news of his passing to commemorate his sacrifice; and

WHEREAS, in June 2025, the **Yorkers Club of West Seneca East Middle School**, a club focused on history and giving back to the community, renovated the memorial garden after years of neglect, and restored the site to its former luster; and

WHEREAS, led by Paul Glieco, a seventh-grade social studies teacher of 23 years at East Middle, the **Yorkers Club** worked for three months to plan and incorporate student feedback into the renovation, replacing the plants, dirt, mulch, and other components to refurbish the garden; and

WHEREAS, the efforts made by East Middle's **Yorkers Club** to renovate the memorial garden have helped Lance Cpl. Orlowski's legacy continue to live on through the halls of the school and throughout the community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the efforts of the **West Seneca East Middle Yorkers Club** for their outstanding efforts to clean and renovate the memorial garden of the late **Marine Lance Corporal Eric Orlowski**, honoring his memory in making the ultimate sacrifice.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

MILLS

Recognizing Orchard Park Equestrian on I Love Horses Day!

25PROC. 13-24

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Orchard Park Equestrian on I Love Horses Day!

WHEREAS, I Love Horses Day is celebrated annually on July 15th, as a day to honor the timeless bond between horses and humans, and to recognize the important role these majestic animals play in our lives; and

WHEREAS, horses have long served as trusted companions in work, sport, therapy, and recreation, contributing not only to our history and economy, but also to our emotional well-being and personal development; and

WHEREAS, Orchard Park Equestrian, located at 4760 Freeman Road in Orchard Park, New York, is a premier riding facility nestled in the heart of the town, offering year-round access to both indoor and outdoor arenas, with additional seasonal trails that allow riders to experience the beauty of nature on horseback; and

WHEREAS, through thoughtfully designed group, private, and club lessons, **Orchard Park Equestrian** fosters responsibility, confidence, and a deep connection with animals and the environment, helping riders of all ages develop discipline, teamwork, and life skills that extend far beyond the saddle; and

WHEREAS, even in the winter months, **Orchard Park Equestrian** embraces the magic of the season, transforming the farm into a frozen wonderland where the joy and serenity of horseback riding continues despite the chill, reminding us that every season holds opportunities for unforgettable experiences; and

WHEREAS, Orchard Park Equestrian is a treasured part of the Orchard Park community, cultivating a culture of respect, compassion, and excellence in horsemanship while enriching lives through the power and grace of horses.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Orchard Park Equestrian** for its dedication to nurturing the horse-human connection and, in celebration of **I Love Horses Day**, honors their continued impact on our region's youth, families, and animal lovers alike.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

MILLS

Honoring Luke Danna Two-Time All-Bee Boys Lacrosse
Player of the Year!

25PROC. 13-25

Attachments

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:

Honoring Luke Danna
Two-Time All-Bee Boys Lacrosse Player of the Year!

WHEREAS, the Erie County Legislature takes pride in recognizing outstanding student-athletes who demonstrate excellence, leadership, and sportsmanship both on and off the field; and

WHEREAS, **Luke Danna**, senior captain of the Orchard Park High School boys' lacrosse team, has achieved remarkable success, leading the Quakers to a Section VI Class A title and becoming the first player since 2015 to repeat as **All-Bee Boys Lacrosse Player of the Year**; and

WHEREAS, **Luke Danna** finished fourth in Section VI in scoring with 49 goals and 58 assists for 107 points, earning numerous accolades including USA Lacrosse All-American, First Team All-Section VI, and Class A All-Star honors; and

WHEREAS, **Luke Danna's** dedication to constant improvement, team-first mindset, and fierce competitive spirit made him not only the team MVP, but a role model to teammates and a driving force for the program; and

WHEREAS, **Luke Danna** leaves Orchard Park as the program's third all-time leading scorer despite a shortened schedule, and he will continue his lacrosse career at Penn State University, fulfilling his dream of playing at the Division I level; and

WHEREAS, **Luke Danna** was also selected to play in the prestigious 2025 New Balance All-American Senior Game, airing nationally on ESPNU, a true testament to his standing among the nation's best.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate **Luke Danna** on his tremendous accomplishments in lacrosse, to commend him for his leadership and sportsmanship, and to recognize the pride and inspiration he has brought to Orchard Park High School and our greater community.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

MILLS

Honoring Superintendent Daniel Pacos for Over Twenty Years
of Distinguished Service to the Lake Shore Central School
District

Attachments

25PROC. 13-26

STATE OF NEW YORK LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 10, 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 10th day of July 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Superintendent Daniel Pacos for Over Twenty Years of Distinguished Service to the Lake Shore Central School District

WHEREAS, Daniel Pacos has served the Lake Shore Central School District with unwavering dedication and exceptional leadership for nearly 23 years, culminating in his retirement as Superintendent of Schools at the close of the 2024–2025 academic year; and

WHEREAS, Mr. Pacos' visionary leadership helped guide the district through times of great challenge and transformation, including the COVID-19 pandemic, during which he oversaw the implementation of remote learning and ensured the continued delivery of thousands of meals to students and families across the district and

WHEREAS, Mr. Pacos championed student-focused innovation by expanding course offerings, including the Academy of Business and Finance, Freshman Academy, and eSports, enhancing extracurricular opportunities, and ensuring that every student had access to meaningful academic and personal development; and

WHEREAS, Superintendent Pacos demonstrated remarkable fiscal stewardship, successfully balancing the district's financial responsibilities with its educational mission, and always advocating for decisions that prioritized both students and programs; and

WHEREAS, Superintendent Pacos played a vital role in planning and advancing major infrastructure improvements, including enhancing athletic facilities, updating learning spaces, rooftop solar energy systems, and air-conditioned school buildings, all of which will benefit students and staff for generations to come; and

WHEREAS, Superintendent Pacos' legacy will be defined not only by the programs and policies he helped implement, but also by the respect and admiration he earned from colleagues, families, and the broader Lake Shore community, a community he served with humility, compassion, and steadfast integrity.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to extend its heartfelt appreciation to **Superintendent Daniel Pacos** for decades of extraordinary service, and wishes him health, happiness, and fulfillment in his well-earned retirement.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

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

	Attachments
--	-------------

LL INTRO. 2-1 (2024)

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

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

SECTION 1. Title

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

SECTION 2. Legislative Intent

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

SECTION 3. Definitions

AGENCY

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

AUDIT OR REPORT

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

COMPTROLLER

The Erie County Comptroller.

ENTITY/AND OR RECIPIENTS

A. a corporation,

B. an association,

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

FUNDING SOURCE

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

FUNDING ACTION OR EXPENDITURE

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

LEGISLATURE

The Erie County Legislature.

SEARCHABLE BUDGET DATABASE WEBSITE

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

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

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

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

SECTION 4. Searchable Budget Database Website Created

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

SECTION 5. Updates

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

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

SECTION 6. Compliance with the Act

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

SECTION 7. Severability

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

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

SECTION 8. Repealer

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

SECTION 9. Effective Date

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

Sponsor: Legislator Lorigo

Co-Sponsors:

Erie County Legislature
Meeting Date: 07/10/2025

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

EC LEG JUL 22 '24 PM 12:19

LOCAL LAW INTRO. NO. 5-2-2024

LOCAL LAW NO. ____-2024

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

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. LEGISLATIVE INTENT

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

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

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

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

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

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

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

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

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

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

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

Section 3. EFFECTIVE DATE

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

Section 4. SEVERABILITY

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

Sponsor:

John J. Bargnesi

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

LL INTRO. 7-1
(2024)

KOOSHOIAN

The STUNT Law

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: 07/10/2025

SUBJECT

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

Attachments		
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: 07/10/2025

SUBJECT

LL INTRO. 2-1 (2025)	MEYERS	Amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 1-2017
-------------------------	--------	---

Attachments

LL INTRO. 2-1 (2025)

Section 1. Title.

A local law amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 1-2017 and amending Local Law 1-1960, constituting the Erie County Administrative Code, as amended.

Section 2. Legislative Intent.

The Erie County Legislature approved Local Law No. 1-2017 which, among other things, amended Article 26 Section 2608 of the Erie County Charter to mandate the empanelment of a Charter Revision Commission by October 15, 2024 for the express purpose of reviewing the Erie County Charter and to make recommendations on whether or not the Erie County Charter should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments. The Legislature has reviewed all of the recommendations and comments of the Charter Revision Commission, other interested policy organizations, members of the public, the Erie County Legislature, and other elected officials. The Legislature held and participated in numerous public hearings to receive public input about changes to the Charter. The Legislature has considered all relevant information and input and does hereby determine that certain sections of the Erie County Charter, Local Law 1-1959 (as amended), shall be amended to modernize the Charter and to enhance the fiscal oversight and financial stability of the County. In addition, and as a natural outgrowth of the Charter Amendments below, the Legislature does hereby determine that Article 14 of the Erie County Administrative Code shall be amended in order to avoid conflict of provisions between it and newly amended Article 5 of the Erie County Charter.

Section 3.

Article II of the Erie County Charter is hereby amended as follows:

Article 2 - Legislative Branch - Charter

Section	201.	County Legislature constituted.
	202.	Powers and duties.
	202.1	Qualifications and eligibility of County legislators.
	202.2	Elections and terms of office.
	202.3	Increasing the salaries of County elected officials.
	202.4	Allocation of funds for the Erie County Legislature
	203.	Local laws; definition; power to adopt, amend and repeal; effect on legislative acts.
	204.	Form and procedure.
	205.	Procedure for adoption of local laws.
	206.	Filing and publication of local laws; judicial notice.
	207.	Referendum.
	208.	Effective date.

- 209. Ordinances.
- 210. Advisory Committee on Reapportionment.
- 211. Approval of independent auditors.
- 212. Public comment.

Section 4.

Article II of the Erie County Charter is hereby amended 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 the County legislator is elected. A County legislator shall not hold any other salaried elective public office during 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 the County legislator shall have resigned prior to such appointment.

Section 5.

Article II of the Erie County Charter is hereby amended 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, the County Executive shall sign it and return it to the Clerk of the County Legislature. If the County Executive disapproves it, the County Executive shall return it to the Clerk with 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 objections, the local law shall be deemed to be adopted in like manner as if he or she 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.

Section 6.

Article II of the Erie County Charter is hereby amended by adding a new Section 212 as follows:

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.

Section 7.

Article 3 of the Erie County Charter is hereby amended 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. The County Executive's term of office shall begin with the first day of January next following 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 the County Executive's election and throughout the County Executive's term of office the County Executive shall be a qualified elector of the County. The County Executive shall devote the County Executive's whole time to the duties of the County Executive's office and shall hold no other public office, except as provided in section three hundred seven hereof.

Section 8.

Article 3, Section 302(3) of the Erie County Charter is hereby amended as follows:

3. Supervise and direct the internal organization and reorganization of each department or other administrative unit the head of which the County Executive has power to appoint.

Section 9.

Article 3 of the Erie County Charter is hereby amended 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. 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.

Section 10.

Article 3 of the Erie County Charter is hereby amended 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 who shall be appointed by and serve at the pleasure of the County Executive. The 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, headed by the Director of Information Technology 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 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 services to such governments or units of government.

Section 11.

Article 5 of the Erie County Charter is hereby amended as follows:

- | | | |
|---------|------|--|
| Section | 501. | County Health District and Department; Commissioner; qualifications; appointment and term. |
| | 502. | Powers and duties of the Commissioner. |
| | 503. | Board of Health. |
| | 504. | Sanitary Code. |
| | 505. | County Laboratory District; County Laboratory; Director. |
| | 506. | Division of Services to Persons with Special Needs; Director. |
| | 507. | Powers and duties of the Division of Emergency Medical Services. |
| | 508. | Division of Emergency Medical Services. |

Section 12.

Article 5 of the Erie County Charter is hereby amended 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.

The Commissioner of Health shall perform such additional and related duties as the County Executive may prescribe.

Section 13.

Article 5 of the Erie County Charter is hereby amended 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.

The Director shall be responsible for the serological, bacteriological and other public health laboratory work for the County Laboratory District, as required by the Health Commissioner. Except as otherwise provided in this Charter, the Director shall exercise all powers and perform all duties of a county laboratory board.

Section 14.

Article 5 of the Erie County Charter is hereby amended as follows:

Section 506. Division of Services to Persons with Special Needs; Director. There shall be in the Department a Division of Services to Persons with Special Needs, headed by a Director. The Director shall be appointed by the Commissioner and serve at the Commissioner's pleasure. The Director shall insure the continuance of beneficial programs and implement additional services in the County for youths with special developmental needs.

Section 15.

Article 5 of the Erie County Charter is hereby amended by adding Sections 507 and 508 as follows:

Section 507. Powers and duties of the Division of Emergency Medical Services. The Deputy Commissioner of Emergency Medical 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

There shall be within the Department a Division of Emergency Medical Services which 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 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.

Section 16.

Article 6 of the Erie County Charter is hereby amended 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. The County Attorney shall be a member in good standing of the bar of the State of New York.

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. 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.

Section 17.

Article 9 of the Erie County Charter is hereby amended as follows:

Section	901.	Department of Personnel; Commissioner; Divisions.
	902.	Powers and duties.
	903.	Division of Personnel Services.
	904.	Division of Civil Service Administration.

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) With reference to the civil service of the County, have the powers and duties of a county municipal civil service commission as provided by the Civil Service Law, and, the Commissioner of Personnel shall be subject to supervision and control by the State Civil Service Commission as are county civil service commissions, as are county personnel officers.
- (b) 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 the promotion of minorities, women, veterans and individuals with disabilities.
- (d) Perform such other and related duties as shall be required or delegated to the Commissioner by the County Executive or the 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.

Section 18.

Article 10 of the Erie County Charter is hereby amended as follows:

Section 1001. Department of Environment and Planning; Commissioner; qualifications. There shall be a Department of Environment and Planning headed by a Commissioner. The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature. 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.

Section 19.

Section 1002. Powers and duties of Commissioner. The Commissioner of Environment and Planning shall have the following powers and duties:

1. 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. 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 the Commissioner may consider advisable.
3. The Commissioner may promulgate, administer, enforce and amend a county environmental quality code, pursuant to this Article.
4. 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. 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. The Commissioner shall have such additional powers and duties as may be prescribed by law, regulation, and the County Executive.
7. 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.

Section 20.

Article 10 of the Erie County Charter is hereby amended 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 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, the Commissioner 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 the Commissioner has the necessary staff and funds to do so.

Section 21.

Article 10, Section 1004(3) of the Erie County Charter is hereby amended as follows:

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.

The Council shall advise and make recommendations to the County Executive and the Legislature as they may director as may be deemed appropriate on matters affecting the preservation development, and use of the natural and human made features and conditions of the County insofar as they have a bearing on environmental quality and on the effects of human activities and development on environmental quality.

The Council shall develop, recommend and assist in the conduct of a program of public information in the County which shall be designed to increase understanding of the environmental problems and issues and to foster support for their solutions.

The Council shall develop, recommend and assist in the conduct of a program to improve the coordination and effectiveness of public and private projects and activities in the County in accord with the purposes of this law, working in cooperation with the environmental or conservation commissions in the cities, towns, and villages within the County and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

The Council shall maintain liaison with the county planning board, local and regional planning agencies, regional water resources planning and development boards, environmental management councils or their equivalents in counties adjacent to the County of Erie, and other such public and private regional bodies in the United States and Canada affecting the conservation of environmental quality, with the purpose of improving coordination of planning activities.

Section 22.

Article 11 of the Erie County Charter is hereby amended as follows:

Section 1101. Department of Public Works; Commissioner; Qualifications. There shall be a Department of Public Works headed by a Commissioner. 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.

Section 23.

Article 12 of the Erie County Charter is hereby amended as follows:

Section 1201. Department of Social Services; Commissioner; County Welfare Act repealed. There shall be a Department of Social 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 24.

Article 12 of the Erie County Charter is hereby amended as follows:

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 Services Law or other applicable law and perform such additional and related duties as the County Executive may prescribe.

Section 25.

Article 13 of the Erie County Charter is hereby amended 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. The Commissioner shall be appointed by the County Executive subject to confirmation by the County Legislature. The Commissioner shall meet the qualifications required of directors of community service by the State Office of Mental Health and in existence at the time of the Commissioner's 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 26.

Article 13 of the Erie County Charter is hereby amended 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. The Commissioner shall perform all duties with respect to child mental health services. The Commissioner or the Commissioner's designee shall serve as the Director of Community Services prescribed by Mental Hygiene Law §41.09. The Commissioner shall perform such additional and related duties as the County Executive may prescribe.

Section 27.

Article 14 of the Erie County Charter is hereby amended 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. 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.

Section 28.

Article 14 of the Erie County Administrative Code is hereby amended as follows:

Section	14.01	Organization.
	14.02	Division of fire safety.
	14.03	Division of homeland security/disaster preparedness.
	14.04	Absence, disability or vacancy.
	14.05	Advisory boards.

Section 14.01 Organization.

The department of homeland security and emergency services shall be headed by a commissioner who shall organize the department, under the supervision of the county executive, into:

1. a division of fire safety;
2. a division of civil defense/disaster preparedness.

Section 14.02 Division of fire safety.

The division of fire safety 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 fire safety 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 fire coordinator 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.

Section 14.03 Division of homeland security/disaster preparedness.

The division of homeland security/disaster preparedness 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 homeland security/disaster preparedness shall, when so directed by the commissioner: have and exercise any or all of the powers and duties vested in and imposed upon a local director of civil defense under the New York state defense emergency act; develop, make public and regularly amend a county disaster preparedness plan, in accordance with article two B of the executive law, for the coordination of emergency services in the event of natural or other disaster or emergency; coordinate the provision of disaster and emergency assistance by local disaster preparedness and civil defense forces in the event such assistance is requested by the chief executive of any city, town or village within the county; have and exercise 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.

Section 14.04 Absence, disability or vacancy.

The commissioner shall designate in a writing filed in the office of the Erie county clerk the relative rank of the deputy commissioners, including: the order in which each is to temporarily succeed to the duties of the commissioner during her or his absence or disability or in the event of a vacancy in such office, and; the order in which each deputy commissioner is to temporarily succeed to the duties of any other deputy commissioner during the absence or disability, or in the event of a vacancy in the office, of such other deputy commissioner.

Section 14.05 Advisory boards.

The county executive shall appoint the following advisory boards:

1. Emergency medical services advisory board: This board shall be composed of no fewer than fifteen and no more than twenty five members appointed by the county executive for two year terms. One third of the members shall be active members of volunteer fire companies operating rescue squads or ambulance services and the remaining membership shall be elected officials or their representatives, representatives of ambulance services, hospitals, fire department emergency and rescue squads, public health officers and other agencies, organizations or citizens involved in the planning or provision of emergency medical services. The county executive shall designate one of the members to serve as chairman. It will be the duty of such board to cooperate with the state health departments bureau of emergency medical services in effectuating the purposes for which the bureau was established in relation to programs for emergency medical services; to act as an advisory board to the county executive, the county legislature, the commissioner of

emergency services and the deputy commissioner of emergency medical services in connection with county establishment and maintenance of a county emergency medical services and mutual aid program for medical and other emergencies in which the services of emergency medical personnel would be used. Members of such board shall be county officers and shall serve without compensation.

2. Fire Advisory Board: This board shall be composed of twenty-five (25) members appointed by the County Executive for two years. At least eight of the members shall be active or exempt members of volunteer fire companies. It shall be the duty of such board to cooperate with the state office of fire prevention and control in effectuating the purposes for which the office was established in relation to programs for fire training and mutual aid; to act as an advisory body to the county executive, the county legislature, the commissioner of emergency services and the deputy commissioner of fire safety in connection with county participation in programs for fire training and mutual aid, county establishment and maintenance of a county fire training school and mutual aid programs for fire and other emergencies in which the services of firemen would be used; and to perform such other duties as the county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of fire safety may prescribe in relation to fire training and mutual aid for fire and other emergencies in which the services of firemen would be used; and to perform such other duties as the county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of fire safety may prescribe in relation to fire training and mutual aid for fire and other emergencies in which the services of firemen would be used. The members of such board shall be county officers and shall serve without compensation. The terms of the office of the incumbent members of the fire advisory board shall continue for the periods for which such members shall have been appointed.
3. Civil defense/disaster preparedness advisory board: This board shall be composed of no fewer than fifteen and no more than twenty five members who shall be appointed by the county executive for two year terms. One third of the members shall be active members of voluntary fire companies and the remainder shall be elected officials or their representatives, representatives of organizations involved in civil defense and disaster preparedness and other citizens of the county. The commissioner of environment and planning, the sheriff, the commissioner of public works and the commissioner of health shall be ex officio members. The county executive shall designate one of the members to serve as chairman. It shall be the duty of such board to cooperate with the state civil defense commission and the state natural disasters commission in effectuating the purposes for which the commissions were established in relation to programs for civil defense and disaster preparedness; to act as an advisory board to the county executive, the county legislature, the commissioner of emergency services and the deputy commissioner of civil defense/disaster preparedness in connection with county participation in programs for civil defense and disaster preparedness, county establishment and maintenance of county civil defense and disaster preparedness plans and programs for natural or other disasters or emergencies in which the services of civil defense forces or emergency personnel would be used; to perform such other duties as the

county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of civil defense/disaster preparedness may prescribe in relation to civil defense and disaster preparedness programs for natural or other disasters or emergencies in which the services of emergency personnel would be used. The members of such board shall be county officers and shall serve without compensation.

The chairman of the emergency medical services advisory board, the fire advisory board and the civil defense/disaster preparedness advisory board shall each designate a member of their respective advisory boards, or themselves, to form a four member steering committee to act as a liaison between the county executive, the county legislature and the commissioner of emergency services relative to the coordination and development of plans and programs for emergency medical services, fire safety, civil defense and disaster preparedness purposes. The fourth member of the steering committee shall be appointed by the county executive and shall serve as the chairman thereof.

d. In lieu of the advisory boards set forth in subdivisions a, b and c above, the county executive may appoint a homeland security/emergency advisory board as follows:

(1) The board shall be composed of no fewer than seven (7) and no more than fifteen (15) members appointed by the county executive for three (3) year terms in accordance with the county charter. One third of the members shall be active members of volunteer fire service. There will be members from the following disciplines: the fire service, emergency medical service, emergency management, law enforcement and dispatch communications. It will be the duty of such board to cooperate with the state health department's bureau of emergency medical services in effectuating the purposes for which the bureau was established in relation to programs for emergency medical services, to cooperate with the state office of fire prevention and control in effectuating the purposes for which the office was established in relation to programs for fire training and mutual aid, participation in programs for fire training and mutual aid, county establishment and maintenance of a county fire training school and mutual aid programs for fire and other emergencies in which the services of firefighter would be used, to cooperate with the state civil defense commission/State Department of Homeland Security and Emergency Services and the state natural disasters commission in effectuating the purposes for which the commissions were established in relation to programs for civil defense and disaster preparedness, to act as an advisory board to the county executive, the county legislature, the commissioner of homeland security and emergency services and the deputy commissioners of homeland security/disaster preparedness, in connection with county participation in programs for homeland security and disaster preparedness, county establishment and maintenance of county homeland security and disaster preparedness plans and programs for acts of terrorism and natural disasters or emergencies in which the services of civil defense forces or emergency personnel would be used; to perform such other duties as the county executive, the county legislature, the commissioner of homeland security and emergency services or the deputy commissioners of emergency medical services, fire-safety, or homeland security/disaster preparedness. The commissioner of environment and planning, the sheriff, the commissioner of public works and the commissioner of health shall be ex officio members. The members of such board shall serve without compensation.

(2) The commissioner of homeland security and emergency services shall designate one member each from the following disciplines, the fire service, emergency medical services, law

enforcement and dispatch communications to form a steering committee to act as a liaison between the county executive, the legislature and the commissioner of homeland security and emergency services.

Section 29.

Article 15 of the Erie County Charter is hereby amended 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. The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature, from a list of 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. Should the Central Police Services Board of Trustees be unable to identify qualified candidates who meet the description herein, they shall submit a list of qualified candidates in such quantity and demographic as may be identified and available at the time of the vacancy or impending vacancy in the Office of the Commissioner. The Commissioner shall serve at the pleasure of the County Executive.

Section 28.

Article 16 of the Erie County Charter is hereby amended by being retitled "Article 16 – Department for the Aging" and as follows:

Section	1601.	Department for the Aging; Commissioner.
	1602.	Powers and duties.
	1603.	Advisory board.

Section 1601. Department for the Aging; Commissioner. There shall be a Department for the Aging, 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 in 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;
3. Assess the future needs of older adults to insure the continuance of beneficial programs and to implement additional services according to need and demographics including handicapped and disabled older adults;

4. Apply for such federal and state funds and grants as may be beneficial to older adult programs;
5. Function as a coordinator with the cities, towns and villages within the County for community based systems for older adults;
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 older adults;
7. Initiate and monitor programs to preserve the safety of older adults 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.

Section 29.

Article 17 of the Erie County Charter is hereby amended as follows:

Section 1701. Department of Public Advocacy. There shall be an Department of Public Advocacy, 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, subject to approval of the County Legislature. The Commissioner of the Department shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie County, overseeing the day-to-day operations of the Division of Equal Employment Opportunity, Division on the Status of Women, Division for the Disabled and Consumer Protection Committee;
2. Report to the County Executive and the Legislature on an annual basis on all activities related to fulfilling the obligations of the Department of Public Advocacy.

Section 30.

Article 17 of the Erie County Charter is hereby amended as follows:

Section 1705. Advisory Board to Division on the Status of Women. There shall be an Advisory Board. The Board 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 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. The membership of the Board 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 shall annually designate one member to serve as Commission chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership.

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.

Section 31.

Article 18 of the Erie County Charter is hereby amended as follows:

Section	1801.	Election; Comptroller's Act Repealed.
	1802.	Powers and duties.
	1803.	Miscellaneous.

Section 32.

Article 18 of the Erie County Charter is hereby amended as follows:

Section 1801. Election; Comptroller's Act repealed. There shall be a County Comptroller who shall be elected from the County at large. The County Comptroller's term of office shall begin with the first day of January next following the County Comptroller's election and shall be for four years. At the time of the County Comptroller's election and throughout term of office the Comptroller shall be a qualified elector of the County. The Comptroller shall devote the Comptroller's whole time to the duties of 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.

Section 33.

Article 18, Section 1802(3) of the Erie County Charter is hereby amended as follows:

3. Examine all requisitions for the encumbering of funds for the expenditure of which the county is responsible. After such examination, certify as to the availability of funds for all capital projects .

Section 34.

Article 18, Section 1802(19) of the Erie County Charter is hereby amended 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.

Section 35.

Article 18, Section 1802 of the Erie County Charter is hereby amended by creating a new subsection 21:

21. Be designated as an authorized signatory on all bank accounts bearing the county's tax identification number.

Section 36.

Article 18 of the Erie County Charter is hereby amended by creating a new Section 1803 as follows:

Section 1803. Miscellaneous. 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."

Section 37.

Article 19 of the Erie County Charter is hereby amended as follows:

Section 1901. Election. There shall be a County Clerk who shall be elected from the County at large. The County Clerk's term of office shall begin with the first day of January next following the County Clerk's election, and shall be for four years except as otherwise provided in this Charter. At the time of the County Clerk's election and throughout the County Clerk's term of office the Clerk shall be a qualified elector of the County. The Clerk shall devote the County Clerk's whole time to the duties of the County Clerk's office and shall hold no other public office.

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. The Clerk shall perform such additional and related duties as may be prescribed by local law.

Section 38.

Article 20 of the Erie County Charter is hereby amended as follows:

Section 2001. Election. There shall be a District Attorney who shall be elected from the County at large. The District Attorney's term of office shall begin with the first day of January next following the District Attorney's election, and shall be for four years except as otherwise provided in this Charter. At the time of the District Attorney's election and throughout the District Attorney's term of office the District Attorney shall be a qualified elector of the County. The District Attorney shall devote the District Attorney's whole time to the duties of the District Attorney's office and shall hold no other public office.

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. The District Attorney shall perform such additional and related duties as may be prescribed by local law.

Section 39.

Article 21 of the Erie County Charter is hereby amended as follows:

Section 2101. Election. There shall be a Sheriff who shall be elected from the County at large. The Sheriff's term of office shall begin with the first day of January next following the Sheriff's election and shall be for four years except as otherwise provided in this Charter. At the time of the Sheriff's election and throughout the Sheriff's term of office the Sheriff shall be a qualified elector of the County. The Sheriff shall devote the Sheriff's whole time to the duties of the Sheriff's office and shall hold no other public office.

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. The Sheriff shall perform such additional and related duties as may be prescribed by local law.

Section 40.

Article 22 of the Erie County Charter is hereby amended 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.

Section 41.

Article 22, Section 2205 of the Erie County Charter is hereby amended 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:

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 creating authority.
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. 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.
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 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.

Section 42.

Article 25, Section 2504(2) of the Erie County Charter is hereby amended 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 of Public Works, 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.

Section 43.

Article 25, Section 2507(1) of the Erie County Charter is hereby amended as follows:

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 the elected official's department, 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.

Section 44.

Article 25 of the Erie County Charter is hereby amended 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 the County Executive's consideration of such additions or increases. If the County Executive approves all additions and increases, the County Executive shall affix 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 the County Executive objects with the reasons for the County Executive's objections, and shall return the budget with 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. 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 revert back to their originally proposed funding levels.
4. If a budget with additions or increases is not returned by the County Executive to the Clerk of the Legislature with 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 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.

Section 45.

Article 25 of the Erie County Charter is hereby amended as follows:

Section 2511. Appropriations; reductions and transfer after budget adoption.

Intent: it is determined that the maintenance of a balanced budget throughout the County's fiscal year is critical to the fiscal integrity of the county and is thus an important public objective. To this end, the County Executive shall recommend to the Legislature budgetary adjustments as are necessary to maintain a balanced budget on an ongoing basis.

If at any time during the fiscal year it appears, from cash flow projections or other generally accepted accounting principles, that the revenues available, as projected through the end of the

fiscal year, will be insufficient to meet either (a) the amounts appropriated, or (b) expenses anticipated to be incurred through the end of the fiscal year, such that the cumulative effect thereof is a projected year-end deficit in excess of fifty percent of the County's undesignated, unreserved fund balance as of the end of the immediately preceding fiscal year, the County Executive or the Comptroller shall submit a report to the Legislature setting forth the estimated amount of the deficit with appropriate details and explanations. Within seven days of the submission of such a report to the Legislature, the County Executive shall present a written proposal of actual remedies to overcome the deficit. The Comptroller shall provide the Legislature with written comments on the County Executive's proposed actions within seven days of the submission of the remedial proposal to the Legislature. The Legislature shall take under consideration the proposed remedial actions and comments presented by the Comptroller and take such action as it deems necessary to prevent or minimize the deficit. Should the Legislature fail to act within twenty-one days of presentation of the written proposal of remedial actions by the County Executive, the County Executive's proposal shall be deemed adopted. In the event the deficit is declared and remedial actions are taken by the County Executive and/ or the Legislature, no appropriation for debt service may be reduced and no appropriation may be reduced by more than the unencumbered balance thereof or below any amount required to be appropriated.

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 fifty thousand dollars (\$50,000), 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.

Section 46.

Article 26 of the Erie County Charter is hereby amended 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.

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 the County Executive may choose to make, to the County Legislature.

Section 47.

Article 26 of the Erie County Charter is hereby amended 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 term of the contract, including any explicit options to extend, in excess of six months beyond the terms stated in the original contract, without the approval of the Legislature.

Section 48.

Article 26 of the Erie County Charter is hereby amended as follows:

Section 2606. Filling vacancy in elective office of County Clerk, District Attorney or Sheriff. Pursuant to law, a vacancy, 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.

Section 49.

Article 26 of the Erie County Charter is hereby amended 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 by not before January 1, 2035 and not later than January 15, 2035, which shall report its recommendations to the Erie County Legislature no later than June 15, 2035.

Section 50.

Article 27 of the Erie County Charter is hereby amended 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.

Section 51.

Effective Date: This Local Law shall become effective sixty (60) days from the filing with the Secretary of State.

Section 52.

STEPS FOLLOWING EFFECTIVE DATE.

1. The County Attorney shall renumber the articles, sections, and subsections of both the Erie County Charter and Erie County Administrative Code, as needed, to ensure that such articles, sections, and subsections are uniformly formatted and numbered and that all sections changed by this document or any other valid document are effectuated across the Charter.
2. The County Attorney shall prepare a revised Erie County Charter and a revised Article 14 of the Erie County Administrative Code which contain all additions to, repeals and amendments of, the Charter and the Administrative Code that are set forth in this Local Law. Such revised documents, which shall include the renumbering of articles provided by Subsection 1 above, shall be placed upon the desks of the members of the Legislature no later than sixty (60) days after the effective date of this Local Law. Such revised documents shall be posted on the Erie County website and transmitted to the Clerk of the Legislature.

Section 53.**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: Timothy Meyers

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT		
LL INTRO. 3-1 (2025)	ST. JEAN TARD	Prohibition of Public Dumping on County Property
Attachments		
LL INTRO. 3-1 (2025)		

**LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE COUNTY OF ERIE
LOCAL LAW INTRO. NO. 3-1 - 2025
LOCAL LAW NO. ____ - 2025**

Section 1. Title.

A local law relating to the prohibition of public dumping on County property.

Section 2. Legislative Purpose and Intent.

This Legislature recognizes that our public grounds and park system are vital resources for the promotion of the health and well-being of County residents. This Legislature additionally recognizes that the unauthorized placement of refuse on any County-owned parcel of land contributes to the pollution of County property and has a subsequent negative economic impact for remedying the placement of such refuse. It is the purpose of this Legislature to ensure that County property may be free from the unauthorized dumping or placement of refuse for the protection of County property for generations to come.

Section 3. Definitions.

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

“Corporate Entity” shall mean any business organization or business unit, whether incorporated or unincorporated, including partnerships, limited liability corporations, professional corporations, corporations and other organizations which possess legal rights and responsibilities which are separate from its owners.

“property owned by the County of Erie” shall mean all real property acquired by or under the jurisdiction or control of the County of Erie or which may hereafter be acquired by or under the jurisdiction or control of the County of Erie or come under the jurisdiction or control of the County of Erie by way of a legal instrument, including a leasehold, easement agreement, inter-municipal agreement, license or deed.

“Dump or Dumping” shall mean the illegal dumping, deposit, or other disposal of any material described in Section 4 onto land or water which is not licensed as a transfer station under either the Laws of Erie County or the State of New York and where such dumping, deposit, or other disposal is not otherwise authorized by law.

“Fill” shall mean the material resulting from any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced or spread, and

shall include the conditions resulting therefrom.

Section 4. Prohibitions.

- A. It shall be unlawful for any person or for any business or corporate entity, or their agent or employee, to dump, direct the dumping of, deposit, or dispose of any dirt, sand, gravel, clay, loam, stone, rocks, rubble, building rubbish, sawdust, shavings, or commercial or household waste, refuse, ashes, manure, garbage, rubbish, yard and landscaping waste, or debris of any sort, or any other organic or inorganic material, or thing in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, slip, or other property owned by the County of Erie, except where such disposal conforms to the requirements of state and federal law and is authorized at the specific site in question pursuant to the Laws of Erie County.
- B. It shall be unlawful for any person or for any business or corporate entity, or their agent or employee, to dump, direct the dumping of, deposit, or otherwise dispose of any other solid waste as defined in 6 NYCRR 360 or hazardous waste as defined by Section 37-0103 of the New York Environmental Conservation Law in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, slip, or other property owned by the County of Erie, except where such disposal conforms to the requirements of state and federal law and is authorized at the specific site in question pursuant to the Laws of Erie County.
- C. No fill of any type or amount shall be placed on County-owned property without the written approval of the Erie County Department of Public Works Commissioner. No fill of any type or amount shall be placed on County Parkland or County Forestland without the written approval of the Erie County Department of Parks, Recreation, and Forestry Commissioner. Fill shall only be placed in accordance with accepted engineering practices and upon the presentation of documentation of the source of the fill to the Erie County Department of Public Works and the prior acceptance of such documentation by such Department.

Section 5. Enforcement and Penalties for Offenses.

- A. Any person, business, or corporate entity who violates any provision of this Law 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, business, or corporate entity who causes physical damage to real property while violating any provision of this article shall be liable for the payment of restitution in the remediation of such damage, as determined by a court of competent jurisdiction.

C. In addition to the foregoing penalties, the offender shall be required to remediate the area of property owned by Erie County upon which the offender dumped unlawfully within ten days after conviction thereof, or after an administrative determination of liability. In the event that the offender fails to remediate the area within such time, such remediation may be done by the County of Erie, or under their direction by a private contractor, and the cost of same shall be an additional penalty assessed to the offender. In the event that the County of Erie deems it necessary to remediate the area or to cause the area to be remediated by a private contractor prior to the offender's conviction or prior to an administrative finding, the offender shall be responsible for the cost of such remediation. Payment by such offender, when required by this section, shall be made within ten days of demand by the County of Erie.

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

Taisha St. Jean Tard

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

LL INTRO. 4-1
(2025)

ST. JEAN TARD &
MEYERS

Amending Erie County Local Law 3 (2019)
Establishing the Erie County Corrections
Specialist Advisory Board

Attachments

LL INTRO. 4-1 (2025)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 4-1 -2025

LOCAL LAW NO. _____ -2025

A Local Law amending Erie County Local Law 3 (2019) to provide for additional community participation on the Erie County Corrections Specialist Advisory Board.

The Legislature of the County of Erie hereby amends Local Law 3 (2019) as follows:

SECTION 1. LEGISLATIVE INTENT AND OVERVIEW

It is the Erie County Legislature's intention to establish the Erie County Corrections Specialist Advisory Board (the "Advisory Board") to provide advice to, and oversight over the Erie County Sheriff Office's Jail Management Division which administers the Erie County Holding Center and the Erie County Correctional Facility.

In 2010 this Honorable Body created a Community Corrections Advisory Board ("CCAB") via legislative resolution following evaluation and investigation and a lawsuit by the U.S. Department of Justice against Erie County and the Erie County Sheriff deeming federal oversight of the Erie County Holding Center and Correctional Facility as necessary and in the public interest due to a myriad of issues at both facilities. The CCAB's purpose was "discussion of corrections facilities programs and services to offer suggestions and advice for the improvement of such programs at the Erie County Correctional Facility and the Erie County Holding Center." The Legislature also desired that the CCAB could help prevent further improper treatment at the facilities, and devise solutions to improve procedures and operations and provide a mechanism for oversight.

One of the major issues plaguing the Jail Management Division involves mentally-ill inmates and prisoners who may be suicidal or who are in need of treatment while detained. The Erie County Department of Mental Health is administratively responsible for planning, directing, coordinating, and monitoring programs of prevention, treatment and rehabilitation involving detainees with mental health and/or intellectual or developmental disabilities and substance abuse services.

Over the intervening years, the state's regulator over local jails, the New York State Commission of Correction, has issued a series of critical reports over the Holding Center and Correctional Facility due to inmate escapes from custody, facility conditions, assaults on prisoners, mental health and healthcare deficiencies, and the deaths of prisoners or detainees in the custody of the Erie County Division of Jail Management. This includes a February 2018 report entitled "The Worst Offenders Report: The Most Problematic Local Correctional Facilities of New York State", that labeled the Holding Center and Correctional Facility as one of the "worst offenders for being in violation of state law."

For a variety of reasons, the CCAB did not function as hoped and expected and in 2013 the CCAB functionally stopped meeting or acting and was not subsequently convened.

Section 2205 of the Erie County Charter states: "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 ineffective chair or any inactive members, or to recommend that the legislature abolish the board.

Because the CCAB has not met since 2013, and due to the host of problems, issues and concerns over the Erie County Holding Center and Correctional Facility, it is recommended that the Legislature abolish the CCAB and create a new robust and inclusive corrections advisory board comprised of current and/or retired professionals who have expertise in criminal justice, public safety, restorative justice and reducing recidivism that will more effectively serve the people of Erie County.

The Advisory Board is intended to focus on restorative justice, serve as a bridge between the community, the Erie County Department of Mental Health, and the Erie County Sheriff's Office's Jail Management Division, and will be dedicated to enhancing the safety and conditions in the Erie County Holding Center and Correctional Facility. Its mission will be to bring leaders and professionals in our community together to help monitor and improve the County's correctional facilities, improve the lives of those who have left correctional facilities and reduce recidivism and help with re-entry to society, and work together for solutions to problems while continually looking for ways to improve internal operations and procedures in the correctional facilities.

Section 2205 of the Erie County Charter states: "Advisory boards shall consist of an odd number of members, at least seven and at most fifteen. Members shall be residents of Erie County."

The Erie County Legislature recognizes the significance of community involvement in the oversight of the Erie County Sheriff's Office Jail Management Division and hereby intends to increase participation to the maximum permitted by the Erie County Charter.

SECTION 2. CREATION OF AND MEMBERSHIP OF THE ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD

The Erie County Corrections Specialist Advisory Board is hereby established.

Membership

The Advisory Board shall consist of eleven (11) fifteen (15) voting members as follows:

- [One] Two members to be recommended by the Chair of the Erie County Legislature

New material is underlined. [Bracketed] 2material is to be deleted.

- ~~[One]~~ Two members to be recommended by the Majority Leader of the Erie County Legislature
- ~~[One]~~ Two members to be recommended by the Minority Leader of the Erie County Legislature
- One member to be recommended by the Chair of the Public Safety Committee of the Erie County Legislature
- One member to be recommended by the Erie County Executive
- One member to be recommended by the Erie County Sheriff
- One member to be recommended by the Erie County Commissioner of Probation
- One member to be recommended by the Erie County Commissioner of Mental Health
- One member to be recommended by the Bar Association of Erie County
- One member with demonstrated experience in advocacy for prisoners to be recommended by an organization working on behalf of prisoners' rights
- One member with demonstrated experience with restorative justice to be recommended by an organization that is dedicated to restorative justice
- One member with demonstrated experience in assisting former offenders' transitions to be recommended by an organization that is dedicated to ex-offender transition from jail/prison to life in the general public

Members shall be approved by a majority vote of the Erie County Legislature and shall serve without compensation.

Terms of Advisory Board Members

~~[After the initial appointments expire,]~~Advisory Board members shall serve three-year terms. ~~[No member may serve more than two (2) consecutive terms, including the completion of a term of another voting member and/or the initial terms. Those who have served two (2) consecutive terms may be eligible again after a two (2) year absence to serve on the Board.]~~

SECTION 3. QUALIFICATIONS OF MEMBERS

All members must meet the minimum requirements set forth in Section 2205 of the Erie County Charter including:

- Each Advisory Board member shall be a resident of Erie County at the time of appointment and shall remain a resident of Erie County while holding a position as a member of the Advisory Board.
- Members of the Advisory Board may not serve as elected public officers for Erie County~~[hold elective office]~~.

SECTION 4. MEETINGS

New material is underlined. ~~[Bracketed]~~ 3material is to be deleted.

At the first meeting of the Advisory Board, the Board shall elect a member as chairperson, and another member as vice-chairperson. The chairperson and vice-chairperson shall serve in such positions for two years and may not serve more than two consecutive terms. The vice-chairperson shall serve in the absence of the chairperson and in such other capacity as the chairperson shall delegate.

The Advisory Board shall establish a schedule of regular meetings for the year, but the Advisory Board shall meet a minimum of four (4) times per year.

Unless otherwise provided by law, a majority of the members shall constitute a quorum at any duly held meeting of the Advisory Board. The affirmative vote of a majority of all members shall be required for Advisory Board action on any matter.

At each meeting of the Advisory Board, time will be set aside for public comment on issues relevant to the stated intent in the adopted bylaws of the Advisory Board. If no such individuals or organizations have contacted the Chairperson of the Advisory Board to request time to testify, the Advisory Board will forgo the time for public comment at that meeting of the Board. Requests to testify can be made to the Chairperson of the Advisory Board by filing such request with the Clerk of the Erie County Legislature at least five (5) business days prior to the Meeting of the Advisory Board.

SECTION 5. PROCEDURES.

The Advisory Board shall adopt standards of conduct and disclosure of interests intended to ensure that the actions of the Advisory Board are carried out in an ethical manner. The ethical standards shall be consistent with the Erie County Code of Ethics.

The Advisory Board may adopt such bylaws and/or rules and procedures for the efficient and orderly conduct of its business as it deems necessary or appropriate under Section 2205 of the Erie County Charter. Such rules and procedures shall provide reasonable opportunity for public comment and engagement.

The Advisory Board shall adopt bylaws that are not in conflict with Section 2205 of the Erie County Charter or any provisions of this Local Law, and subject to the approval of the Erie County Legislature.

It is hereby established, this local law does charge the Advisory Board the ability to design and enforce the bylaws under which such board will function. Bylaws must be in writing, filed with the Erie County Legislature, and open to inspection by members of the Advisory Board, the Erie County Legislature, and other elected officials. Bylaws may include, but are not limited to, the procedures for the taking of meeting minutes, the procedures for submitting grievances, the procedure for recommending the use of the Legislature's subpoena power, and the procedure for writing and submitting reports to the Erie County Legislature. Bylaws must be filed with the Erie County Legislature at least thirty (30) days prior to the first advisory board meeting. In order to establish bylaws, the members of the Advisory Board must be in quorum, and at least seven (7) ten (10)

affirmative votes submitted. Amendments to the bylaws must be passed in quorum, with the affirmative vote of at least [seven] ten (10) Advisory Board members.

The Advisory Board will produce, annually, a report on the progress of the Board for the previous year and their goals for the upcoming year. The report is to be filed with the Clerk of the Erie County Legislature and shall be reviewed by the Public Safety Committee of the Erie County Legislature.

SECTION 6. POWERS AND FUNCTIONS

Powers

The Advisory Board shall:

1. Function in an advisory capacity to the Erie County Legislature as well as to the Erie County's Sheriff's Office.

The Advisory Board may:

1. Recommend that the Chairperson of the Erie County Legislature utilize his/her subpoena power under Section 2607 of the Erie County Charter, as necessary, to compel the presence and testimony of persons or the production of records to the Advisory Board when other mechanisms to compel such presence or data are otherwise unsuccessful through the following procedure:
 - (a) A formal recommendation suggesting utilization of the Legislature's subpoena power may be submitted to the Erie County Legislature's Public Safety Committee. After which, members of the Public Safety Committee shall vote on whether to submit the request to the Chair of the Erie County Legislature. Requests that pass by a majority vote of the Public Safety Committee shall then be submitted to the Chair of the Erie County Legislature for a final decision on the potential utilization of subpoena power.

Functions

The Advisory Board may undertake functions and activities intended to:

1. Develop strategic plans and policies to be considered by the Legislature and the Sheriff's Office that will improve the conditions, systems and practices at the Erie County Holding Center and Correctional Facility and help reduce recidivism in Erie County.
2. Allow public comment on the issues related to the Erie County Holding Center and Erie County Correctional Facility
3. Make formal advisory recommendations to the County Legislature and the Erie County Sheriff's Office on the programs, funding and services for the correctional facilities in Erie County.
4. Receive complaints regarding the Erie County Holding Center and the Erie County Correctional Facility from the public and refer such

complaints to the Erie County Sheriff's Office for investigation and reporting back to the Advisory Board.

SECTION 7. STAFF SUPPORT

The Chair of the Erie County Legislature shall choose amongst the staff of the Legislature one person to serve as Clerk of the Advisory Board. Such staff member will communicate with members, and the public through notices, regarding meetings, agendas and items that are before the Advisory Board. The Clerk will be responsible for taking the roll, recording votes of the members at meetings and communicating with groups seeking to testify before the Advisory Board. The Clerk will also be responsible for disseminating the minutes of the meetings to Advisory Board members and working with the Chair of the Advisory Board to produce an Annual Report to be filed with the Clerk of the Erie County Legislature and reviewed by the Public Safety Committee of the Erie County Legislature.

SECTION 8. EFFECTIVE DATE

This Local Law shall take effect upon passage by the Legislature.

SECTION 9. 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.

SPONSORED BY:

TAISHA ST. JEAN TARD, TIMOTHY MEYERS

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

INTRO. 13-1 VINAL & DUPRE Re-Allocation of 2025 Public Benefit Funding

25INTRO. 13-1

Attachments

A RESOLUTION SUBMITTED BY LEGISLATOR VINAL & LEGISLATOR DUPRE

EC LEG JUL 7 '25 PM 3:40

RE: Re-Allocation of 2025 Public Benefit Funding

WHEREAS, the Jolly Boys of Williamsville, Inc. was awarded \$5,000 in 2025 public benefit funding by the Erie County Legislature in the adopted 2025 Budget in Funds Center 1332010 – Community/Neighborhood Development; and

WHEREAS, the Jolly Boys of Williamsville, Inc. was awarded \$20,000 public benefit funding by the Erie County Legislature in COMM.8E-11 (2025); and

WHEREAS, City of Buffalo was awarded \$59,500 public benefit funding by the Erie County Legislature in INTRO. 11-1 (2025); and

WHEREAS, this organization is not able to accept the funds, and the funding should be transferred to these alternative organizations; and

WHEREAS, it has since been determined these allocations need to be adjusted; and

WHEREAS, it is the intention of this Honorable Body to transfer such funding to community organizations serving the public.

NOW, THEREFORE, BE IT

RESOLVED, the authorization is hereby given to transfer \$25,000 of 2025 public benefit funding from the Jolly Boys of Williamsville, Inc. to the Town of Amherst; and be it further

RESOLVED, authorization is hereby given to transfer \$20,000 of 2025 public benefit funding from the City of Buffalo to the Resource Council of WNY; and be it further

RESOLVED, that the Director of the Division of Budget and Management is authorized to make any adjustments necessary to effectuate the intent of this resolution or any other changes identified by the Office of the Erie County Comptroller; and be it further

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT		
COMM. 13E-1	MEYERS	2025 Mid-Year Informational Erie County Budget Hearing Schedule
Attachments		
25COMM. 13E-1		



Erie County Legislature

Old Erie County Hall | 92 Franklin St., 4th Floor | Buffalo, NY 14202

EC LEG JUL 3 '25 AM 8:57

2025 Mid-Year Informational Erie County Budget Hearings Finance & Management Committee

The following is the schedule of Mid-Year Informational Budget Hearings to be held in the Chambers of the Erie County Legislature, 92 Franklin St., 4th Floor, Buffalo, NY 14202.

Tuesday, July 15, 2025

Administration/Budget & Management – Overview	9:30AM-3:00PM
Personnel & Labor Relations	
County Attorney	
Comptroller	
Public Works	
Environment & Planning	
Parks	
Health	
Mental Health	
Senior Services	
Social Services/Youth Services	

**There will be an hour-long break from 12:00-1:00PM.*

Wednesday, July 16, 2025

County Clerk	9:30AM-3:00PM
Sheriff	
Homeland Security & Emergency Services	
Central Police Services	
Probation	
Board of Elections	
Buffalo & Erie County Public Library	
Information & Support Services	

**There will be an hour-long break from 12:00-1:00PM.*

Thursday, July 24, 2025

District Attorney	11:00AM
-------------------	---------

SUBJECT

COMM. 13E-2	COUNTY EXECUTIVE	Authorization to Accept FY24 State Interoperable Communications Grant Program Funds
-------------	------------------	---

	Attachments
--	-------------

25COMM. 13E-2



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**Re: Authorization to Accept FY24 State Interoperable Communications
Grant (SICG) Program Funds**

IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find an accompanying memorandum and proposed resolution from the Department of Homeland Security and Emergency Services requesting authorization to accept \$1,187,283 in funding from the NYS Division of Homeland Security and Emergency Services.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/crn
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Homeland Security & Emergency Services
Re: Authorization to Accept FY24 State Interoperable Communications Grant (SICG) Program
Date: July 2, 2025

SUMMARY

Legislative authorization is requested to accept \$1,187,283 in funding from the NYS Department of Homeland Security and Emergency Services, for the Fiscal Year 2024 State Interoperable Communications Grant Program (January 1, 2024 – December 31, 2026). This funding will be used to advance interoperable and emergency communications through equipment purchases and associated work to interface with existing networks, improving overall system redundancy, reducing single points of failure during catastrophic events.

FISCAL IMPLICATIONS

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

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

The Department of Homeland Security & Emergency Services has been awarded \$1,187,283 of NYS Department of Homeland Security and Emergency Services funds. These are to be utilized for eligible communications equipment, installation, and maintenance expenses. As a result of existing threats to homeland security, the federal government through various State agencies has allocated funds to be utilized to improve the ability of local governments to develop, enhance, strengthen, and advance interoperable and emergency communications.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Homeland Security and Emergency Services would be unable to supplement the increasing cost of interfacing with existing and updated networks, as well as updating critical equipment such as communication towers and high priority public safety channels, some of which is no longer supported by the manufacturer.

STEPS FOLLOWING APPROVAL

The Department of Homeland Security and Emergency Services will work with the Division of Budget and Management to amend the 2025 Adopted Budget amounts.

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

RE: Authorization to Accept FY24 State Interoperable Communications Grant (SICG) Program

WHEREAS, the Erie County Department of Homeland Security and Emergency Services has been awarded \$1,187,283 in 100% state aid funding to advance interoperable and emergency communications through the NYS Department of Homeland Security and Emergency Services in the FY24 State Interoperable Communications Grant Program; and

WHEREAS, the Department of Homeland Security and Emergency Services requires legislative approval to accept the State funds and to amend the Adopted 2025 budget; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$1,187,283 from NYS Department of Homeland Security and Emergency Services and be made available as a multi-year grant to Department of Homeland Security and Emergency Services in Fund 281, Funds Center 1670030 as follows:

Department of Homeland Security & Emergency Services
FY 2024 STATE INTEROPERABLE COMMUNICATIONS GRANT (SICG)
(HS167SICG2426)
1/1/2024-12/31/2026

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>BUDGET</u>
409000	State Aid Revenues	<u>\$1,187,283</u>
	TOTAL	<u>\$1,187,283</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
516030	Maintenance Contracts	\$ 331,000
561410	Lab & Tech Equipment	<u>\$ 856,283</u>
	TOTAL	<u>\$1,187,283</u>

and be it further

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

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

RESOLVED, that authorization is hereby given to the County Executive 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 be sent to the County Executive's Office, Comptroller's Office, Department of Homeland Security and Emergency Services, Department of Law, and Division of Budget and Management.

SUBJECT

COMM. 13E-3	COUNTY EXECUTIVE	Authorization to Accept FY24 Public Safety Answering Point Operation Grant Program Funds
-------------	------------------	--

	Attachments
--	-------------

25COMM. 13E-3



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

13-EG-24-2'25:41:40

July 2, 2025

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

**Re: Acceptance of FY24 Public Safety Answering Point Operations Grant
Program (PSAP) Funds**

IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

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

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/crn
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Homeland Security & Emergency Services
Re: Acceptance of FY24 Public Safety Answering Point Grant (PSAP)
Date: July 2, 2025

SUMMARY

It is recommended that the Erie County Legislature approve the attached resolution for the Fiscal Year 2024 Public Safety Answering Point Operations (PSAP) Grant (January 1, 2024 – December 31, 2025) that will authorize the County Executive to enter into contract to receive \$202,408 in grant funds.

FISCAL IMPLICATIONS

There is no fiscal impact on the county operating budget. Said grant is 100% reimbursed.

REASONS FOR RECOMMENDATION

The Department of Homeland Security & Emergency Services will be allowed to manage expenditures for \$202,408 in Department of Homeland Security funds and utilize the funds for eligible public safety call-taking and dispatching expenses.

BACKGROUND INFORMATION

As a result of existing threats to homeland security, the federal government through various State agencies has allocated funds to be utilized to improve the ability of local governments to deal effectively with emergency preparedness and support public safety.

CONSEQUENCES OF NEGATIVE ACTION

Without this Legislation the FY 24 PSAP contract will not be signed, the funding will not be received for the Department of Homeland Security & Emergency Services and the original purpose of what these funds were intended to be utilized for will not be completed.

STEPS FOLLOWING APPROVAL

The County Executive will sign the contract, the \$202,408 in Homeland Security grant funds will be received, and the Department of Homeland Security & Emergency Services will fulfill its requirements.

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

RE: Acceptance of FY24 Public Safety Answering Point Operations Grant (PSAP)

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$202,408 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage public safety and emergency preparedness; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$202,408 in grant funds to provide funding for eligible public safety call-taking and dispatching expenses,

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 NYS Department of Homeland Security to receive \$202,408 in grant funds for the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

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

RESOLVED, that authorization is hereby given to the Department of Homeland Security & Emergency Services to accept \$202,408 in State Aid and amend the 2025 General Fund Budget (Fund 110, Funds Center 16700) as follows:

Department of Homeland Security & Emergency Services
Fund 110, Funds Center 16700

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	<u>\$202,408</u>
	TOTAL	<u>\$202,408</u>

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

and be it further

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

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-4

COUNTY EXECUTIVE

HIV/STI/HCV Prevention and Related
Services Grant

Attachments

25COMM. 13E-4



2025 JUL 2 11:40

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: HIV/STI/HCV Prevention and Related Services Grant
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to accept a the first year of a 5-year grant with an annual award of \$165,000 from New York State Department of Health (NYSDOH) to support HIV, sexually transmitted infection (STI), and hepatitis C (HCV) prevention and related services for women and girls in Erie County.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: HIV/STI/HCV Prevention and Related Services Grant
Date: July 2, 2025

SUMMARY

The ECDOH is seeking authorization to accept a 5-year grant with an annual award of \$165,000 from NYSDOH for HIV, STI, and HCV prevention, testing, and related services for women and girls with a focus on communities of color. ECDOH is also seeking authorization to create a Senior Outreach Aide to work with the anticipated 150 clients for HIV, 150 for STI or HCV, and 75 receiving social determinants of health intervention. NYSDOH is pushing this grant to try different outreach methods such as meeting people at various venues and outside business hours.

FISCAL IMPLICATIONS

Positive. Funding is being provided by NYS for position and programming needs.

Annualized Salary

Senior Outreach Aide (JG 8, Step 1, CSEA)	\$52,364
---	----------

<u>Pro-Rated for Balance of Year (Effective July 12th):</u>	\$25,446
---	----------

Funding Source: 100% grant funded

REASONS FOR RECOMMENDATION

This grant is being pushed by NYS to try different outreach methods to reach people most at risk for HIV, STI, and/or HCV that includes meeting people where they are including outside business hours and target new populations, specifically girls and women of color.

CONSEQUENCES OF NEGATIVE ACTION

Erie County will be missing an opportunity to work with NYS on new outreach methods and missing opportunities to change health outcomes for those most at risk.

STEPS FOLLOWING APPROVAL

ECDOH will work with Budget and Management and Personnel to effectuate this resolution.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH

Re: HIV/STI/HCV Prevention and Related Services Grant

WHEREAS, the New York State Department of Health has awarded Erie County Department of Health \$165,000 to support HIV, sexually transmitted infection (STI), and hepatitis C (HCV) prevention and related services for women and girls in Erie County; and

WHEREAS, confronting HIV, STIs, and HCV is a core function of the Erie County Department of Health and the Erie County Department of Health operates a robust Sexual Health Clinic that tests, treats, and tracks cases of disease to prevent further infection; and

WHEREAS, the funds will allow the Erie County Department of Health to provide direct services to women and girls in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the New York State Department of Health and accept \$165,000 in funding for the first year of a 5-year award to be made available as a Department of Health (Fund 28, Funds Center 1271514) grant as follows:

Department of Health
HIV/STI/HCV Prevention & Related Services
127HIVSTIHCV2526
6/1/2025 – 5/31/2026

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>BUDGET</u>
409000	State Aid Revenue	<u>\$165,000</u>
	TOTAL	<u>\$165,000</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>BUDGET</u>
500000	Full Time - Salaries	\$ 50,411
502000	Fringe Benefits	25,205
510000	Local Mileage Reimbursement	500
516020	Professional Services, Contracts and Fees	5,500
505800	Medical and Health Supplies	46,000
530000	Other Expenses	36,317
980000	ID DISS Services	<u>\$ 1,067</u>
	TOTAL	<u>\$165,000</u>

and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Senior Outreach Aide, JG8, CSEA (B-100 #14943) effective July 12, 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 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: 07/10/2025

SUBJECT

COMM. 13E-5

COUNTY EXECUTIVE

Authorization for Inter-Municipal Contracts
for Public Health Emergencies

Attachments

25COMM. 13E-5



EC LEG JUL 2 '25 11:40

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Authorization for Inter-Municipal Contracts for Public Health
Emergencies
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

The Erie County Department of Health (ECDOH) is seeking authorization to enter into an agreement with the Counties of Allegany, Cattaraugus, Chautauqua, Genesee, Niagara, Orleans, and Wyoming for the purpose of public health planning and emergency response.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah
Enclosure

cc: Dr. Gale Burstein, Commissioner of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Health
Re: Authorization for Inter-Municipal Contracts for Public Health
Emergencies
Date: July 2, 2025

SUMMARY

ECDOH is seeking authorization to enter into a mutual aid agreement with Alleghany, Cattaraugus, Chautauqua, Genesee, Niagara, Orleans, and Wyoming Counties for the purposes of public health emergency planning and response. This agreement is renewed every 5 years by the Western New York counties and is best practice for making and receiving mutual aid requests in the event of a public health emergency.

FISCAL IMPLICATIONS

None.

REASONS FOR RECOMMENDATION

This agreement is renewed every 5 years by the Western New York counties for the purposes of having a way to send and receive mutual aid requests to each other during a public health emergency.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would not be following best practice of having an agreement in place to send and receive mutual aid requests to surrounding counties in the event of a public health emergency.

STEPS FOLLOWING APPROVAL

ECDOH will work with the County Attorney's Office on executing an agreement with the Western New York counties.

RESOLUTION SUBMITTED BY:
DEPARTMENT OF HEALTH

Re: Authorization for Inter-Municipal Contracts for Public Health Emergencies

WHEREAS, Public Health Law §347 authorizes inter-municipal contacts for responses to public health emergencies; and

WHEREAS, the Counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming are referred to as the “Western New York counties”; and

WHEREAS, the County Health Departments of the Western New York Counties all have responsibilities for public health emergency planning and response; and

WHEREAS, some public health problems may require public health services that exceed the capacity of an individual county; and

WHEREAS, the County Health Departments of the Western New York Counties are desirous of establishing an inter-municipal agreement to provide mutual aid to each other during a public health emergency; and

WHEREAS, such inter-municipal agreements are subject to the approval and authorization of the Boards of Health and County Legislatures.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into agreements with the Counties of Allegany, Cattaraugus, Chautauqua, Genesee, Niagara, Orleans, and Wyoming for the purpose of public health planning and emergency response; and be it further

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

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-6

COUNTY EXECUTIVE

ECSD No. 6 Lackawanna WRRF & ORF
Disinfection Systems Improvements Project
Contracts

Attachments

25COMM. 13E-6



2025 JUL 2 11:40

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Erie County Sewer District No. 6 Lackawanna WRRF and ORF Disinfection Systems Improvements Project Contract Nos. 62-B and 62-D Construction Close Out John W Danforth Company and Frey Electric Construction Co., Inc.

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility (ORF) Disinfection Systems Improvements Project, Erie County Sewer District No. 6, Contract No. 62-B HVAC Construction, and No. 62-D Electrical Construction.

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 that reads "Mark C. Poloncarz". The signature is fluid and cursive.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mp

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. 6 Lackawanna WRRF and ORF Disinfection Systems Improvements Project Contract Nos. 62-B and 62-D Close Out John W Danforth Company and Frey Electric Construction Co., Inc.
Date: July 2, 2025

SUMMARY

Acceptance and approval of Contract No. 62-B in the final contract amount of \$264,700.00 together with Change Order No. 2 (Final), with no change in cost in Capital Account No. C.21150 and Bond Account No. C.00064, and Contract No. 62-D in the final contract amount of \$309,077.00 together with Change Order No. 3 (Final), with no change in cost in Capital Account No. C.21150 and Bond Account No. C.00064, as well as authorization to issue final payment to the contractors John W Danforth Company for Contract No. 62-B and Frey Electric Construction Co., Inc for No. 62-D, is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for these contracts were allocated from Capital Account No. C.21150 (American Rescue Plan funds) and Bond Account No. C.00064. No additional funding is requested.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract Nos. 62-B and 62-D were bid on April 19, 2023, and awarded by the Erie County Legislature on May 25, 2023, pursuant to Legislative Comm. 6E-9 (2023). The project consisted of HVAC/mechanical and electrical construction for the Lackawanna WRRF and ORF Disinfection Systems Improvements Project in Erie County Sewer District No. 6. Funding included a New York State Water Quality Improvement Project (WQIP) grant authorization of \$1,160,295.75. Change Order No. 1 for Contract No. 62-D, for installation of additional conduit and wire and provide corrosion resistant materials in corrosive areas. Change Order No. 2 for Contract No. 62-D and Change Order No. 1 for Contract No. 62-B, extended contract time, under a no-cost time extension, for both Contracts by 138 days. The final change orders will amend the contracts at no cost to match the completion date. All funding was reviewed by the Erie County Comptroller's Office prior to various actions by the Erie County Legislature.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change orders and make final payments to John W Danforth Company and Frey Electric Construction Co., Inc.

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 6 Lackawanna WRRF and ORF Disinfection Systems Improvements Project Contract Nos. 62-B and 62-D Construction Close Out John W Danforth Company & Frey Electric Construction Co., Inc.

WHEREAS, pursuant to Legislative Comm. 6E-9 (2023), Contract No. 62-B was awarded to John W Danforth Company for HVAC Construction and No. 62-D was awarded to Frey Electric Construction Co., Inc. for Electrical Construction associated with the Lackawanna Water Resource Recovery Facility (WRRF) and Overflow Retention Facility (ORF) Disinfection Systems Improvements Project in Erie County Sewer District No. 6; 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 Contract No. 62-B between the County of Erie and John W Danforth Company (300 Colvin Woods Parkway, Tonawanda, NY 14150) being accepted in the final contract amount of \$264,700.00, which includes Change Order No. 3 (final), with no cost change; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 62-B, to John W Danforth Company for a total contract amount of \$264,700.00; and be it further

RESOLVED, that authorization is hereby given for Contract No. 62-D between the County of Erie and Frey Electric Construction Co., Inc. (100 Pearce Avenue, Tonawanda, NY 14150) to be accepted in the final contract amount of \$309,077.00, which includes Change Order No. 2 (final), with no cost change; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 62-B, to John W Danforth Company for a total contract amount of \$309,077.00; 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, the Comptroller's Office, Division of Budget and Management, Department of Law, and Division of Sewerage Management.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-7	COUNTY EXECUTIVE	ECSD No. 5 Engineering Services - Transit Road Sanitary Sewer Upgrades, Request for Proposals
-------------	------------------	---

25COMM. 13E-7	Attachments
---------------	-------------



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Erie County Sewer District No. 5 Engineering Services – Transit Road Sanitary
Sewer Upgrades Request For Proposals**

Dear Honorable Members:

Enclosed please find a resolution and accompanying memorandum from the Department of Environment and Planning pertaining to proposed agreement to perform engineering services for Erie County Sewer District No. 5.

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". The signature is fluid and cursive, with the first name "Mark" and last name "Poloncarz" clearly distinguishable.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jlf
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. 5 Engineering Services – Transit Road Sanitary Sewer Upgrades Request For Proposals
Date: July 2, 2025

SUMMARY

Award of a professional services agreement with JM Davidson, D.P.C. (JMDavidson) (935 Sheridan Drive – Suite 120, Tonawanda, New York 14150) in an amount not-to-exceed \$1,800,000.00 for engineering related to the design and construction phase services required for the Transit Road Sanitary Sewer Upgrades in Erie County Sewer District (ECSD) No. 5 is requested.

FISCAL IMPLICATIONS

The funding for this project would be from Capital Account C.25501.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management (DSM) issued a request for proposals (RFP) for firms to provide engineering services for the “Transit Road Sanitary Sewer Upgrades” project in ECSD No. 5. A proposal review committee consisting of representatives from the DSM reviewed and scored the proposals using the scoring matrix in the RFP, which includes factors contained in Section 26.08 of the County’s Administrative Code. After the review committee considered the qualifications for the respondents and their cost proposals, they unanimously recommended that JMDavidson be retained for the requested professional services.

BACKGROUND INFORMATION

Sanitary sewer services in the Town of Clarence are provided by ECSD No. 5, Town of Clarence Sewer Districts 2, 4, 6, 7, 9, & 10 (maintained by ECSD No. 5 through an intermunicipal agreement), by private septic systems maintained by the respective property owners, or in limited situations by private treatment systems. The vast majority of public sewer systems in this area are tributary to the Town of Amherst Water Pollution Control Facility. Both the Town of Clarence and ECSD No. 5 have agreements with the Town of Amherst for conveyance and treatment services.

In December 2016, the Town of Clarence completed its latest master planning exercise titled “Clarence 2030 – Town of Clarence Comprehensive Plan”. As an addendum to the plan, the Town completed the “Town of Clarence Master Sewer Plan – 2030” (April 2018), identifying various priorities for the provision of sanitary sewer services in the coming years.

In 2021, the Town of Clarence received a Conceptual Master Plan application for the redevelopment of Eastern Hills Mall parcel in ECSD No. 5. Uniland Development Company, as owner of this parcel, has proposed converting the site into a mixed-use “Town Center” through the construction of new residential, commercial, hospitality, and entertainment/recreational uses. These proposed changes to the Eastern Hills Mall parcel were not contemplated in the Town of Clarence master plans.

Analyses indicate the proposed peak wastewater flows from full implementation of the Eastern Hills Mall redevelopment plan exceed the current capacity of ECSD No. 5’s downstream sewer system on Transit Road. Further, there were other potential projects in ECSD No. 5 and/or the Town of Clarence master plans that impact sanitary sewer capacities. As a result, a RFP was issued in December 2022 for professional services to evaluate options to address the area’s future sanitary sewer system needs. JMDavidson was retained for these services and completed the “Transit Road Corridor Sanitary Sewer Service Evaluation Report”, revised July 2024 (herein after referred to as the “July 2024 Report”). The July 2024 Report summarized efforts to analyze the existing sanitary sewer systems, quantified the future needs of ECSD No. 5 and the Towns with respect to sanitary sewer conveyance systems in the vicinity of the Transit Road corridor, and identified system improvements.

The major recommendation from the July 2024 Report was implementation of the “Transit Road Sanitary Sewer Upgrades”, including installation of a new wastewater pumping station and force main along Transit Road. Using the July 2024 Report as a guide, a second request for proposals was issued in March 2025 soliciting statements from qualified engineering firms interested in providing the needed design and construction phase services. Proposals were due in May 2025 and subsequently reviewed.

CONSEQUENCES OF NEGATIVE ACTION


ECSD No. 5 will not be able to advance the engineering necessary to address sanitary sewer capacity in this corridor, which may adversely impact projects in the Town of Clarence master plans or the potential redevelopment of Eastern Hills Mall site.

STEPS TO FOLLOW APPROVAL

The County Executive will be requested to execute an agreement with JMDavidson in an amount not to exceed \$1,800,000.00.

COMPTROLLER'S OFFICE REVIEW

The proposed action has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed. *(This will be a cash advance - this is in the 2025 Bond Sale)*.

Signed  Date 6/4/25
Timothy Callan, Ph.D.
Deputy Comptroller

Erie County Sewer District No. 5
Engineering Services - Transit Road Sanitary Sewer Upgrades
Capital Account C.25501

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 5 Engineering Services – Transit Road Sanitary Sewer Upgrades Request For Proposals

WHEREAS, the County of Erie issued a Request for Proposals to retain an engineering firm to perform professional services for the Transit Road Sanitary Sewer Upgrades Project in Erie County Sewer District (ECSD) No. 5; and

WHEREAS, a review committee evaluated the responses to the Request for Proposals using a consistent scoring matrix; and

WHEREAS, after ranking proposals the review committee recommends JM Davidson, D.P.C. to complete the requested professional services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an agreement with JM Davidson, D.P.C. (935 Sheridan Drive – Suite 120, Tonawanda, New York 14150) for professional services associated with this project in an amount not to exceed \$1,800,000, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management and the County Comptroller to allocate costs for these engineering services in Erie County Sewer District No. 5 Capital Account No. C.25501 (Fund 430, Funds Center 18110); and be it further

RESOLVED, that authorization is hereby provided to the Director of the Division of Budget and Management to implement any budget adjustments necessary to facilitate this funding; 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.



**ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT
TRANSIT ROAD SANITARY SEWER UPGRADES
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

Daniel Castle, AICP
COMMISSIONER
Joseph Fiegl, P.E., BCEE
DEPUTY COMMISSIONER

Rater	Proposer		
	Azar	GHD	JMDavidson
Rater #1	#3	#2	#1
Rater #2	#3	#2	#1
Rater #3	#3	#1	#2
Rater #4	#3	#2	#1
Rater #5	#3	#1	#2
Average Qualifications Scoring	3.00	1.60	1.40
QUALIFICATIONS RANKING	#3	#2	#1
TOTAL PROPOSED COST	\$2,416,951	\$3,649,700	\$1,717,593


It is my opinion in recommending JMDavidson, Engineering, D.P.C. that the Erie County Department of Environment and Planning - Division of Sewerage Management (DSM) has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the DSM offices during regular business hours.

Lisa Chimera
Deputy County Executive

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	JM Davidson D.P.C.
2. AMOUNT OF CONTRACT	\$1,800,000
3. PROJECT NUMBER	C.25501
4. PROJECT TITLE	Engineering Services – Transit Road Sanitary Sewer Upgrades
5. DEPARTMENT CONTACT	Beth Pfalzer x6144
<u>COMPTROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	\$3,000,000.00
7. PERFORMED BY	
Date Sent to Comptroller's Office:	June 10, 2025

[55 compt_10]

DATE: 6/10/2025

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

2) PROJECT AVAILABLE APPROPRIATION

Comments: There is no Trial Balance at this time. This project will be funded with the 2025 Bond Sale.

Request Approved: Taty COR

Request Denied: _____

Date: 6/11/25

Project Budget Consumption

Variation: Characteristics
 • Fund
 • Fund Center
 • Funded Program
 • Fiscal Year

Variation: Fund
 • Fund
 • 430 Sewer Cap. Projects

Projects Budget Consumption Report Date: 04/10/2025 Page: 1 / 2
 Fund/Group:
 Fund Center:
 Funded Program: C 43504 (2025 Transit #1 Sewer Cap - English Service)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
175-07 - Sewer Utility Debt Fee	1,000,000.00		1,000,000.00		
• Revenue	1,000,000.00		1,000,000.00		
CAPITAL PROJECTS - Capital Project Exp	1,000,000.00		1,000,000.00		
• Expenses	1,000,000.00		1,000,000.00		
** Commitment Item					

Reports

- Capital Total Balance
- Debt Trial Balance
- CBOG Trial Balance
- Project Comparison Debt Trial Baln

Report contains no data
 Check the selection log

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-8

COUNTY EXECUTIVE

ECSD No. 3 - Partial Closure of Capital
Reserve Funds

Attachments

25COMM. 13E-8



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Erie County Sewer District No. 3 Partial Closure of Capital Reserve Funds

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning requesting a partial closure of the Erie County Sewer District No. 3 Capital Reserve account.

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 of this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jlf
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 Partial Closure of Capital Reserve Funds
Date: July 2, 2025

SUMMARY

The Department of Environment and Planning is requesting authorization for the partial closure of up to \$387,000 from Erie County Sewer District (ECSD) No. 3 capital reserve account C.00007 to provide funding to purchase assets intended to replace existing equipment or to be utilized when performing repairs to minimize downtime and associated costs.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's general fund. A residual equity transfer will be processed to move the funds from the ECSD No. 3 capital reserve account to the sewer district operating budget.

REASONS FOR RECOMMENDATION

A residual equity transfer of capital reserve funds into the sewer district operating budget will allow for the improvement and/or replacement of existing assets without incurring bond debt costs.

BACKGROUND INFORMATION

During the course of recent budget reviews, the following equipment purchases requested by sewer district staff were ultimately removed from further consideration in the interest of mitigating the impact on ECSD No. 3 ratepayers:

- Southtowns Advanced Wastewater Treatment Facility incinerator scrubber venturi/elbows
- Boston Valley Pumping Station Comminutor / Muffin Monster
- Replacement 300kW Portable Generator

Although cut from budget proposals, the need for replacement of this equipment remains. Considering available budgets and the estimated costs, the Division of Sewerage Management has identified a residual equity transfer from the ECSD No. 3 capital reserve account as an appropriate funding source to advance these purchases.

CONSEQUENCES OF NEGATIVE ACTION

The ECSDs would need to fund this work using bond accounts and/or long-term financing.

STEPS TO FOLLOW APPROVAL

The residual equity transfer of funds from the capital reserve account to the sewer district operating budget will be completed.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to a Capital Reserve account for which there are sufficient funds available for the action proposed.

Signed Timothy C. Callan Date 6/13/25
Timothy Callan, Ph.D.
Deputy Comptroller

**Erie County Sewer District No. 3
Partial Closure of Capital Reserve Funds
Capital Reserve Account C.00007**

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3 Partial Closure of Capital Reserve Funds

WHEREAS, Erie County Sewer District (ECSD) No. 3 recommends purchasing assets intended to replace existing equipment or to be utilized when performing repairs to minimize downtime and associated costs; and

WHEREAS, a partial closing of ECSD No. 3 capital reserve account C.00007 would allow for implementation of these improvements without incurring long-term financing costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the partial closing of up to \$387,000.00 in ECSD No. 3 capital reserve account C.00007 to fund these asset purchases; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$387,000 from ECSD No. 3 capital reserve account, WBS element C.00007 (Fund 430, Funds Center 18310) Account 570000 – Interfund Transfer-Subsidy and increase the revenues and appropriations in the Erie County Sewer District No. 3 2025 Operating Budget (Fund 220, Funds Center 1831030) as follows:

2025 Operating Budget
Erie County Sewer District No. 3
Fund 220, Funds Center 1831030

REVENUES	INCREASE
486010 – Residual Equity Transfer-In	<u>\$387,000</u>
TOTAL	<u>\$387,000</u>
 APPROPRIATIONS	 INCREASE
561410 – Lab and Technical Equipment	<u>\$387,000</u>
TOTAL	<u>\$387,000</u>

and be it further

RESOLVED, that authorization is hereby provided to the Director of the Division of Budget and Management to implement any budget adjustments necessary to facilitate this transfer; and be it further

RESOLVED, that any unused funds be returned to the capital reserve account and the operating budget be adjusted accordingly based on guidance from the Division of Sewerage Management; 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.

DATE: 6/13/2025

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

IF YES, COMPLETE THE FOLLOWING VERIFICATION

Total Project Revenues	\$ 31,110,979.61
Total Project Appropriations	\$ 30,927,389.43
Less: Total Expenditure To Date	\$ 11,398,826.16
Less: Total Commitments	\$ -
Available Appropriations As Of Date Of Request	\$ 19,528,563.27
Less: Partial Closing	\$ 387,000.00
Net Available Appropriations	\$ 19,141,563.27

Request Approved: Tony C. Allen

Request Denied: _____

Date: 6/13/25

Project Budget Consumption

Validation: Objectives Fund Funds Center Funded Program Fiscal Year

Project Budget Consumption Report Date: 06/13/2025 Page: 1 / 3				
Fund/Group				

Capital Trial Balance

Reports: Capital Trial Balance Date Printed: 06/13/2025 Client ID: Page: 2 of 2

Fund/Group	Fiscal Year	Period	Projected	Actual	Client ID
Capital Trial Balance	400, 599	1 to 6	Projected	Actual	5 TOWNS CAPITAL RES EST 12/00
Account	Debit	Credit	Debit	Credit	Actual
110000 Cash Disbursements	19,527,542.84		19,527,542.84		19,527,542.84
110001 Cash Disbursements - State					
110002 Cash Disbursements - Local					
* Balance Sheet	19,527,542.84		19,527,542.84		19,527,542.84
120000 Debt & Tech Aid					
120001 Debt & Tech Aid - General					
120002 Debt & Tech Aid - Cap Inv					
120003 Debt & Tech Aid - Obligations					
120004 Debt & Tech Aid - Contributions					
120005 Debt & Tech Aid - Subsidy					
120006 Debt & Tech Aid - Transfers					
* Revenue		30,227,389.43		30,227,389.43	31,110,979.61
130000 Debt & Tech Aid - Obligations					
130001 Debt & Tech Aid - Obligations - Local					
* Expenditures	19,527,542.84		19,527,542.84		19,527,542.84
** Total			19,527,542.84	30,227,389.43	31,110,979.61

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-9	COUNTY EXECUTIVE	ECSD's Engineer Term Contract Agreement (Change Order No. 1 & Work Order No. DD-6)
-------------	------------------	---

25COMM. 13E-9	Attachments
---------------	-------------



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Erie County Sewer Districts Engineer Term Contract Agreement
DiDonato Associates Engineering and Architecture, P.C.
Change Order No. 1 & Work Order No. DD-6**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 1 and the issuance of a work order for the DiDonato Associates Engineering and Architecture agreement, dated November 21, 2022.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration in this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ah
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 Districts Engineer Term Contract Agreement
DiDonato Associates Engineering and Architecture, P.C.
Change Order No. 1 & Work Order No. DD-6
Date: July 2, 2025

SUMMARY

It is requested that the Erie County Legislature approve Change Order No. 1 to the DiDonato Associates Engineering and Architecture, P.C. (DiDonato) Agreement, dated November 21, 2022. The Change Order (CO) is for an additional amount of \$150,000.00, bringing the total to \$400,000.00. If approved, the Department of Environment and Planning will issue Work Order (WO) DD-6 in the amount not to exceed \$74,809.20 to DiDonato for resident engineering / inspection services for the Erie County Sewer District (ECSD) Central Region Collections Facility construction project.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering and inspection work related to WO DD-6 will be paid from ECSD No. 3 Professional Services Account No. 516020. Payment for future work orders will be identified in subsequent Legislative correspondences and will be made from either the Sewer District Capital or Operating Accounts.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management (DSM) is requesting approval of CO No. 1 for DiDonato's agreement dated November 21, 2022, to allow for issuance of work orders to the consultant for additional engineering and construction inspection services for the ECSD No. 3 Contract 80 – Central Region Collections Facility project. DiDonato is the design engineer and construction administrator for the project and hence in the opinion of the DSM can complete this work order in the most efficient and cost-effective manner. Inclusive of CO No. 1, DiDonato's total engineering fees would be 4.5% of the project's construction cost, which is substantially lower than the average of 10% to 20% typically budgeted for construction projects. The County will benefit from DiDonato's familiarity with the project and the continuity of engineering services with the progressing construction work.

BACKGROUND INFORMATION

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with DiDonato for engineering services related to small and/or time critical projects. The resolution for Legislative Comm. 16E-11 (2022) specifically notes "that the amount not to exceed \$250,000.00 over a three (3) year period for an engineering firm may only be increased by a subsequent Legislative resolution." The 3-year Term Agreement ends at the end of 2025.

To date, DiDonato has been issued five Work Orders summing close to \$250,000.

In March 2024, DiDonato was issued WO DD-2 to assist the DSM with a feasibility analysis to determine if the Central Region Collections Facility project would suit the needs of the ECSDs and could be completed within the time constraints of the American Rescue Plan Act (ARPA). Upon validation of the project's feasibility, WO DD-3 was issued to expedite initiation of the design to successfully encumber ARPA funds by the December 2024 deadline. WO DD-4 was a continuation of finalizing the design documents, bid phase services, and anticipated construction administration services. WO DD-5 was issued to cover additional scope, site changes associated with adjacent property transferred from the Village of Blasdell, and regulatory requirements including permits and the stormwater pollution prevention plan (SWPPP).

The DSM's original intention was to utilize DiDonato's inspection services contract for construction phase inspection services; however, DiDonato's work related to sanitary sewers at the new Bills Stadium was more than anticipated and, with other inspection tasks assigned, there is not sufficient available authorization. DiDonato provided a proposal for construction phase inspection services in an amount not to exceed \$150,000. Should this action be approved by Your Honorable Body, WO DD-6 would be issued immediately. Subsequent work orders would be issued as needed through the DSM's standard process.

CONSEQUENCES OF NEGATIVE ACTION

If this request is not approved, there will not be sufficient budget to provide construction inspection and additional engineering for building of the Central Region Collections Facility with DiDonato. Significantly more effort would be required to bring another consultant up-to-speed on the design plans and specifications related to the Central Region Collections Facility (Contracts 80-A, 80-B, 80-C, and 80-D). The loss of continuity efficiencies could cause the ECSDs to incur additional costs.

STEPS TO FOLLOW APPROVAL

The DSM would execute a change order with DiDonato and subsequently issue WO DD-6 for these services.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer Districts Engineer Term Contract Agreement
DiDonato Associates Engineering and Architecture, P.C.
Change Order No. 1 & Work Order No. DD-6

WHEREAS, pursuant to Legislative Comm. 16E-11 (2022), DiDonato Associates Engineering and Architecture, P.C. (689 Main Street, Buffalo, NY 14203) was retained to provide engineering services for various initiatives in the Erie County Sewer Districts; and

WHEREAS, the Division of Sewerage Management has identified additional engineering services required in the Erie County Sewer Districts and recommends issuance of work orders with DiDonato Associates Engineering and Architecture to complete; and

WHEREAS, the Division of Sewerage Management has determined that proceeding with these work orders would increase the total cost of services under the three-year term agreement above the authorization provided in Legislative Comm. 16E-11 (2022); and

WHEREAS, the Erie County Department of Environment and Planning recommends issuance of a change order to the three-year term agreement with DiDonato Associates Engineering and Architecture to allow for completion of the aforementioned work.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes an increase the total amount for the engineering term agreement between the County of Erie and DiDonato Associates Engineering and Architecture, P.C. (689 Main Street, Buffalo, NY 14203) for the various initiatives in Erie County Sewer Districts by \$150,000.00 to a total of \$400,000.00; and be it further

RESOLVED, that authorization is hereby given to the Deputy Commissioner in the Division of Sewerage Management to execute Change Order No. 1 for this term agreement; 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.

ERIE COUNTY DEPARTMENT ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT
ENGINEERING/CHANGE ORDER

CHANGE ORDER NO. 1 DATE: _____ SHEET 1 OF 1

CONTRACT NO. A/E Term Agreement - (2023-2025) FILE NO. 0.3.2.DA(23-25)

PROJECT: Various Projects in Erie County Sewer Districts

ENGINEER'S NAME: DiDonato Associates Engineering and Architecture, P.C.

ENGINEER'S ADDRESS: 689 Main Street, Buffalo, New York 14203

DESCRIPTION OF CHANGE TO CONTRACT:

DiDonato will provide Engineering Services as detailed in the work orders issued.

PAYMENT:

Additional authorization is \$150,000.00:

Original Contract	\$ 250,000.00
CHANGE ORDER No. 1	<u>\$ 150,000.00</u>
Revised Total Amount	\$ 400,000.00

AUTHORIZATION

ENGINEER _____ DATE _____
DiDonato Associates Engineering and Architecture, P.C.

ENGINEER _____ DATE _____
Garry S. Pecak, P.E.
Asst. Deputy Commissioner

COUNTY OF ERIE _____ DATE _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner

ORIGINAL LEGISLATURE APPROVAL: November 21, 2022, Comm. 16E-11(2022)

LEGISLATURE APPROVAL CHANGE ORDER NO. 1: DATE _____, Comm. _____

mas:

Cc: J. Fiegl/G. Pecak/M. Salah/A. Horton/0.3.2.DA(23-25)

**ERIE COUNTY SEWER DISTRICT NO. 3
WORK ORDER NO. DA-6**

ENGINEER: DiDonato Associates Engineering and Architecture, P.C.

CONTRACT DATE: November 21, 2022

1. Title of Proposal:

Engineering and inspection services for ECSD No. 3 Central Region Collections Facility.

2. Name and Business Address of Proposer:

Michael W. Banks, AIA, LEED AP
DiDonato Associates Engineering and Architecture, P.C. (DA)
689 Main Street
Buffalo, NY 14203

3. Effective Dates of Proposal:

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

DA will provide construction services, along with additional engineering services for the ECSD 3 Central Region Collections Facility, Contracts 80-A, 80-B, 80-C, and 80-D.

5. Engineering Cost: \$74,809.20

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

7. Project No: DA-6

8. Attachments: DA letter, dated 6/10/25 (4 pages)

9. File: 0.3.2.DA (23-25) Eng.

DATE: _____

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

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

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-10

COUNTY EXECUTIVE

ECSD No. 3 Engineering Term Contract
Agreement (Work Order: ARC-7)

Attachments

25COMM. 13E-10



ARC-ES-JUL 2'25 11:41

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Erie County Sewer District No. 3 Engineering Term Contract Agreement
Arcadis of New York, Inc. Work Order: ARC-7**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the Erie County Legislature, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration in this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: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
Arcadis of New York, Inc. Work Order: ARC-7
Date: July 2, 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 Arcadis of New York, Inc. for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$18,842.12.

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 No. 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order ARC-7 to Arcadis of New York, Inc. to provide Engineering Services associated with an updated mixing zone analysis, to allow ECSD No. 3 to proceed with a modification of the State Pollutant Discharge Eliminating System (SPDES) permit for the Southtowns Advanced Wastewater Treatment Facility (AWTF).

BACKGROUND INFORMATION

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with Arcadis of New York, Inc. for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the Erie County Sewer Districts. To proceed with the NYSDEC's approval of the construction plans for the Southtowns AWTF, Phase 2 expansion, additional CORMIX modeling associated with a previously completed mixing zone analysis is required. After completion of the modeling and analyzing the results, Arcadis will provide a technical memorandum for the NYSDEC's review, which will subsequently be considered when drafting SPDES permit modifications.

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. ARC-7**

ENGINEER: Arcadis of New York, Inc.

CONTRACT DATE: November 17, 2022

1. Title of Proposal:

Arcadis of New York, Inc. will provide Engineering Services associated with a technical memorandum to summarize CORMIX modeling associated with an updated mixing zone analysis update to allow ECSD No. 3 to proceed with a submittal to the New York State Department of Environmental Conservation (DEC) and request the State Pollutant Discharge Eliminating System (SPDES) permit modifications for the Southtowns Advanced Wastewater Treatment Facility (AWTF).

2. Company/Address/Principal In-Charge:

Jason J. Williams, P.E.
Arcadis of New York, Inc.
50 Fountain Plaza
Suite 360
Buffalo, NY 14202

3. Effective Dates of Proposal:

June 13, 2025

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

Arcadis will complete a technical memo to summarize CORMIX modeling associated with the mixing zone analysis for the Southtowns AWTF. The memorandum will be completed as detailed in Arcadis email, dated June 10, 2025, and then submitted to the DEC for review and approval.

5. Engineering Cost:

\$18,842.12

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

6. Project No: ARC-7

7. Attachments: Arcadis email dated 6/10/2025 (3 pages)

DATE: June 13, 2025

Accepted By: _____

Prepared By: _____
 Matt Salah, P.E.

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-11	COUNTY EXECUTIVE	ECSD No. 3 Engineering Term Contract Agreement (Work Order: DD-5)
--------------	------------------	---

	Attachments
--	-------------

25COMM. 13E-11



2025 JUL 2 '25 5:11:41

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 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-5**

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 that reads "Mark C. Poloncarz". The signature is fluid and cursive.

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-5
Date: July 2, 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. 6 in an amount not to exceed \$51,150.

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. 6 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order DD-5 to DiDonato to provide additional engineering services associated with site improvements at the former Blasdell Water Resource Recovery Facility (WRRF) site in ECSD No. 3. This represents ECSD No. 6's contribution to the engineering associated with this shared project.

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 Division of Sewerage Management (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-5, DiDonato will provide engineering services for the new centralized sewer collection system maintenance facility for ECSD Nos. 3, 6 and 8 at the former Blasdell WRRF. These additional engineering services are due to an increase in building size, the need to analyze more detailed survey information, incorporation of ECSD directives regarding the design and site layout, completion of stormwater pollution prevention plan work, and the acquisition of additional land. 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.

Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-12

COUNTY EXECUTIVE

PILOT Agreement for Solar Energy Systems,
Town of Cheektowaga

Attachments

25COMM. 13E-12



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 777
Indian Road, Town of Cheektowaga**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for a Solar Project in the Town of Cheektowaga. The resolution authorizes the County Executive to execute an agreement with AC Power 44, LLC.

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

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz". The signature is fluid and cursive, with the first name "Mark" and last name "Poloncarz" clearly distinguishable.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle AICP, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 777 Indian Road, Town of Cheektowaga
Date: July 2, 2025

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with AC Power 44, LLC.

The owner is seeking a PILOT agreement from Erie County in connection with the development and operation of an approximately 3.25-megawatt solar photovoltaic facility (“Project”) located at 777 Indian Road (SBL 103.19-2-2) in the Town of Cheektowaga (“Site”). The PILOT agreement is multi-jurisdictional including the Cheektowaga Central School District as a signatory. Given the nature of the Project, it is otherwise exempt from taxation pursuant to Real Property Tax Law § 487 unless the taxing jurisdictions enter into a PILOT Agreement with the owner.

FISCAL IMPLICATIONS

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

The PILOT agreement proposed by AC Power 44, LLC provides for total annual payments to Erie County of \$2,838.59. This is based on a price of \$5,000 based per megawatt, divided pro rata among both taxing jurisdictions, with an annual escalation factor of 2%. These payments will be made each year over a 15-year term.

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

REASONS FOR RECOMMENDATION

The Cheektowaga Central School District Board of Education supports the PILOT agreement, and the Board of Education intends to approve the PILOT agreement at their July 8, 2025, meeting. The proposed agreement conforms to the provisions of Real Property Tax Law § 487 and was negotiated between the project owner and taxing jurisdictions. The Project makes productive use of a capped former landfill.

BACKGROUND INFORMATION

AC Power 44, LLC is proposing the development of an approximately 3.25-megawatt solar photovoltaic facility on a 41.82-acre parcel, located at 777 Indian Road (SBL 103.19-2-2) in the Town of Cheektowaga, Erie County.

Under Real Property Tax Law (“RPTL”) § 487, a partial tax exemption is available for properties which are developed for solar and wind renewable energy systems. RPTL § 487(2) exempts from real property taxation “any increase in the value [of real property] by reason of the inclusion of a [solar and wind energy system] for a period of fifteen years.” Erie County has not opted out of the RPTL § 487 exemptions and therefore may require renewable energy systems to enter into a PILOT agreement to replace a portion of the tax revenue. Erie County was notified of the project owner’s intent to construct a solar project in September 2024.

CONSEQUENCES OF NEGATIVE ACTION

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

STEPS FOLLOWING APPROVAL

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

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems - 777 Indian Road, Town of Cheektowaga

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

WHEREAS, Project Owner (AC Power 44, LLC), has submitted a Notice of Intent to the Taxing Jurisdictions that it plans to build and operate a Solar Energy System as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) (the "Project") with an expected nameplate capacity ("Capacity") of approximately 3.25 Megawatts AC on one parcel totaling approximately 41.82 acres of land located within the Town of Cheektowaga, identified as 777 Indian Road, SBL 103.19-2-2; and

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

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with AC Power 44, LLC, and any other organizations necessary to complete this PILOT Agreement, pertaining to the Real Property located at 777 Indian Road, SBL 103.19-2-2; and be it further

RESOLVED, that said Agreement shall include an annual approximate PILOT payment to Erie County in the amount \$2,838.59, subject to annual escalation of 2%; and be it further

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

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to amend said Agreement based on revisions to parcel identification numbers and/or addresses in a manner consistent with the description of land, set forth in the PILOT agreement; 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 Real Property Tax Services, Department of Environment and Planning, and the Department of Law.

Schedule A

Payment Schedule

Note: The following schedule is for illustrative purposes only based on the anticipated project capacity of 3.25 MWac allocated pro rata, in proportion to the share of taxes collected between the County and School District. The PILOT will commence in accordance with Section 2(b) of this Agreement.

<u>Agreement Year</u>	<u>Total</u>	<u>County</u>	<u>School District</u>
1	\$12,000.03	\$2,838.59	\$9,161.43
2	\$12,240.03	\$2,895.37	\$9,344.66
3	\$12,484.83	\$2,953.27	\$9,531.56
4	\$12,734.52	\$3,012.34	\$9,722.19
5	\$12,989.21	\$3,072.58	\$9,916.63
6	\$13,249.00	\$3,134.04	\$10,114.96
7	\$13,513.98	\$3,196.72	\$10,317.26
8	\$13,784.26	\$3,260.65	\$10,523.61
9	\$14,059.94	\$3,325.86	\$10,734.08
10	\$14,341.14	\$3,392.38	\$10,948.76
11	\$14,627.97	\$3,460.23	\$11,167.74
12	\$14,920.52	\$3,529.43	\$11,391.09
13	\$15,218.94	\$3,600.02	\$11,618.91
14	\$15,523.31	\$3,672.02	\$11,851.29
15	\$15,833.78	\$3,745.46	\$12,088.32

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-13

COUNTY EXECUTIVE

PILOT Agreement for Solar Energy Systems,
Town of Tonawanda

Attachments

25COMM. 13E-13



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 4635
River Road, Town of Tonawanda**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for a Solar Project in the Town of Tonawanda. The resolution authorizes the County Executive to execute an agreement with AC Power 38, LLC.

Should your Honorable Body require further information, I encourage you to contact Commissioner Daniel R. Castle, A.I.C.P. 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/nb
Enclosure

cc: Daniel R. Castle AICP, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems – 4635 River Road, Town of Tonawanda
Date: July 2, 2025

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with AC Power 38, LLC.

The owner is seeking a PILOT agreement from Erie County in connection with the development and operation of an approximately 2.875-megawatt solar photovoltaic facility (“Project”) located at 4635 River Road (SBL 52.09-1-14) in the Town of Tonawanda (“Site”). The PILOT agreement is multi-jurisdictional including the Town of Tonawanda and the Kenmore-Tonawanda Union Free School District as signatories. Given the nature of the Project, it is otherwise exempt from taxation pursuant to Real Property Tax Law § 487 unless the taxing jurisdictions enter into a PILOT Agreement with the owner.

FISCAL IMPLICATIONS

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

The PILOT agreement proposed by AC Power 38, LLC provides for total annual payments to Erie County of \$1,114.00. This is based on a price of \$5,000 based per megawatt, divided pro rata among all three taxing jurisdictions, with an annual escalation factor of 2%. These payments will be made each year over a 15-year term.

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

REASONS FOR RECOMMENDATION

The Town of Tonawanda Town Board supports the PILOT agreement, and the Town Board intends to take action on the proposed PILOT agreement at their June 23, 2025, meeting. The Kenmore-Tonawanda Union Free School District Board of Education also supports the PILOT agreement, and the Board of Education intends to take action on the proposed PILOT agreement at their July 1, 2025, meeting. The proposed agreement conforms to the provisions of Real Property Tax Law § 487 and was negotiated between the project owner and taxing jurisdictions.

The Project otherwise conforms to the Town of Tonawanda Comprehensive Plan and zoning ordinance and makes productive use of an otherwise underutilized property.

BACKGROUND INFORMATION

AC Power 38, LLC is proposing the development of an approximately 2.875-megawatt solar photovoltaic facility on a 14.04-acre parcel, located at 4635 River Road (SBL 52.09-1-14) in the Town of Tonawanda, Erie County.

On June 3, 2025, the Town Board determined the project to be a Type II Action pursuant to the New York State Environmental Quality Review Act.

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

On June 3, 2024, the Town Board issued a Special Use Permit. On June 5, 2025, the Town Board approved the final Site Plan for the Project.

Under Real Property Tax Law (“RPTL”) § 487, a partial tax exemption is available for properties which are developed for solar and wind renewable energy systems. RPTL § 487(2) exempts from real property taxation “any increase in the value [of real property] by reason of the inclusion of a [solar and wind energy system] for a period of fifteen years.” Erie County has not opted out of the RPTL § 487 exemptions and therefore may require renewable energy systems to enter into a PILOT agreement to replace a portion of the tax revenue. Erie County was notified of the project owner’s intent to construct a solar project in August 2024.

CONSEQUENCES OF NEGATIVE ACTION

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

STEPS FOLLOWING APPROVAL

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

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Solar Energy Systems- 4635 River Road, Town of Tonawanda

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

WHEREAS, Project Owner (AC Power 38, LLC), has submitted a Notice of Intent to the Taxing Jurisdictions that it plans to build and operate a Solar Energy System as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) (the "Project") with an expected nameplate capacity ("Capacity") of approximately 2.875 Megawatts AC on one parcel totaling approximately 14.04 acres of land located within the Town of Tonawanda, identified as 4635 River Road, SBL 52.09-1-14; and

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

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with AC Power 38, LLC, and any other organizations necessary to complete this PILOT Agreement, pertaining to the Real Property located at 4635 River Road, SBL 52.09-1-14; and be it further

RESOLVED, that said Agreement shall include an annual approximate PILOT payment to Erie County in the amount \$1,984.22, subject to annual escalation of 2%; and be it further

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

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to amend said Agreement based on revisions to parcel identification numbers and/or addresses in a manner consistent with the description of land, set forth in the PILOT agreement; and be it further

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

Schedule A

PILOT Payment Schedule

Note: The following schedule is for illustrative purposes only based on the anticipated project capacity of 2.875 Megawatts AC. The PILOT will commence in accordance with Section 2(b) of this Agreement.

<u>Agreement Year</u>	<u>Total</u>	<u>County</u>	<u>Town</u>	<u>School District</u>
1	\$14,375.00	\$1,984.22	\$4,947.12	\$7,443.67
2	\$14,662.50	\$2,023.90	\$5,046.06	\$7,592.54
3	\$14,955.75	\$2,064.38	\$5,146.98	\$7,744.39
4	\$15,254.87	\$2,105.67	\$5,249.92	\$7,899.28
5	\$15,559.96	\$2,147.78	\$5,354.92	\$8,057.27
6	\$15,871.16	\$2,190.74	\$5,462.01	\$8,218.41
7	\$16,188.58	\$2,234.55	\$5,571.26	\$8,382.78
8	\$16,512.36	\$2,279.24	\$5,682.68	\$8,550.43
9	\$16,842.60	\$2,324.83	\$5,796.33	\$8,721.44
10	\$17,179.46	\$2,371.32	\$5,912.26	\$8,895.87
11	\$17,523.04	\$2,418.75	\$6,030.51	\$9,073.79
12	\$17,873.51	\$2,467.12	\$6,151.12	\$9,255.27
13	\$18,230.98	\$2,516.47	\$6,274.14	\$9,440.37
14	\$18,595.60	\$2,566.80	\$6,399.62	\$9,629.18
15	\$18,967.51	\$2,618.13	\$6,527.61	\$9,821.76

SUBJECT

COMM. 13E-14	COUNTY EXECUTIVE	PILOT Agreement for Marine Drive Apartments Phase 1 - City of Buffalo, Affordable Housing Development
--------------	------------------	---

	Attachments
--	-------------

25COMM. 13E-14



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 JUL 2 11:41

July 2, 2025

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

**RE: Payment in Lieu of Taxes (PILOT) Agreement for Marine Drive Apartments -
Phase 1, City of Buffalo – Affordable Housing Development**

Dear Honorable Members:

Please find an enclosed resolution from the Department of Environment and Planning regarding a Payment in Lieu of Taxes (PILOT) Agreement for Marine Drive Apartments - Phase 1 project. The resolution authorizes the County Executive to execute an agreement with Bridges Marine Drive I Housing Development Fund Company, Inc., Marine Drive Apartments I LLC, and the City of Buffalo.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jw
Enclosure

cc: Daniel R. Castle, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Payment in Lieu of Taxes (PILOT) Agreement Marine Drive Apartments I, City of Buffalo– Affordable Housing Project
Date: July 2, 2025

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with Bridges Marine Drive I Housing Development Fund Company, Inc., Marine Drive Apartments I LLC, and the City of Buffalo.

The owner is seeking a PILOT from the City of Buffalo and Erie County consistent with the PILOT Policy adopted by the Erie County Legislature on December 16, 1999.

FISCAL IMPLICATIONS

In accordance with the PILOT policy, the proposed PILOT payment for Marine Drive Apartments I project shall be based on a payment of \$74,742.55 in year 1 and would escalate by 3% each year for an additional fifteen-year term. The payment Schedule A lists the payments for the 15 years of the Agreement.

REASONS FOR RECOMMENDATION

The City of Buffalo supports the PILOT and on June 24, 2025, the Common Council of the City of Buffalo approved the Marine Drive Apartments I PILOT Agreement. The project conforms to the provisions of Article XI of the New York Private Housing Finance Law.

BACKGROUND INFORMATION

The residential project is located at 90 Erie Street in the City of Buffalo, zip code 14202. The project consists of the demolition of a 370-space surface parking lot and the new construction of three (3) residential buildings and one (1) parking garage providing two hundred and fifty-four (254) residential units. This is a mixed income development with units targeting households earning from below 30% area medium income (AMI) to 120% area medium income (AMI) with 70% of the units for households earning below 60% area medium income (AMI). The total project cost is projected to be \$245,028,750.

CONSEQUENCES OF NEGATIVE ACTION

Without the PILOT, it would not be economically feasible for Bridges Marine Drive I Housing Development Fund Company, Inc., and/or Marine Drive Apartments I LLC to operate the project as it is currently structured.

STEPS FOLLOWING APPROVAL

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

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Payment in Lieu of Taxes (PILOT) Agreement for Marine Drive Apartments I, City of Buffalo – Affordable Housing Project

WHEREAS, Marine Drive Apartment I consists of the demolition of a 370-space surface parking lot and the construction of three (3) residential buildings providing two hundred and fifty-four (254) rental units with two hundred and fourteen (214) affordable rental units at 90 Erie Street, City of Buffalo, NY; and.

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Bridges Marine Drive I Housing Development Fund Company, Inc., Marine Drive Apartments I LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Bridges Marine Drive I Housing Development Fund Company, Inc., Marine Drive Apartments I LLC, and the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

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

SCHEDULE A
PILOT Payments

YEAR	PILOT "B"	CITY	COUNTY
1	\$74,720.30	\$59,029.04	\$15,691.26
2	\$76,961.91	\$60,799.91	\$16,162.00
3	\$79,270.77	\$62,623.91	\$16,646.86
4	\$81,648.89	\$64,502.62	\$17,146.27
5	\$84,098.36	\$66,437.70	\$17,660.66
6	\$86,621.31	\$68,430.83	\$18,190.47
7	\$89,219.95	\$70,483.76	\$18,736.19
8	\$91,896.55	\$72,598.27	\$19,298.27
9	\$94,653.44	\$74,776.22	\$19,877.22
10	\$97,493.05	\$77,019.51	\$20,473.54
11	\$100,417.84	\$79,330.09	\$21,087.75
12	\$103,430.37	\$81,710.00	\$21,720.38
13	\$106,533.28	\$84,161.29	\$22,371.99
14	\$109,729.28	\$86,686.13	\$23,043.15
15	\$113,021.16	\$89,286.72	\$23,734.44

Rest Of Page Intentionally Left Blank

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-15	COUNTY EXECUTIVE	NEST Board Household Hazardous Waste Funding
--------------	------------------	---

	Attachments
--	-------------

25COMM. 13E-15



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Northeast Southtowns Solid Waste Management Board Household Hazardous Waste Funding

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning to accept and direct funding from the Northeast Southtowns Solid Waste Management Board (NEST Board) for Household Hazardous Waste collection event expenses and to authorize reimbursement of eligible expenses to the NEST Board from New York State Department of Environmental Conservation Household Hazardous Waste grant revenue received by the County.

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,

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

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: Northeast Southtowns Solid Waste Management Board Household Hazardous Waste Funding
Date: July 2, 2025

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) to accept and direct funding from the Northeast Southtowns Solid Waste Management Board (NEST Board) for Household Hazardous Waste (HHW) collection expenses and to authorize reimbursement of eligible expenses to the NEST Board from New York State Department of Environmental Conservation (NYSDEC) HHW grant revenue received by the County.

FISCAL IMPLICATIONS

The NEST Board has agreed to fund one Erie County HHW collection event each year. DEP provides the staffing, permitting and technical support for the event. The NEST Board provides funding for disposal costs of the event, not to exceed \$40,000. Funding from the NEST Board will be placed in the Household Hazardous Waste Days budget, which funds both HHW collection events and a voucher program for HHW drop-off for the residents of Erie County.

A NYSDEC grant provides Erie County reimbursement of up to 50% of eligible expenses for collecting and properly disposing of HHW. Erie County will direct the associated state reimbursed funds for the NEST Board sponsored HHW collection event to the NEST Board each year.

REASONS FOR RECOMMENDATION

Approval of this resolution will support DEP's waste reduction and recycling services for Erie County residents by funding an additional HHW collection for residents each year. Combining HHW collection events with the HHW Voucher Program at a permanent HHW facility was recommended by the June 2018 *Household Hazardous Waste Feasibility Study for the County of Erie*.

BACKGROUND INFORMATION

The Erie County HHW Program has been in existence since 1988 and has serviced over 68,000 households by providing single-day HHW collection events multiple times annually at no charge to participating residents. The *Household Hazardous Waste Feasibility Study for the County of Erie* was commissioned to review the collection program at the time and provide recommendations for improving it. The study recommended adding a reservation system to the multiple collection events offered annually and pointed to contracting with a permanent facility to service residents on a regular basis.

In 2020, the HHW Voucher Program was introduced to provide County residents, who need to dispose of HHW items immediately, with a means for proper disposal. The Voucher Program allows residents to make an appointment for the disposal of up to 50 pounds of acceptable HHW at a permitted HHW facility in Tonawanda, for no charge to the resident.

The collection events coupled with the HHW Voucher Program have reduced the amount of hazardous chemical products stored in homes, reducing fire and poisoning risk, improving first responder and sanitation worker safety, while also preventing these hazardous materials from being released into the environment.

CONSEQUENCES OF NEGATIVE ACTION

The County would provide fewer residents with safe and proper disposal options for HHW resulting in an increased amount of hazardous chemical products stored in homes, increasing fire and poisoning risk, reducing first responder and sanitation worker safety, and potentially increasing the likelihood of these dangerous wastes entering the environment.

STEPS FOLLOWING APPROVAL

Up to \$40,000 collected from the NEST Board will be directed to DEP Budget SAP account 517629 - Hazardous Waste Days to support the HHW Collection program annually. Once DEP is reimbursed by NYSDEC for up to 50% of HHW collection and disposal costs, associated eligible expenses from the NEST Board sponsored collection event will be reimbursed to the NEST Board, up to \$20,000 annually.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Northeast Southtowns Solid Waste Management Board Household Hazardous Waste Funding

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides Household Hazardous Waste (HHW) disposal options for Erie County residents through one-day HHW collection events and a drop-off HHW Voucher Program; and

WHEREAS, the Northeast Southtowns Solid Waste Management Board (NEST Board) has approved paying Erie County up to \$40,000 annually for costs associated with sponsoring an Erie County HHW collection event each year; and

WHEREAS, a one-year agreement between the NEST Board and Erie County authorized by COMM 11E-24 (2023) was executed in 2025; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides Erie County with an annual 50% reimbursement grant of eligible expenses to collect and properly dispose of HHW, including the NEST Board sponsored collection event; and

WHEREAS, the NEST Board is eligible for reimbursement of up to 50% of their costs associated with the HHW collection event they sponsor.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept up to \$40,000 from the NEST Board and amend the Department of Environment and Planning's (Fund 110, Funds Center 16210) 2025 Operating Budget as follows:

Department of Environment and Planning
Fund 110, Funds Center 16210

REVENUES	CHANGE
479100 Other Contributions	<u>\$40,000</u>
TOTAL	<u>\$40,000</u>
 APPROPRIATIONS	 CHANGE
517629 Hazardous Waste Days	<u>\$40,000</u>
TOTAL	<u>\$40,000</u>

and be it further

RESOLVED, that authorization is hereby given to reimburse the NEST Board for up to 50% of their expenses for the collection event when reimbursed to Erie County by NYSDEC; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to make any budget adjustments necessary to comply with State funding requirements; 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: 07/10/2025

SUBJECT

COMM. 13E-16	COUNTY EXECUTIVE	Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 - No-Cost Extension Contract Amendment
--------------	------------------	---

25COMM. 13E-16	Attachments
----------------	-------------



2025 JUL 2 11:41

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 No-Cost Extension Contract Amendment (September 30, 2025 – January 31, 2027)

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning (DEP) requesting authorization for the County Executive to execute a no-cost extension contract amendment for New York State Department of State grant originally for \$501,000.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Bonnie L. Lawrence at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel Castle, Commissioner
Bonnie L. Lawrence, Deputy Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 No-Cost Extension Contract Amendment (September 30, 2025 – January 31, 2027)
Date: July 2, 2025

SUMMARY

The Department of Environment and Planning (DEP) is requesting authorization for the County Executive or the Deputy County Executive to execute the necessary agreements for a no-cost extension contract amendment for a grant from the New York State Department of State (NYSDOS). The grant funding, originally awarded for \$501,000, is available from the NYSDOS to further the development of a Nine-Element Watershed Management Plan to make the Niagara River/Lake Erie Watershed eligible for certain federal and state water quality improvement project funding. Delays in information from the government agencies have made this extension necessary.

FISCAL IMPLICATIONS

There are no fiscal implications for this no-cost grant extension.

REASONS FOR RECOMMENDATION

This project will complete a Nine-Element Watershed Management Plan for the Niagara River/Lake Erie Watershed which will allow for a coordinated approach to protect and improve water quality and, once approved, will make the area eligible for additional state and federal funding for water quality improvement and protection. All of Erie County is located within the Niagara River/Lake Erie Watershed area. Through a subcontract with LEWPA, this project is also assessing priority streams for potential water quality issues and will begin to develop projects to solve those issues. Finally, this project is funding six (6) semester-long Intern Seasonal positions to teach students valuable skills that will make the students more marketable in the workplace while allowing for the efficient achievement of project deliverables.

BACKGROUND INFORMATION

Erie County has been involved with 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 make the region eligible for additional funding sources. This type of plan requires nine minimum elements as determined by the United States Environmental Protection Agency and approved by the New York State Department of Environmental Conservation (NYSDEC).

Erie County successfully managed the Regional Niagara River/Lake Erie Watershed Management Plan Phase 2 project with funding from NYSDOS to begin the Nine-Element Watershed Plan for the entire watershed area and is expecting to complete this Plan in Phase 3. Erie County is working closely with NYSDOS, who funds these plans, NYSDEC, who approves

these plans, and LEWPA, who provides on-the-ground assistance to the project in order to analyze existing monitoring data, assess our waterways, determine target goals for pollutant reduction in our Watershed, and begin developing projects to prevent pollution to our waterways.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would forfeit NYSDOS the remaining funding and be unable to access the grant resources to complete a Nine Element Watershed Management Plan for the region. This will cause the region to fall behind others in the state and country in watershed planning for improved water quality and will prevent Erie County and the region from accessing certain federal and state water quality project implementation funds.

STEPS FOLLOWING APPROVAL

The necessary no-cost contract amendment with NYSDOS will be executed.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 No-Cost Contract Amendment (September 30, 2025 – January 31, 2027)

WHEREAS, The Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP completed the Regional Niagara River Lake Erie Watershed Management Plan Phase 2 project in 2019, which began the process of developing a Nine-Element Watershed Management Plan for the region to protect and improve our water resources and to allow the County and stakeholders to better compete for certain funding sources; and

WHEREAS, DEP is committed to coordinate, oversee, and conduct work to complete the creation of a Nine-Element Watershed Management Plan in the Regional Niagara River Lake Erie Watershed Management Plan Phase 3 project on behalf of the Lake Erie Watershed Protection Alliance (LEWPA); and

WHEREAS, the New York State Department of State (NYSDOS) provides grant assistance to municipalities to prepare watershed plans; and

WHEREAS, the NYSDOS awarded Erie County a \$501,000.00 grant to complete the “Regional Niagara River/Lake Erie Watershed Management Plan Phase 3” project including stream assessments; and

WHEREAS, a no-cost contract amendment is required to complete the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a no-cost extension contract amendment from the NYSDOS for the purpose of completing the “Regional Niagara River/Lake Erie Watershed Management Plan Phase 3” project; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to amend the contract as necessary to implement any final budget category or personnel changes that may be permitted by the grantor, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any technical or budget adjustments as required to comply with State and local funding requirements or to effectuate this resolution; 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 certified copies of this resolution shall be forwarded to the County Executive's Office, the Division of Budget and Management, the Department of Law, the Comptroller's Office, and the Department of Environment and Planning.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-17

COUNTY EXECUTIVE

Amendment of Wendel WD Architecture,
Engineering, Surveying & Landscape
Architect PC - Professional Services
Agreement for New Road

Attachments

25COMM. 13E-17



2025 JUL 2 11:42

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Amendment of Wendel WD Architecture, Engineering, Surveying and
Landscape Architect PC Professional Services Agreement for New Road (CR186)
Rehabilitation and Drainage Improvements Town of Amherst**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution seeking authorization for the County Executive to execute an amendment to the existing Engineering Design Services Agreement with Wendel WD Architecture, Engineering, Surveying and Landscape Architect PC. This agreement is for the rehabilitation of New Road (CR186) in the Town of Amherst.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/gmh
Enclosure

cc: William E. Geary, Jr. Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Amendment of Wendel WD Architecture, Engineering, Surveying and
Landscape Architect PC Professional Services Agreement for New Road (CR186)
Rehabilitation and Drainage Improvements
Town of Amherst
Date: July 2, 2025

SUMMARY

The accompanying resolution requests authority for the County Executive to execute an amendment to Wendel WD Architecture's professional services agreement for the New Road (CR186) Rehabilitation and Drainage Improvements (the "Agreement"). This agreement was authorized under COMM. 6E-20 (2022) dated April 7, 2022.

Wendel is required to perform additional engineering design services. These service includes modifications to design plans incorporating concrete gutter and curbing along the project corridor for Phase II construction which extends from Smith Rd. to the Niagara County line.

FISCAL IMPLICATIONS

Funding for this Amendment is not to exceed \$150,000.00 and is available in Fund 420, Funds Center 123, Capital Project B.21150.6 – 2021 Capital Overlay

REASONS FOR RECOMMENDATION

Wendel WD Architecture, Engineering, Surveying and Landscape Architect PC is required to perform additional design work required to construct the project.

BACKGROUND INFORMATION

This project includes the rehabilitation of travel lanes, full reconstruction of widen shoulders, install a closed drainage system, and providing storm water quality control measures.

STEPS FOLLOWING APPROVAL

The County Executive will execute an amendment to the Professional Services Agreement with Wendel WD Architecture, Engineering, Surveying and Landscape Architect PC. Upon full execution.

COMPTROLLER'S OFFICE REVIEW

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

Timothy C. Callan 6/6/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

Project B.21150.- 2021 Capital Overlay

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

RE: Amendment of Wendel WD Architecture, Engineering, Surveying and Landscape Architect PC Professional Services Agreement for New Road (CR186) Rehabilitation and Drainage Improvements Town of Amherst

WHEREAS, your Honorable Body authorized an engineering contract with Wendel WD Architecture, Engineering, Surveying, and Landscape Architect, PC for New Road (CR186) Rehabilitation and Drainage Improvements, via COMM. 6E-20 (2022) dated April 7, 2022; and

WHEREAS, the Dept. of Public Works is requesting the authority for the County Executive to execute an amendment for additional engineering services to the Agreement; and

WHEREAS, the total cost of the amendment shall not exceed \$150,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to amend the engineering contract with Wendel WD Architecture, Engineering, Surveying, and Landscape Architect, PC for New Road (CR186) Rehabilitation and Drainage Improvements in an amount not to exceed \$150,000; and be it further

RESOLVED, that authorization is hereby given for the sum of \$150,000 be appropriated from Fund 420, Funds Center 123, Capital Project B.21150, 2021 Capital Overlay; 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 three (3) certified copies of this resolution to the Department of Public Works, Division of Highways, and one (1) certified copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

RE: PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | | |
|-------|--------------------|---|
| 1. | CONTRACTOR'S NAME | Wendel WD Architecture, Engineering,
Surveying and Landscape Architect PC |
| <hr/> | | |
| 2. | AMOUNT OF CONTRACT | \$150,000 |
| <hr/> | | |
| 3. | PROJECT NUMBER | B.21150. -2021 Capital Overlay |
| <hr/> | | |
| 4. | PROJECT TITLE | New Road (CR186) Rehabilitation and Drainage
Improvements |
| <hr/> | | |
| 5. | DEPARTMENT CONTACT | Funding questions: Darlene Svilokos at 7801

Letter pickup: Christy Weber at 8301 |
| <hr/> | | |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|-------|------------------------------------|-----------|
| 6. | AVAILABILITY OF FUNDS | \$ |
| <hr/> | | |
| 7. | PERFORMED BY | |
| <hr/> | | |
| | Date Sent to Comptroller's Office: | 6/06/2025 |
| <hr/> | | |

[55 compt_10]

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-18

COUNTY EXECUTIVE

Conveyance of Property to NYSDOT, City of
Buffalo

Attachments

25COMM. 13E-18



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Conveyance of Property to New York State Dept. of Transportation
Franklin St, City of Buffalo for PIN 5815.53, Church St. Extension
North Division St. City of Buffalo for PIN 5815.39, Elm-Oak Arterial
City of Buffalo, Erie County**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to convey two small parcels to New York State Dept. of Transportation (NYSDOT). One is located at the intersection of Franklin St. and Church St. for PIN 5815.53, Church Street Extension in the City of Buffalo. Another small parcel is at the intersection of South Division St. and the Elm-Oak Arterial Highway, in the City of Buffalo is required for PIN 5715.39, Elm-Oak Arterial Highway.

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

Sincerely yours,

Mark C. Poloncarz, Esp.
Erie County Executive

MCP/rb
Enclosure

cc: Commissioner of Public Works William Geary

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Conveyance of Property to New York State Dept. of Transportation
Franklin St, City of Buffalo for PIN 5815.53, Church St. Extension
North Division St. City of Buffalo for PIN 5815.39, Elm-Oak Arterial
City of Buffalo, Erie County
Date: July 2, 2025

SUMMARY

New York State Dept. of Transportation (NYSDOT) has approached Erie County concerning the acquisition of two small, di minus parcels. One parcel is located at the intersection of Franklin St. and Church St., specifically at 100 Franklin St. NYSDOT requires 168 square feet within the sidewalk area for their Project PIN5815.53. This parcel is depicted on Map No. 40, attached to this document and denoted as parcel M40/P41 with location and dimensions for parcel P41.

The second parcel is located at the intersection of Oak-Elm Arterial and South Division Street, specifically at the southwest corner of the Public Safety Campus property, 372 Michigan Ave, Buffalo, NY. NYSDOT requires 12sf on the building side of the sidewalk for their project PIN 5815.39. Attached to this memo is map no. 333 depicting the location of parcel P339 and provides dimensions and location of said parcel.

FISCAL IMPLICATIONS

Erie County is to receive \$10,500.00 in consideration for Parcel P41 at 100 Franklin St. for the transfer to NYSDOT. Erie County is to receive \$500.00 in consideration for the parcel P339 transfer at the intersection of Oak-Elm Arterial and South Division St.

REASONS FOR RECOMMENDATION

The Erie County Lands Advisory Review Committee (ARC) recommends that approval be granted that both parcels be conveyed to NYSDOT. The necessary work for improving the roadways may then proceed. ARC meeting minutes are attached to this memo.

BACKGROUND INFORMATION

NYSDOT approached Erie County about acquiring these parcels as a part of two construction projects on State roads. These acquisitions are necessary for the installation of pedestrian signals and the improvement of pedestrian safety features on these roads.

CONSEQUENCES OF NEGATIVE ACTION

If Erie County does not accept the offers made the process will continue to eminent domain proceedings and New York State will acquire as necessary.

STEPS FOLLOWING APPROVAL

The Department of Public Works, Division of Highways, will accept the financial offers made by NYSDOT and the land described herein will be transferred to New York State to facilitate these projects. The County Executive will execute the necessary agreements for the acceptance of payment and transference of said parcels.

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

RE: **Conveyance of Property to New York State Dept. of Transportation
Franklin St, City of Buffalo for PIN 5815.53, Church St. Extension
North Division St. City of Buffalo for PIN 5815.39, Elm-Oak Arterial
City of Buffalo, Erie County**

WHEREAS, the County of Erie has title to various parcels of land at 100 Franklin St., Buffalo, NY and at 372 Michigan St, Buffalo NY; and

WHEREAS, New York State Dept. of Transportation (NYSDOT) has approached Erie County about purchasing a small parcel at each location listed above, these parcels are di-minus in nature and necessary for the progression of two road projects; and

WHEREAS the Erie County Lands Advisory Review Committee (ARC) has met and deemed the parcels no longer necessary for County purposes; and

WHEREAS, NYSDOT has offered \$500.00 for a 12 square foot parcel at the northwest corner of 372 Michigan Ave, Buffalo NY depicted as parcel P339 on map 333; and

WHEREAS, NYSDOT has offered \$10,500 for a 168 square foot parcel at 100 Franklin St. Buffalo, NY depicted as parcel P41 on map 40.

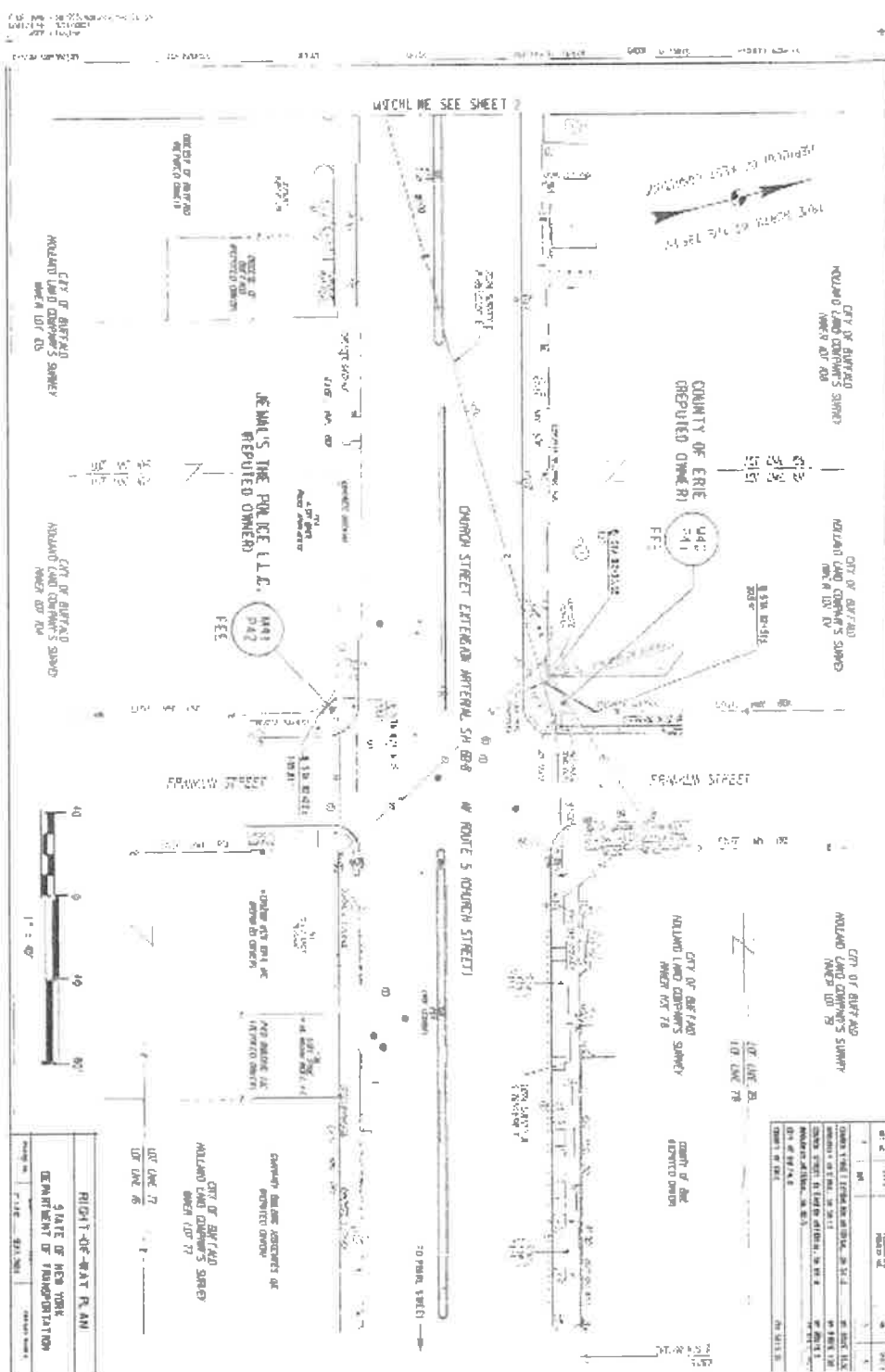
NOW, THEREFORE, BE IT

RESOLVED, that for Erie County purposes of transferring land to the New York State Dept. of Transportation, the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute and acknowledge in the name of the County and affix the seal of the County to a quit claim deed and all closing documents of the lands, as depicted on attached maps number 333 and number 40 and description of parcels no. 339 on map 333 and parcel 41 on map 40; and be it further

RESOLVED, that the Dept. of Budget, Management and Finance is authorized to accept funds, payable to the County of Erie in the sum of \$500.00 for parcel number 339 and \$10,500 for parcel number 41xx for abandonment of these lands; and be further

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

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100



EXPLANATION OF ACQUISITION/OFFER OF SETTLEMENT

PIN: 581553201 PROC#: 15662 DECL: A81-1513
SH: 69-8 PROJECT: Church Street Extension Arterial, S.H. 69-8
COUNTY: Erie TOWN/CITY: Buffalo VILLAGE:
MAP(S): 40 PARCEL(S): 41
CLAIMANT(S): County of Erie

EXPLANATION OF ACQUISITION

The Fee acquisition Map 40, Parcel 41 is triangular in shape, contains 168± sf., and is located on the southeast corner of the property. Land improvements include concrete sidewalk. The purpose of the Fee is to replace pedestrian signals.

Compensation for the value of land is \$9,300. Compensation for the land improvements is \$1,200. Total compensation is \$10,500.

Offer Of Settlement

1. Direct Damages	\$10,500.00
2. Indirect Damages	\$0.00
3. Rental Value - Temporary Occupancy	\$0.00
4. Rental Value - Temporary Easement	\$0.00
Total Damages - Just Compensation	\$10,500.00

The above value represents the amount of our highest approved appraisal, developed in accordance with appraisal standards as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). If you are satisfied with our explanation of the acquisition and wish to settle your claim with the State, you may request that we send you the Agreement of Adjustment and Release of Owner for execution. If you wish to leave your claim open and still collect the offered compensation, you may execute all three of the enclosed Agreement for Advance Payment documents, keeping one for your records and returning two in the self-addressed envelope provided. Once we receive your signed agreement and the closing papers have been completed and processed, payment can be made to you.

Please note that, in making this offer and any subsequent payment, the Commissioner of Transportation and the State of New York reserve certain rights, as explained in this paragraph. If, in the course of the construction of this project or the use or occupation of the property by the State or its authorized agents, it is discovered that hazardous or contaminated materials are present on any portion of the property in which the State is acquiring an interest, and such condition requires remediation by the Department of Transportation and/or some other State agency, the Commissioner and the State shall have the right to assert any claim, fine or penalty authorized by law against you or any other person or entity who owned, occupied or used the property, or caused such contamination, prior to the State's acquisition. This includes the right to assert a claim against any payments made pursuant to either of the enclosed Agreements or any subsequent payment, including any court award or settlement.

Payment of the offer, if accepted, will be made only upon approval by the Director of Office of Right of Way and/or the Comptroller of the State of New York and upon certification of the Attorney General of the State of New York as required by law.

ROW 265-1 (05/2013)

[illegible]

EXPLANATION OF ACQUISITION/OFFER OF SETTLEMENT

PIN: 581538221
SH: 77-25
COUNTY: Erie
MAP(S): 333
CLAIMANT(S): County of Erie

PROC#: 15654
PROJECT: Elm-Oak Arterial Highway, S.H. 77-25
TOWN/CITY: Buffalo
VILLAGE:
PARCEL(S): 339

DECL: A81-1519

EXPLANATION OF ACQUISITION

The Fee acquisition Map 333, Parcel 339 is triangular in shape, contains 12± sf., and is located on the southwest corner of the property. Land improvements include concrete sidewalk. The purpose of the Fee is to replace pedestrian signals.

Compensation for the value of land is \$400. Compensation for the land improvements is \$100. Total compensation is \$500.

Offer Of Settlement

1. Direct Damages	\$500.00
2. Indirect Damages	\$0.00
3. Rental Value - Temporary Occupancy	\$0.00
4. Rental Value - Temporary Easement	\$0.00
<i>Total Damages - Just Compensation</i>	<i>\$500.00</i>

The above value represents the amount of our highest approved appraisal, developed in accordance with appraisal standards as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). If you are satisfied with our explanation of the acquisition and wish to settle your claim with the State, you may request that we send you the Agreement of Adjustment and Release of Owner for execution. If you wish to leave your claim open and still collect the offered compensation, you may execute all three of the enclosed Agreement for Advance Payment documents, keeping one for your records and returning two in the self-addressed envelope provided. Once we receive your signed agreement and the closing papers have been completed and processed, payment can be made to you.

Please note that, in making this offer and any subsequent payment, the Commissioner of Transportation and the State of New York reserve certain rights, as explained in this paragraph. If, in the course of the construction of this project or the use or occupation of the property by the State or its authorized agents, it is discovered that hazardous or contaminated materials are present on any portion of the property in which the State is acquiring an interest, and such condition requires remediation by the Department of Transportation and/or some other State agency, the Commissioner and the State shall have the right to assert any claim, fine or penalty authorized by law against you or any other person or entity who owned, occupied or used the property, or caused such contamination, prior to the State's acquisition. This includes the right to assert a claim against any payments made pursuant to either of the enclosed Agreements or any subsequent payment, including any court award or settlement.

Payment of the offer, if accepted, will be made only upon approval by the Director of Office of Right of Way and/or the Comptroller of the State of New York and upon certification of the Attorney General of the State of New York as required by law.

ROW 285-1 (05/2013)

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT AND PLANNING**

ERIE COUNTY LANDS ADVISORY REVIEW COMMITTEE (ARC)

MEETING NOTES

Rath Building
95 Franklin Street, Buffalo, New York 14202
10th Floor, Room 1004
Wednesday, April 30, 2025 – 10:00 AM

Voting Members Present:

Rick Nendza
Dan Castle
Troy Schinzel
Rich Stanton
Bill Geary
Scott Bylewski

Staff Present:

Mark Rountree
Dave Hall
Kal Nieves

Consideration of Meeting Minutes from February 26, 2025 and March 12, 2025.

Motion to accept the meeting minutes was made by Mr. Castle; seconded by Mr. Bylewski. The motion carried.

New Business

1. Disposition of County Land or Right-of-Way

- a. 372 Michigan Avenue, City of Buffalo (SBL: 111.14-5-1): Disposition and sale to NYSDOT for its taking of 12 SF at SW corner of Public Safety Campus property for EtrvS. Division Intersection Improvements. (Geary, Stanton) – VOTE

Mr. Rountree presented the item. The group discussed the scope of the taking, how it was a Type II action, and the proposed purchase price from NYSDOT.

Motion to recommend accepting the taking made by Mr. Nendza; seconded by Mr. Geary. The motion carried.

2. Parks Protection Report

- a. Shoreline Trail at Renaissance Commerce Park – 0 Hamburg Turnpike, City of Lackawanna (141.11-1-48.132): Granting of permanent easements to ILDC (access easement) and ECWA (utility easement) associated with extension of Odell Street and Ridge Road over Shoreline Trail parcel into Renaissance Commerce Park. (Rountree) – VOTE

Mr. Rountree presented the item, describing how the action is for approval of a license or easement agreement with ILDC, and how an easement with ECWA was already approved at a previous ARC meeting. The group discussed the overall plan for development at the site, the construction schedule, and the need for appropriate signage for cyclists being in place during construction.

Motion to recommend approval of a permanent access easement agreement with ILDC made by Mr. Geary; seconded by Mr. Nendza. The motion carried.

Edward A. Rath County Office Building, 95 Franklin Street, 10th Floor, Buffalo, NY 14202 * (716) 858-8390 * Facsimile (716) 858-7248

3. 0 Park Boulevard, Village of Lancaster (SBL: 115.26-3-22): Village of Lancaster citizens group seeks permission to plant a pollinator garden on a County-owned parcel adjacent to Cayuga Creek. (Rountree) – DISCUSSION

Mr. Rountree presented the discussion item regarding a community group's request to allow a pollinator garden. The group discussed how the community group needs to communicate and come to an agreement with the Village regarding mowing/maintenance.

Motion to table the item pending a formal request from the Village of Lancaster made by Mr. Geary; seconded by Mr. Schinzel. The motion carried.

Old Business

4. Disposition of County Land or Right-of-Way

- a. 100 Franklin Street, City of Buffalo (SBL: 111.61-1-3): Disposition and sale to NYSDOT for its taking of 168 SF at SE corner of Old County Hall property for Franklin/Church intersection improvements (Geary, Stanton). – VOTE

Mr. Rountree and Mr. Geary presented the item. The group discussed the scope of the taking, how it was a Type II action, and the proposed purchase price from NYSDOT.

Motion to recommend accepting the taking made by Mr. Castle; seconded by Mr. Bylewski. The motion carried.

- b. County-owned Parcels in the Town of Hamburg: 143 County-owned parcels in the Town of Hamburg to be deemed surplus for potential transfer to the Town of Hamburg or sale via public auction. – VOTE

The group discussed the list of parcels to be deemed surplus or potentially transferred to the Town of Hamburg. The group decided that the full list would be sent to the Town of Hamburg for their review to determine their interest in acquiring any parcels. The group decided to table the item for further review of the parcel list.

Motion to table the item pending further review of the parcel list by ARC board members made by Mr. Geary; seconded by Mr. Schinzel. The motion carried.

- c. 201 Two Mile Creek Road, City of Tonawanda (SBL: 52.06-2-1): Potential disposition of parcel, or an easement to the City of Tonawanda to allow its use of the County-owned parcel for a new bridge to replace the existing one over Two Mile Creek at Fletcher St. – DISCUSSION

Mr. Rountree presented the item and spoke about a recent meeting the City of Tonawanda officials regarding the issue. The City Engineer was set to present the County's offer of selling the property to the City for continued use as a park. The group discussed how the bridge project will require closure of a portion of the Two Mile Creek Trail for 2 months during construction.

5. Policy regarding Hazardous Trees on County Property. (non-park land, non-ROW) (Bylewski) – DISCUSSION

No new updates were provided regarding this item.

6. Encroachments on County Land

- a. Highmark Stadium, 1 Bills Drive, Town of Orchard Park (SBL: 161.00-5-16.1): Item F below. Pedestrian bridge constructed over Smokes Creek without approval by adjacent property owner, 3964 California Road, Inc. (Geary, Stanton) – DISCUSSION

No new updates were provided regarding this item.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-19	COUNTY EXECUTIVE	2025-2028 Agreement with Various Local Municipalities for Snow Removal & Ice Control on County Roads
--------------	------------------	--

25COMM. 13E-19	Attachments
----------------	-------------



EC-LEG JUL 2 '25 4:11:43

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: 2025-2028 Agreement with Various Local Municipalities for Snow Removal and Ice Control on County Roads

Dear Honorable Members:

The Department of Public Works is requesting authorization for the County Executive to execute the contract for the negotiated Snow and Ice Control Agreement with Local municipalities for the 2025-2028 snow seasons.

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

Sincerely yours,

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

Mark Poloncarz, Esq.
Erie County Executive

MCP:weg/cw
Enclosure

cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works, Division of Highways
Re: 2025-2028 Agreement with Various Local Municipalities for Snow Removal and Ice Control on County Roads
Date: July 2, 2025

SUMMARY

The Department of Public Works is requesting authorization for the County Executive to execute the contract for the negotiated Snow Removal and Ice Control Agreement with the local municipalities for the 2025-2028 snow seasons. This contract will be for a period of three (3) years, from September 1, 2025 through August 31, 2028.

FISCAL IMPLICATIONS

Approval would ensure continuity for snow removal and ice control on County Roads at a rate increase of four percent (4%) for each year, per lane mile for approximately 1,273 lane miles. Funding for the contract is contained within the Division of Highways Operating Budget.

REASONS FOR RECOMMENDATION

It is necessary that this approval be granted so that no disruption of snow removal and ice control service occurs to the residents of Erie County.

BACKGROUND INFORMATION

Erie County's current three-year contract with 31 municipalities for snow and ice control expires August 31, 2025. After negotiations with the Association of Municipal Highway Superintendents, and in the interest of public concern for snow removal and ice control maintenance, an agreement for a three (3) year contract with a 4% increase the first year, 4% increase the second year, and 4% the third year of snow seasons has been mutually accepted.

CONSEQUENCES OF NEGATIVE ACTION

If the authorization is not approved, our agreement for snow removal and ice control on County Roads and municipal aid service will terminate resulting in the disruption or loss of adequate snow and ice removal, especially in the rural and outer suburban areas of the County.

STEPS FOLLOWING APPROVAL

Approval of this resolution will allow the Department of Public Works, to prepare agreement documents for full execution by the participating local municipalities and the County Executive.

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

RE: 2025-2028 Agreement with Various Local Municipalities for Snow Removal and Ice Control on County Roads

WHEREAS, the County has successfully contracted with local municipalities in Erie County for many years to provide snow removal and ice control on County owned roads and facilities during the snow season; and

WHEREAS, the said agreements expire August 31, 2025; and

WHEREAS, the County of Erie negotiated and recommends entering into three (3) year agreements with local municipalities for snow removal and ice control on County roads for snow seasons 2025-2028; and

WHEREAS, it would be in the best interests of Erie County to execute an agreement at a lane mile reimbursement rate increasing four percent (4%) the first year, four percent (4%) the second year and four percent (4%) the third year, ending August 31, 2028, and representatives of the affected municipalities have agreed to terms with the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to sign and execute the 2025-2028 Snow Removal and Ice Control Agreements, as modified and updated, at a lane mile reimbursement rate increasing four percent (4%) the first year, four percent (4%) the second year, and four percent (4%) the third year, to expire August 31, 2028, payable from the adopted Division of Highways, Operating Budget, Fund 210, Cost Center 1231010, G/L 520060 Town and Village Snow Contracts, as set forth in the schedule below:

September 1, 2025 through August 31, 2026	\$5,279.96 per lane mile
September 1, 2026 through August 31, 2027	\$5,491.16 per lane mile
September 1, 2027 through August 31, 2028	\$5,710.80 per lane mile

and be it further

RESOLVED, that the County Executive is hereby authorized and directed on behalf of Erie County to execute agreements with participating municipalities; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to transmit four (4) certified copies of the foregoing resolution to the Commissioner of Public Works, one (1) certified copy each to the County Executive's Office, Comptroller's Office, Department of Law and Division of Budget and Management.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-20

COUNTY EXECUTIVE

Reconstruction of William St. - NYSDOT
Right of Way Agreement, Town of Lancaster

Attachments

25COMM. 13E-20



EC LEG JUL 2 '25 11:43

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Reconstruction of William St (CR 338) from Transit Rd (NYS 20/78) to Bowen Rd (CR 242) NYSDOT Right of Way Agreement Town of Lancaster PIN 5763.36

Dear Honorable Members:

This resolution requests an amendment to resolution COMM. 4E-4 (2025), giving authorization for the County Executive to enter into a revised Right of Way Agreement with the New York State Department of Transportation (NYSDOT) for the Reconstruction of William Street project (PIN 5763.36). NYSDOT requested the addition of a WHEREAS and a RESOLVED clause to the Resolution, as well as removing the Right of Way acquisition phase from the agreement and retaining only the Right of Way incidentals phase.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/gmw

Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Reconstruction of William St (CR 338) from Transit Rd (NYS 20/78) to Bowen Rd (CR 242) NYSDOT Right of Way Agreement Town of Lancaster
PIN 5763.36
Date: July 2, 2025

SUMMARY

The Department of Public Works (DPW) is seeking an amendment to resolution COMM. 4E-4 (2025), giving authorization for the County Executive to enter into a Right of Way Agreement with the New York State Department of Transportation (NYSDOT) for the Reconstruction of William Street Project (PIN 5763.36). NYSDOT requested the addition of a WHEREAS and a RESOLVED clause to the previous resolution, as well as removing the Right of Way acquisition phase from the agreement and retaining only the Right of Way incidentals phase.

FISCAL IMPLICATIONS

Erie County has already paid \$39,250 to NYSDOT per COMM. 4E-4(2025), of which, \$32,400 will now cover the cost of the ROW incidentals local deposit, and \$6,850 will be applied to the future ROW acquisitions local deposit, therefore no further expenditures are required for this revised agreement.

REASONS FOR RECOMMENDATION

This resolution amendment is necessary to advance the Right of Way incidentals phase of the Reconstruction of William Street project in a timely fashion.

BACKGROUND INFORMATION

As the administrators of the Right of Way incidentals phase of the project, NYSDOT will advance the Right of Way incidentals phase of the project upon approval of this amended resolution.

CONSEQUENCES OF NEGATIVE ACTION

Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, increased maintenance responsibilities and cost, as well as jeopardize existing and future reimbursement funding available through this program.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter into the revised Right of Way Agreement with the New York State Department of Transportation (NYSDOT).

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Reconstruction of William St (CR 338) from Transit Rd (NYS 20/78) to Bowen Rd (CR 242) NYSDOT Right of Way Agreement Town of Lancaster PIN 5763.36

WHEREAS, a Project for the Reconstruction of William Street (CR 338) from Transit Road (NYS 20/78) to Bowen Road (CR 242), P.I.N. 5763.36 (the Project Right-of-Way agreement with New Yorks State Dept. of Transportation (NYSDOT) was approved by the Legislature in COMM 4E-4 (2025) on March 13, 2025; and

WHEREAS, (NYSDOT) will administer the Right of Way incidentals phase of the Project; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Right of Way incidentals work for the Project or portions thereof, with the federal share of such costs to be applied directly by the NYSDOT pursuant to the Agreement; and

WHEREAS, the necessary funds for the local deposit of the Right of Way phases of \$39,250, has been paid from Fund 420, Funds Center 123, Capital Project B.23005 – 2023 Federal Aid Road Design to NYSDOT; and

WHEREAS, NYSDOT will apply \$32,400 of the \$39,250 previously paid local deposit to the Right of Way incidentals phase of the project, and \$6,850 will be applied to the Right of Way acquisitions phase.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a revised Right of Way Agreement with the New York State Department of Transportation for the Reconstruction of William Street project (PIN 5763.36); and be it further

RESOLVED, that authorization is given to the County of Erie to pay in the first instance the full non-federal share of the cost of the Right of Way incidentals work for the Project or portions thereof; and be it further

RESOLVED, that a certified copy of this resolution amendment be filed with the New York State Commissioner of Transportation; and be it further

RESOLVED, that three certified copies of this resolution amendment be sent 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.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-21	COUNTY EXECUTIVE	Authorization to Accept NYSERDA Funding for the Clean Energy Communities Program - Botanical Gardens Heat Pump Installation
--------------	------------------	---

25COMM. 13E-21	Attachments
----------------	-------------



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 JUL 2 25:11:43

July 2, 2025

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

Re: Authorization to Accept NYSERDA Funding for the Clean Energy Communities Program – Botanical Gardens Heat Pump Installation

Dear Honorable Members:

Please find attached a resolution requesting legislative authorization to accept grant funding from the New York State Energy Research and Development Authority (NYSERDA) into a Clean Energy Communities Program Capital Project and to transfer a portion of the funding to the Buffalo & Erie County Botanical Gardens to support the purchase and installation of an air-source heat pump.

If your Honorable Body requires any further information, please contact Commissioner William Geary at the Department of Public Works. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/rb
Enclosure

cc: ~~Commissioner of Public Works William Geary~~

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Public Works
Re: Authorization to Accept NYSERDA Funding for the Clean Energy Communities Program – Botanical Gardens Heat Pump Installation
Date: July 2, 2025

SUMMARY

Legislative authorization is requested to accept \$937,500 in grant funding from the New York State Energy Research and Development Authority (NYSERDA), to establish a Clean Energy Communities Program capital project to facilitate a heat pump project at the Erie County Botanical Gardens and solar panel project at the Buffalo & Erie County Central Library.

FISCAL IMPLICATIONS

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

The Botanical Gardens will be a subrecipient of \$532,000 of this funding, which the County will advance to the Botanical Gardens to purchase and install the air-sourced heat pump and, upon completion, the County will submit those expenses to NYSERDA for reimbursement.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

In 2024, The Erie County Department of Public Works was awarded, by NYSERDA, a \$937,500 grant for its participation in the Clean Energy Communities Program. The Clean Energy Communities program rewards municipalities for taking steps to develop renewable energy, utilize clean heating and cooling, as well as other steps to reduce an organization's carbon footprint. Erie County was the first to reach the 5th and highest tier for the numerous initiatives and projects it has performed. This resulted in the award that can be used to fund further clean energy projects.

This award is being used to fund a solar array at the Buffalo & Erie County Library's downtown branch as well as the installation of an air-source heat pump at the Botanical Gardens. The solar array is being incorporated into the new green roof project currently under design. This is the perfect time to implement because all design factors can be accounted for and included into the design.

The air-source heat pump is getting integrated into the Botanical Gardens expansion plan. This was a design element that the Botanical Gardens wanted to include into the expansion plan but, due to the incremental cost difference, was in danger of getting eliminated. This funding will allow the Botanical Gardens to install the heat pump and realize the benefit of clean heating and cooling. The Botanical Gardens is managing the expansion project and therefore it is necessary to transfer funds over to the organization.

CONSEQUENCES OF NEGATIVE ACTION

Erie County would lose the \$937,500 award and would not be able to move either project forward. The Library would continue to pay higher electric bills and the Botanical Gardens would emit more carbon dioxide and other pollutants.

STEPS FOLLOWING APPROVAL

The Department of Public Works will work with the Division of Budget and Management to establish the grant and facilitate the transfer of necessary funds to Botanical Gardens.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

Re: Authorization to Accept NYSERDA Funding for the Clean Energy Communities Program – Botanical Gardens Heat Pump Installation

WHEREAS, Erie County endeavors to promote clean energy and lower its' carbon footprint wherever possible; and

WHEREAS, Erie County achieved the highest ranking in NYSERDA's Clean Energy Communities competition; and

WHEREAS, because of this achievement, Erie County has been awarded a Clean Energy Communities grant in the amount of \$937,500; and

WHEREAS, the Department of Public Works requires legislative approval to accept the State funds and to establish a new Clean Energy Communities Program Capital Project; and

WHEREAS, these funds will be used to further promote clean energy by installing solar panels on the Buffalo & Erie County Central Library and installing a heat pump at the Buffalo & Erie County Botanical Gardens; and

WHEREAS, the Botanical Gardens will act as a subrecipient of this NYSERDA funding where sufficient funds will be advanced to the Botanical Gardens to complete the purchase and installation of an Air-Source Heat Pump; and

WHEREAS, upon completion of the Project the County will seek reimbursement from NYSERDA of the eligible expenses.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorize the County Executive or Deputy County Executive to enter into contract with NYSERDA to accept \$937,500 in funding into the Division of Buildings & Grounds (Fund 410, Funds Center 12220) Capital Project A.25XXX – Clean Energy Communities Program as follows:

Project A.25XXX
Clean Energy Communities Program
Fund 490, Funds Center 12220

REVENUES

409000 State Aid Revenues

BUDGET

\$937,500

\$937,500

APPROPRIATIONS

Capital Project Expense

\$937,500

TOTAL

\$937,500

and be it further

RESOLVED, that authorization is hereby given to enter into contract with the Buffalo & Erie County Botanical Gardens as a subrecipient of this NYSERDA funding and transfer \$532,500 for the completion of the purchase and installation of an air-sourced heat pump; and be it further

RESOLVED, that authorization is hereby given to accept any other federal, state or utility incentive, grant or refund into the Division of Buildings & Grounds (Fund 410, Funds Center 12220) Capital Project A.25XXX – Clean Energy Communities Program for future use; and be it further

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

RESOLVED, that certified copies of this resolution be furnished to the County Executive's Office, Comptroller's Office, Department of Public Works and Division of Budget and Management.

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-22

COUNTY EXECUTIVE

Countywide NYSDEC Environmental
Compliance Term Agreement

Attachments

25COMM. 13E-22



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Countywide NYSDEC Environmental Compliance Term Agreement

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Design Services for the Countywide NYSDEC Environmental Compliance Term Agreement project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on June 4, 2025.

This project involves professional services to maintain countywide facilities as it pertains to environmental regulatory compliance/inspection services related to Petroleum Bulk Storage (PBS) tanks, Spill Prevention and Countermeasure Control (SPCC) Inspection, Compliance and (Re-) Certification, State Pollutant Discharge Elimination System (SPDES) activities, and On-Call Environmental Compliance Services for related capital improvement and upgrade projects.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ks

Enclosure

cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: NYSDEC environmental Compliance Term Agreement
Date: July 2, 2025

SUMMARY

This resolution is requesting authorization for the County Executive to enter into an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Design Services for the Countywide NYSDEC Environmental Compliance Term Agreement project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on June 4, 2025.

This project involves professional services to maintain countywide facilities as it pertains to environmental regulatory compliance/inspection services related to Petroleum Bulk Storage (PBS) tanks, Spill Prevention and Countermeasure Control (SPCC) Inspection, Compliance and (Re-) Certification, State Pollutant Discharge Elimination System (SPDES) activities regulated by the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency (EPA), and On-Call Environmental Compliance Services for related capital improvement and upgrade projects.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2025 Capital Budget, Project A.25001 – Countywide Code & Environmental Compliance, Fund 410, Funds Center 122, for an amount not to exceed \$175,000, including a \$25,000 design contingency.

REASONS FOR RECOMMENDATION

The professional services term agreement is necessary to maintain County facilities and bring them into compliance with the latest Federal EPA and the State DEC regulations. Ultimately, fines and penalties due to non-compliance will be avoided. Related capital improvement projects will allow for necessary corrective measures, including but not limited to, emergency repairs, non-compliance, and recommended upgrades.

BACKGROUND INFORMATION

The Department of Public Works has implemented various environmental improvements and upgrades at various facilities, including Parks and Highways facilities. Maintaining compliance with DEC and EPA regulations has avoided fines and penalties.

CONSEQUENCES OF NEGATIVE ACTION

If this project is not completed, then the EPA and DEC regulations will not be complied with and additional fines will be issued.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will execute an Agreement with Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for the project.

COMPTROLLER'S OFFICE REVIEW

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

This will be a cash advance against the 2025 bond sale.

Timothy C. Callan 6/18/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.25001 – Countywide Code & Environmental Compliance

File Copy (DPW Resolution_BG Environmental Compliance.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide NYSDEC Environmental Compliance Term Agreement

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide NYSDEC Environmental Compliance Term Agreement

WHEREAS, the County of Erie must maintain countywide facilities that fall under New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) regulations; and

WHEREAS, to maintain compliance and avoid fines and penalties, the Department of Public Works must hire a qualified consultant to assist in design and construction remedies; and

WHEREAS, the Erie County Department of Public Works received professional Architectural/Engineering design services proposals for the Countywide NYSDEC Environmental Compliance Term Agreement project (herein called the "Project") on June 4, 2025; and

WHEREAS, a review of qualifications evaluated each firm's expertise, experience, and manpower to provide the required services; and

WHEREAS, Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. has the necessary expertise and manpower to provide professional design and construction services for the Project; and

WHEREAS, the County Executive is requesting authorization to enter into a three (3)-year Term Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C., with the possibility of two, one (1)-year extensions, as mutually agreed upon between the Department of Public Works and the Consultant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a three (3)-year term agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C., with the possibility of two, one (1)-year extensions, for providing professional services related to the Countywide NYSDEC Environmental Compliance Term Agreement for an amount not to exceed \$200,000, including design contingency; and be it further

RESOLVED, all unused funds from the previous Environmental On-Call Term agreement approved per COMM. 10E-15 (2020) and per DPW Contract No. 20-693-PW, can be carried over to the new term agreement summarized herein; and it be further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the following Capital Projects in the approved and adopted capital budgets, Fund 480, Funds Center 122:

A.25001	Countywide Code & Environmental Compliance	\$ 200,000
For a Total Amount Not to Exceed		\$ 200,000

and it be further

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

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

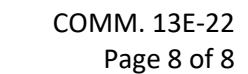
- | | | | |
|----|--------------------|---|----------------------|
| 1. | CONTRACTOR'S NAME | <u>Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C.</u> | |
| 2. | AMOUNT OF CONTRACT | <u>Total amount not to exceed \$200,000</u> | |
| 3. | PROJECT NUMBER | <u>A.25001</u> | <u>\$ 200,000.00</u> |
| 4. | PROJECT TITLE | <u>NYSDEC Environmental Compliance Term Agreement</u> | |
| 5. | DEPARTMENT CONTACT | <u>Funding questions: Kristofer Straus at x7294
Letter pickup: Christy Weber at x8301</u> | |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|------------------------------------|-----------------------|--|
| 6. | AVAILABILITY OF FUNDS | <u>\$ 500,000.00</u> |
| 7. | PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | | <u>June 18, 2025</u> |

[55 compt_10]



Project Name

Evaluation Criteria

It is my opinion in recommending firm name, address, city, N.J. ZIP The Erie County Department of Public Works has complied with all applicable provisions of Section 13-08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works office during regular business hours.

Deann Chumera
 Deputy County Executive
 Date 6/16/18

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-23

COUNTY EXECUTIVE

Authorization to Award Horizon Health
Services Inc. Funding & Enter into Contract

Attachments

25COMM. 13E-23



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Authorization to award Horizon Health Services Inc. funding related to their response to the Request for Proposal and to enter into a contract for related services

Dear Honorable Members:

Please find attached a resolution requesting legislative authorization to award Horizon Health Services Inc., \$303,361 in funding related to their response to the Request for Proposal (RFP), entitled Court Based Mental Health Navigator-RFP# 2025-031VF.

Attached for your Honorable Body's review is a summary of the rationale for the Court Based Mental Health Navigator proposal being selected and the template of the scoring matrix used during the review process.

If your Honorable Body requires any further information, please contact Commissioner Sarah Bonk at the Department of Mental Health. Thank you for your consideration of this request.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jg/dvs
Enclosure

cc: Sarah A. Bonk, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Mental Health
Re: Authorization to award Horizon Health Services Inc. funding related to their response to the Request for Proposal and to enter into a contract for related services
Date: July 2, 2025

SUMMARY

New York State Office of Mental Health funds available to the Erie County Department of Mental Health (ECDMH) will be awarded and allocated to Horizon Health Services Inc. for the provision of operating a Court Based Mental Health Navigator for those aged 18 and over with a serious mental illness who are appearing in one of the Erie County Courts within the 8th Judicial District with a misdemeanor or non-violent felony and residing in the community or released from incarceration while their criminal case is pending.

FISCAL IMPLICATIONS

The funding for this action in the amount of \$303,361 annually is derived entirely from New York State Office of Mental Health funding and thus no County tax dollars are necessary.

REASONS FOR RECOMMENDATION

A Request for Proposal (RFP), entitled Court Based Mental Health Navigator-RFP #2025-031VF was solicited and a review process, consistent with Erie County Administrative Code, was completed. Upon completion of the review process, which included a satisfactory follow-up meeting with the highest-ranking applicant, Horizon Health Services Inc., the Review and Selection Committee recommended that Horizon Health Services Inc. be awarded the funding to provide the service as outlined in the RFP. Horizon Health Services Inc. was the highest ranked applicant of the four (4) eligible applicants by four (4) of the five (5) Review and Selection Committee members. The fifth member had Horizon Health Services Inc. ranked as the second-best proposal. In addition, by notable margins, Horizon Health Services Inc. also had the highest total points based on rankings, and the highest cumulative score. Horizon Health Services Inc. is also a long-standing accomplished provider in the community that offers a broad network of behavioral treatment services and related supports.

BACKGROUND INFORMATION

The RFP was initiated by ECDMH as a result of funding provided by the New York State Office of Mental Health to ECDMH. The Contract will be by and between the County of Erie and acting by and through ECDMH and Horizon Health Services Inc. Funding will be allocated, and contract compliance will be monitored, through ECDMH.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this action would result in the Court Based Mental Health Navigator service not being implemented and therefore not utilize the aforementioned state aid.

STEPS FOLLOWING APPROVAL

A contract by and between the County of Erie and acting by and through the ECDMH and Horizon Health Services Inc. will be initiated to include this service, and the ECDMH will monitor this provider's program operations, performance goals and contract compliance activities as it pertains to this service. Initial year funding will be appropriately pro-rated to the date of startup.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF MENTAL HEALTH**

Re: Authorization to award Horizon Health Services Inc. funding related to their response to the Request for Proposal and to enter into a contract for related services

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health and chemical dependency services for the residents of Erie County; and

WHEREAS, the Erie County Department of Mental Health received an increase in annual State Aid from the New York State Office of Mental Health in the amount of \$303,361 for the provision of the Court Based Mental Health Navigator service; and

WHEREAS, the Erie County Department of Mental Health solicited a Request for Proposal for the provision of Court Based Mental Health Navigator service; and

WHEREAS, after conducting a review process, Horizon Health Services Inc. as the highest-ranking applicant, was recommended by the Selection Committee to be the recipient of the RFP award and subsequently approved by the Deputy County Executive; and

WHEREAS, a budget appropriation needs to be created for Horizon Health Services Inc. not to exceed \$303,361 in fiscal year 2025; and

WHEREAS, no additional County funds are necessary for this request.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with NYS OMH to accept \$303,361 in State Aid and amend the Department of Mental Health (Fund 110, Funds Center 12410) 2025 General Fund Budget as follows:

Mental Health, Business Area 124
Fund 110, Funds Center 12410

REVENUES

406830 – State Aid – Mental Hlth II
TOTAL

CHANGE

\$303,361
\$303,361

APPROPRIATIONS

517661 – Horizon Health Services Inc.
TOTAL

CHANGE

\$303,361
\$303,361

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with Horizon Health Services Inc., for an amount not to exceed \$303,361 for the period January 1 through December 31, 2025; and be it further


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


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

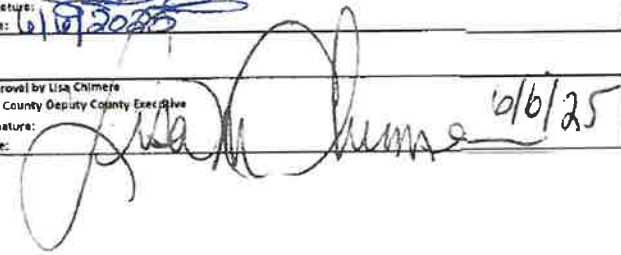
Scoring Summary and Recommendation
Court Based Mental Health Navigators
RFP #2025-031VF

Ranking of Applicants									
Reviewer	Horizon Health Services		Jewish Family Services		Research Foundation		Western New York Independent Living		KEY (Rank=Points)
	Rank	Pts based on Rank	Rank	Pts based on Rank	Rank	Pts based on Rank	Rank	Pts based on Rank	Rank Points
Reviewer 1-	1	5	2	3	3	1	4	0	-Highest Rated 5
Reviewer 2-	1	5	3	1	1	5	4	0	2 3
Reviewer 3-	2	3	1	5	3	1	4	0	3 1
Reviewer 4-	1	5	2	3	4	0	3	1	- Lowest Rated 0
Reviewer 5-	1	5	3	1	4	0	2	3	
Total Points Based on Rank (See Key to right of this table.) (Higher total=Higher ranking)									
		23		13		7		4	

Sum of all Reviewer's Scores = Ranked by Total Score	
Applicant	Reviewer Scores
Horizon Health Services Inc.	456
Jewish Family Services	403
Research Foundation SUNY (UB)	378
Western New York Independent Living	350

Respectfully submitted on behalf of the Selection Committee
 John Galeco, MS, CRC Selection Committee Chair,
 Assistant Commissioner, Erie County Department of Mental Health
 Signature: 
 Date: 6/6/2025

Approval by Sarah Bonk, LMSW
 Commissioner, Erie County Department of Mental Health
 Signature: 
 Date: 6/10/2025

Approval by Lisa Chimeri
 Erie County Deputy County Executive
 Signature: 
 Date: 6/6/25

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT		
COMM. 13E-24	COUNTY EXECUTIVE	Acceptance and Distribution of Additional OMH Funding for Providers
25COMM. 13E-24		
Attachments		



13E-24 JUL 2 '25 11:44

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Acceptance and Distribution of Additional OMH Funding for Providers

Dear Honorable Members:

The Erie County Department of Mental Health is seeking authorization to accept additional funding from NYS Office of Mental Health (OMH) on behalf of mental health providers and agencies as a mid-year adjustment or one-time funding for various projects and services.

Should your Honorable Body require further information, please contact Commissioner Sarah Bonk at the Department of Mental Health. Thank you for your consideration of this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dvs
Enclosure

cc: Sarah Bonk, Commissioner of Mental Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Mental Health
Re: Acceptance and Distribution of Additional OMH Funding for Providers
Date: July 2, 2025

SUMMARY

Erie County Department of Mental Health has received additional funds from NYS Office of Mental Health (OMH) for mental health providers and agencies for mid-year adjustments and one-off expenses related to services, treatments, programs, and capital expenses. Additional funds include:

\$200,000 for Living Opportunities of DePaul

FISCAL IMPLICATIONS

None. These funds are awarded by New York State and distributed through Erie County.

REASONS FOR RECOMMENDATION

These additional awards, designated and funded by OMH, are to help providers with various expenses for their operations or capital expenses related to expanding services.

CONSEQUENCES OF NEGATIVE ACTION

Erie County's providers would not receive the full funding they are awarded by OMH and could negatively impact their services, treatments, programs, and capital expenses.

STEPS FOLLOWING APPROVAL

The Department of Mental Health will work with Budget and Management and the County Attorney's Office to effectuate this resolution.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF MENTAL HEALTH

Re: Acceptance and Distribution of Additional OMH Funding for Providers

WHEREAS, the Erie County Department of Mental Health receives funding from NYS Office of Mental Health (OMH) to distribute to mental health providers and agencies; and

WHEREAS, OMH has designated additional funds for providers and agencies to increase their capacity and/or assist in capital expenses for expanding services; and

WHEREAS, the Erie County Department of Mental Health is seeking authorization to accept and contract out these additional funds to providers and agencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept funding from NYS OMH on behalf of mental health providers and agencies and to amend the Department of Mental Health's Division of Program Administration's (Fund 110, Funds Center 12410) 2025 Operating Budget as follows:

Erie County Department of Mental Health
Fund 110, Fund Center 12410

REVENUES

406830 State Aid – Mental Health II
TOTAL

CHANGE

\$200,000
\$200,000

APPROPRIATIONS

517689 Living Opportunities of DePaul OMH
TOTAL

CHANGE

\$200,000
\$200,000

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into and amend the existing contract with Living Opportunities of DePaul and waive 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 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 Mental Health, and Division of Budget and Management.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-25

COUNTY EXECUTIVE

Authorization to Contract with Erie 1 BOCES

Attachments

25COMM. 13E-25



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Authorization to Contract with Erie 1 BOCES

Dear Honorable Members:

The Erie County Department of Mental Health is seeking authorization to enter into contract with Erie 1 BOCES to provide funding for the Supporting Mental Health by Advocating for Resources Together (SMART) Collaborative to host workshops, raise awareness of resources, and support partners in activities around youth mental health.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah/ds
Enclosure

cc: Sarah Bonk, Commissioner of Mental Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Mental Health
Re: Authorization to Contract with Erie 1 BOCES
Date: July 2, 2025

SUMMARY

The Erie County Department of Mental Health (ECDMH) is seeking authorization to contract with Erie 1 BOCES for \$30,000 to support the activities, outreach, and engagement of the Supporting Mental Health by Advocating for Resources Together (SMART) Collaborative. SMART has hundreds of participants from various county departments, P-12 educators, community agencies, school administration and many more stakeholders.

Mental Health has identified funds to be used to hold workshops for SMART partners, education on resources for P-12 educators, and support for activities around youth mental health.

FISCAL IMPLICATIONS

The funding for this one-time request in the amount of \$30,000 is derived entirely from deferred federal revenue allocated to ECDMH for the provision of Behavioral Health Services. No County tax dollars are necessary.

REASONS FOR RECOMMENDATION

Since its inception, Erie County has been an active member of the SMART Collaborative. Representatives from several county departments regularly participate in meetings with P-12 educators, community agencies, and other stakeholders to collaborate on available Mental Health and Social Emotional Learning tools within our community. The goal of SMART is to provide opportunities for school districts and service providers in Erie County to network, share resources, and discuss how to meet the needs of the whole child through integrated student and family supports. These funds will support its mission by hosting workshops and activities around youth mental health.

CONSEQUENCES OF NEGATIVE ACTION

Erie County, the lead agency of SMART, would be unable to provide the resources to Erie 1 BOCES to help the SMART Collaborative with resources for its mission.

STEPS FOLLOWING APPROVAL

ECDMH will work with the County Attorney's Office on executing the new contract.

**RESOLUTION SUBMITTED BY:
DEPARTMENT OF MENTAL HEALTH**

Re: Authorization to Contract with Erie 1 BOCES

WHEREAS, nearly eighty percent (80%) of chronic mental health conditions emerge in childhood. While mental health concerns are frequently seen in public schools, the pandemic's combination of isolation plus other mental health issues has exacerbated the need for added supports; and

WHEREAS, in 2022, Erie County led the formation of the Supporting Mental Health by Advocating for Resources Together (SMART) Collaborative to address mental health issues; and

WHEREAS, SMART has grown to five hundred (500) partners that includes school administrators, educators, community agencies, and many more stakeholders; and

WHEREAS, Erie 1 BOCES will be the organizing agency to host workshops, fund activities and outreach, and share resources with partners to address the mental health crisis; and

WHEREAS, the Erie County Department of Mental Health has an allocation of Federal funding in the amount of \$30,000 to help support SMART's mission.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the recognition of \$30,000 in deferred federal aid revenues to be budgeted within the Department of Mental Health's Division of Program Administration's (Fund 110, Funds Center 1241020) 2025 Operating Budget as follows:

Department of Mental Health Fund 110, Funds Center 1241020	
REVENUES	CHANGE
411000 MH Fed Medi Sal Sh	<u>\$30,000</u>
TOTAL	<u>\$30,000</u>
 APPROPRIATIONS	 CHANGE
516010 Cont Pymts NonProfit Purch Svcs	<u>\$30,000</u>
TOTAL	<u>\$30,000</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with Erie 1 BOCES for an amount not to

exceed \$30,000 to provide organizing services for the Supporting Mental Health by Advocating for Resources Together (SMART) Collaborative; and be it further

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-26

COUNTY EXECUTIVE

Acceptance and Distribution of Additional
OASAS Funding for Providers

Attachments

25COMM. 13E-26



2025 JUL 2 '25 PM 11:44

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Acceptance and Distribution of Additional OASAS Funding for Providers

Dear Honorable Members:

The Erie County Department of Mental Health is seeking authorization to accept multiple awards from NYS Office of Addiction Services and Supports (OASAS) on behalf of mental health providers and agencies as a mid-year adjustment or one-time funding for various projects and services.

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

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jah/dvs
Enclosure

cc: Sarah Bonk, Commissioner of Mental Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Mental Health
Re: Acceptance and Distribution of Additional OASAS Funding for Providers
Date: July 2, 2025

SUMMARY

Erie County Department of Mental Health has received additional funds from NYS Office of Addiction Services and Supports (OASAS) for mental health providers and agencies for mid-year adjustments and one-off expenses related to services, treatments, programs, and capital expenses. Additional funds include:

\$393,984 for Horizon Village Inc.
\$200,887 for Cazenovia Recovery Systems Inc.
\$144,443 for BestSelf Behavioral Health Inc.

FISCAL IMPLICATIONS

None. These funds are awarded by New York State and distributed through Erie County.

REASONS FOR RECOMMENDATION

These additional awards, designated and funded by OASAS, are to help providers with various expenses for their operations or capital expenses related to expanding services.

CONSEQUENCES OF NEGATIVE ACTION

Erie County's providers would not receive the full funding they are awarded by OASAS and could negatively impact their services, treatments, programs, and capital expenses.

STEPS FOLLOWING APPROVAL

The Department of Mental Health will work with Budget and Management and the County Attorney's Office to effectuate this resolution.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF MENTAL HEALTH

Re: Acceptance and Distribution of Additional OASAS Funding for Providers

WHEREAS, the Erie County Department of Mental Health receives funding from NYS Office of Addiction Services and Supports (OASAS) to distribute to mental health providers and agencies; and

WHEREAS, OASAS has designated additional funds for providers and agencies to increase their capacity and/or assist in capital expenses for expanding services; and

WHEREAS, the Erie County Department of Mental Health is seeking authorization to accept and contract out these additional funds to providers and agencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept funding from NYS OASAS on behalf of mental health providers and agencies and to amend the Department of Mental Health's Division of Program Administration's (Fund 110, Funds Center 12410) 2025 Operating Budget as follows:

Erie County Department of Mental Health
Fund 110, Fund Center 12410

REVENUES

406860 State Aid - OASAS
TOTAL

CHANGE

\$739,314
\$739,314

APPROPRIATIONS

517535 BestSelf Beh. Health Inc. ASA
517614 Caz. Recovery Systems ASA
517663 Horizon Village Inc. ASA
TOTAL

CHANGE

\$144,443
\$200,887
\$393,984
\$739,314

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into and amend existing contracts with BestSelf Behavioral Health Inc., Cazenovia Recovery Systems and Horizon Village Inc. 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 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 Mental Health, and Division of Budget and Management.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-27 COUNTY EXECUTIVE Levy of 2025-2026 School Tax Budgets

25COMM. 13E-27

Attachments



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

10-120-001 2/25 PM 11:45

July 2, 2025

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

RE: Levy of the 2025-2026 School Tax Budgets

Dear Honorable Members:

Please find attached a resolution and accompanying memorandum to levy the 2025-2026 School Tax Budgets.

Should your honorable body require further information, I encourage you to contact Scott Bylewski, Director of Real Property Tax 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/sab
Enclosure

cc: Scott A. Bylewski, Director of Real Property Tax Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Real Property Tax Services
Re: Levy of 2025-2026 School Tax Budgets
Date: July 2, 2025

SUMMARY

Several non-city school districts lying within Erie County have adopted their school budgets, determined the amounts to be raised, and fixed their school tax rates. Per the Erie County Tax Act, Erie County Legislature must levy the school taxes in September.

FISCAL IMPLICATIONS

School districts will receive their property tax levy.

REASONS FOR RECOMMENDATION

Erie County Tax Act requires the Erie County Legislature to levy the 2025-2026 school taxes.

BACKGROUND INFORMATION

The Director of Real Property Tax Services has spread and extended said school tax amounts, at the school tax rates certified to him, against the taxable real property appearing on the respective school assessment rolls.

Several non-city school districts lying within Erie County have adopted their school budgets, determined the amounts to be raised, and fixed their school tax rates. Per the Erie County Tax Act, Erie County Legislature must levy the school taxes in September.

CONSEQUENCES OF NEGATIVE ACTION

School districts will not receive their property tax levy.

STEPS FOLLOWING APPROVAL

Director of Real Property Tax Services will deliver school district tax rolls, bills, and warrants to such school tax collecting officials.

A RESOLUTION SUBMITTED BY:
REAL PROPERTY TAX SERVICES

RE: Levy 2025-2026 School Tax Budgets

WHEREAS, the several non-city school districts lying within the County of Erie have adopted their school budgets for the current school year, determined the amount thereof to be raised by real property tax and will have fixed their school tax rates, said budgets, amounts and rates to be certified to and filed with the Real Property Tax Services Department of Erie County, no later than August 10, 2025; and

WHEREAS, the Director for said Real Property Tax Services Department will spread and extend said school tax amounts, at the school tax rates certified to him, against the taxable real property appearing on the respective school assessment rolls.

NOW, THEREFORE, BE IT

RESOLVED, that there is hereby levied and assessed upon the taxable real property appearing on the school assessment rolls for the respective school districts the amounts to be raised by school taxes, as spread and extended by the Director of the Real Property Tax Services Department, which amounts shall be collected from the persons and corporations liable therefore in accordance with and pursuant to the provisions of the statutes in such cases made and provided; and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature are hereby directed to execute in the name and under the seal of the County of Erie, and to annex to the respective school district tax rolls as they are compiled by the Director of the Real Property Tax Services Department, a good and sufficient warrant, addressed to the proper tax collecting officials, commanding them to collect such school district taxes in accordance with applicable law; and be it further

RESOLVED, that the Director of the Real Property Tax Services Department is hereby directed to deliver such school district tax rolls and warrants to such tax collecting officials to be acted upon in accordance with applicable law; and be it further

RESOLVED, that each and every act of the Director for the Real Property Tax Services Department in connection with the foregoing is hereby ratified and confirmed; and be it further

RESOLVED, The Clerk of the Legislature is hereby directed to cause such non-city school district budgets, tax rates and resolutions to be printed in the journal of the proceedings of the Legislature; and be it further

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

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-28	COUNTY EXECUTIVE	Authorization to Enter into a Professional Services Agreement with Corporate Business Solutions for the SAP General Ledger Upgrade
--------------	------------------	---

Attachments

25COMM. 13E-28



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Authorization to Enter into a Professional Services Agreement with Corporate Business Solutions for the SAP General Ledger Upgrade

Dear Honorable Members:

Please find enclosed a resolution from the Department of Information and Support Services seeking legislative authorization to enter into a professional services agreement between Corporate Business Solutions and Erie County for the upgrade of the SAP General Ledger.

Should your Honorable Body require further information, please contact Chief Information Officer Michael Breeden. Thank you in advance for your consideration.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/MB
Enclosure

cc: Michael Breeden, CIO

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Information and Support Services
Re: Authorization to Enter into a Professional Services Agreement with Corporate Business Solutions for the SAP General Ledger Upgrade
Date: July 2, 2025

SUMMARY

Legislative authorization is requested to approve the professional services agreement between Corporate Business Solutions (CBS) and Erie County for the upgrade of the SAP General Ledger.

FISCAL IMPLICATIONS

\$650,000 for the upgrade and conversion of the General Ledger. Funds are available in Fund 410, Funds Center 105, Capital Project A.25006 – SAP Upgrade Project.

REASONS FOR RECOMMENDATION

The Department of Information and Support Services (DISS) must upgrade the SAP enterprise resource planning system to the newest version as SAP is ending support on the version the County is running. The current version is over 20 years old. The upgrade of the General Ledger is the first step in this upgrade process. A request for Proposals was issued and a review committee determined that CBS was the preferred contractor to work with the County to conduct the upgrade.

CONSEQUENCES OF NEGATIVE ACTION

It is recommended that the County upgrade the General Ledger before moving to the new S.4 HANA version of SAP.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, CBS will be retained via a contract, and they will work with DISS, , the Comptroller's Office, and Division of Budget and Management to upgrade, convert and test the new General Ledger in SAP.

COMPTROLLER'S OFFICE REVIEW

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

This will be a cash advance against the 2025 bond sale.
Timothy C. Callan 6/17/25

TIMOTHY C. CALLAN
Deputy Comptroller
Comptroller's Office

Fund 410, Fund Center 105, A.25006

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF INFORMATION AND SUPPORT SERVICES

Re: Authorization to Accept Professional Service contract

WHEREAS, the Erie County Department of Information and Support Services (DISS) is responsible for the delivery of a comprehensive range of Information Technology and Record Management services for Erie County; and

WHEREAS, DISS recommends that the County upgrade the SAP enterprise resource planning software as the current version the County is running is no longer supported; and

WHEREAS, in advance of the upgrade of to the new SAP S.4 HANA version, it is necessary to upgrade the SAP General Ledger; and

WHEREAS, the Department of Information and Support Services issued a Request for Proposals (RFP #2025-027VF) and a review committee consisting of representatives from DISS, the Division of Budget and Management and the Comptroller's Office recommended that the County hire Corporate Business Solutions to conduct the General Ledger upgrade.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with Corporate Business Solutions for the SAP General Ledger upgrade project in an amount not to exceed \$650,000; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist in Fund 410, Funds Center 105, Capital Project A.25006 – SAP Upgrade Project; and be it further

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

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>Corporate Business Solutions</u> |
| 2. AMOUNT OF CONTRACT | <u>Not to exceed \$650,000</u> |
| 3. PROJECT NUMBER | <u>A.25006</u> |
| 4. PROJECT TITLE | <u>SAP Upgrade Project</u> |
| 5. DEPARTMENT CONTACT | <u>Michael Breeden, DISS</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--|
| 6. AVAILABILITY OF FUNDS | <u>\$2,000,000.00</u> |
| 7. PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | <u>June 16, 2025</u> |

{55 compt_10}

Round 1 Scoring

	CBS Corporate Business Solutions	Phoenix Business Consulting	Consultadd Inc.	Revelation Technologies	Savantis	2i Solutions / Brilasoft
Reviewer 1	55	63	53	47	49	45
Reviewer 2	88	94	87	57	69	75
Reviewer 3	75	83	62	48	48	50
Reviewer 4	82	94	76	58	56	77
Reviewer 5	76	81	63	46	55	51
Total	376	415	341	256	277	298
Average	62.7	69.2	56.8	42.7	46.2	49.7

Round 2 Scoring

	CBS Corporate Business Solutions	Phoenix Business Consulting	Consultadd Inc.	Natuvion
Reviewer 1	75	61	53	55
Reviewer 2	93	82	75	71
Reviewer 3	83	83	62	63
Reviewer 4	89	89	74	65
Reviewer 5	87	79	61	63
Total	427	394	325	317
Average	71.2	65.7	54.2	52.8

Division of Support Services

Recommendation for RFP 2025-027VF

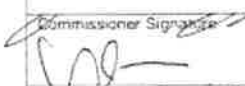
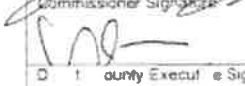

Date: 06/09/2025

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 as 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	RANKING by Vote
Corporate Business Solutions	427	1st	\$2,000,000	\$650,000	\$650,000	1

It is recommended that Corporate Business Solutions be funded as outlined above for Erie County in 2025. Supporting documentation is included in this packet.

The Division of Support Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Signature	Printed Name	Date
	Joseph Ippolito	6/16/25
Commissioner Signature	Printed Name	Date
	Michael Breeden	6/16/25
County Executive Sign	Printed Name	Date
	Lisa Chinera	6/18/25

Once reviewed and approved, please return for processing. Thank you.

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-29

COUNTY EXECUTIVE

Indigent Legal Services - 4th Upstate Quality
Improvement and Caseload Reduction

Attachments

25COMM. 13E-29



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

Re: Indigent Legal Services – 4th Upstate Quality Improvement and Caseload Reduction

Dear Honorable Members:

The attached resolution requests authorization to enter into a contract with the New York State Office of Indigent Legal Services to accept grant funding for a three-year period in the amount of \$300,000. The resolution also requests authorization to establish a grant budget for the same amount. Funds will be used to help improve the quality of representation to indigent defendants and reduce caseloads through the efforts of the Legal Aid Bureau of Buffalo, Inc.

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Office of the County Attorney
RE: Indigent Legal Services – 4th Upstate Quality Improvement and Caseload Reduction
Date: July 2, 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 accept grant funding in the amount of \$300,000. In addition, the resolution requests authorization to establish a grant budget in the amount of \$300,000 and to subcontract with the Legal Aid Bureau of Buffalo, Inc. to deliver the services required through the grant.

FISCAL IMPLICATIONS

There are no fiscal implications on the operating budget. All services will be fully reimbursed through New York State in the amount of \$300,000.

REASONS FOR RECOMMENDATION

Legislative approval is required for the County Executive to enter into contract, establish grant budgets and enter into subcontracts with community agencies.

BACKGROUND INFORMATION

The New York State Office of Indigent Legal Services has made \$300,000 available to Erie County to improve the quality of representation to indigent defendants and reduce caseloads in indigent legal service provider programs. Erie County will improve the quality of representation to indigent defendants and reduce caseloads through the efforts of the Legal Aid Bureau of Buffalo, Inc., which contracts with Erie County to provide all mandated indigent defense services. This agency is one of two agencies that have provided said services for the County under contract for many years.

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 – 4th Upstate Quality Improvement and Caseload Reduction

WHEREAS, the New York State Office of Indigent Legal Services will provide a three-year grant totaling \$300,000 to the County to improve the quality of representation to indigent defendants and reduce caseloads in indigent legal service provider programs; and

WHEREAS, Erie County will contract with the Legal Aid Bureau of Buffalo, Inc. 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 enter into contract with the NYS Office of Indigent Legal Services in the amount of \$300,000 to be made available as a multi-year grant to the Department of Law (Fund 281, Funds Center 16010) as follows:

Erie County Department of Law
Fourth Upstate Quality Improvement and Caseload Reduction Grant
160CR4ILSF2326
July 1, 2023 to June 30, 2026

REVENUES	BUDGET
409000 State Aid Revenues	<u>\$300,000</u>
TOTAL	<u>\$300,000</u>
 APPROPRIATIONS	 BUDGET
516601 Legal Aid Bureau of Buffalo	<u>\$300,000</u>
TOTAL	<u>\$300,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a three-year subcontract with the Legal Aid Bureau of Buffalo, Inc. to deliver said services from July, 1 2023 to June 30, 2026; 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 to amend contracts as necessary to implement any no-cost extensions 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, Department of Law, and Division of Budget and Management.

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-30

COMPTROLLER

Sales & Compensating Use Tax Report -
March, April, and May 2025

25COMM. 13E-30

Attachments



EC LEG JUN 26 '25 AM 10:17

ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

June 25, 2025

Legislature
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Dear Honorable Legislature:

The enclosed report details the apportionment and distribution of net collections from the local four and three quarter percent (4.75%) Sales and Compensating Use Tax (Sales Tax) for Erie County for the months of March, April, and May 2025 as received from the State of New York by the Buffalo Fiscal Stability Authority (BFSA) and from the State by the Erie County Fiscal Stability Authority.

Total tax received and available for distribution:

	<u>ALLOCATION</u>	<u>REVENUE</u>
Total Tax Received		\$266,043,000.27
Less BFSA Intercept for Buffalo		-42,584,909.92
County of Erie	\$157,337,930.25	
School Districts	33,668,104.54	
Cities	1,882,168.62	
Cities, Towns & Villages	30,569,886.94	
Net	<u>\$223,458,090.35</u>	<u>\$223,458,090.35</u>

In addition to sales tax collected by New York State for April 2025 and prior months, this distribution contains the Electronic Funds Transfer (EFT) for the first 22 days of May 2025.

Very truly yours,

Kevin R. Hardwick
Erie County Comptroller

KRH/sd
Enc.

CASH BASIS

ASIS

2nd Quarter			
Sales Tax 2025			
	April-June	April-June Advanced by NYS to Buffalo	April-June
Sales Tax Received - EFT	124,707,305.75	19,961,620.40	104,745,685.35
Sales Tax Received - Non EFT	43,946,958.68	7,034,491.70	36,912,466.98
Sales Tax Received - Non EFT	97,388,735.84	15,588,797.82	81,799,938.02
Total Sales Tax Received for Month	<u>\$266,043,000.27</u>	<u>\$42,584,909.92</u>	<u>\$223,458,090.35</u>
Allocations			
County of Erie .25% Assessment	14,001,755.12		14,001,755.12
County of Erie .5% Assessment	28,003,510.23		28,003,510.23
County of Erie 1% Assessment	56,009,432.65		56,009,432.65
County of Erie	59,323,232.25		59,323,232.25
School Districts	48,728,207.66	15,060,103.12	33,668,104.54
Cities	16,817,448.68	14,935,280.06	1,882,168.62
Cities, Towns & Villages	43,159,413.67	12,589,526.74	30,569,886.93
Total Allocations	<u>\$266,043,000.26</u>	<u>\$42,584,909.92</u>	<u>\$223,458,090.34</u>
County Distribution - 2025			
County of Erie .25% Assessment	14,001,755.12		14,001,755.12
County of Erie .5% Assessment	28,003,510.23		28,003,510.23
County of Erie 1% Assessment	56,009,432.65		56,009,432.65
County of Erie	59,323,232.25		59,323,232.25
Total County	<u>\$157,337,930.25</u>		<u>\$157,337,930.25</u>
School Distribution - 2025			
	April-June	April-June Advanced by NYS to Buffalo	April-June
34,351.73 City of Buffalo Public Schools	15,060,103.12	15,060,103.12	0.00
2,299.42 City of Lackawanna S.D.	1,008,086.13		1,008,086.13
1,628.48 City of Tonawanda School	713,940.07		713,940.07
834.29 Akron Central School Dist.	365,760.12		365,760.12
1,415.32 Alden Central School Dist.	620,488.83		620,488.83
2,929.69 Amherst Central School Dist.	1,284,402.08		1,284,402.08
2,216.54 Cheektowaga Central S.D.	971,750.79		971,750.79
2,083.18 Cheektowaga-Maryvale U.F.S.D.	913,284.59		913,284.59
1,213.30 Cheektowaga-Sloan U.F.S.D.	531,921.49		531,921.49
4,092.57 Clarence Central School Dist.	1,794,218.98		1,794,218.98
1,296.95 Cleveland Hill U.F.S.D.	568,594.40		568,594.40

1,745.55	Depew U.F.S.D.	765,264.61	765,264.61
1,653.10	East Aurora U.F.S.D.	724,733.70	724,733.70
1,217.89	Eden Central School Dist.	533,933.77	533,933.77
4,319.80	Frontier Central School Dist.	1,893,838.61	1,893,838.61
611.02	Gowanda Central School Dist.	267,876.59	267,876.59
2,735.44	Grand Island School Dist.	1,199,241.16	1,199,241.16
2,921.46	Hamburg Central School Dist.	1,280,793.98	1,280,793.98
616.68	Holland Central School Dist.	270,357.98	270,357.98
2,063.66	Iroquois Central School Dist.	904,726.84	904,726.84
6,505.01	Kenmore/Tonawanda U.F.S.D.	2,851,854.08	2,851,854.08
1,841.27	Evans-Brant Central School Dist.	807,229.10	807,229.10
5,263.92	Lancaster Central School Dist.	2,307,749.21	2,307,749.21
576.70	North Collins Central S.D.	252,830.40	252,830.40
4,631.68	Orchard Park Central S.D.	2,030,569.59	2,030,569.59
1,457.49	Springville-Griffith Institution	638,976.55	638,976.55
3,367.06	Sweethome C.S.D. of Amherst/Ton.	1,476,148.98	1,476,148.98
5,773.71	West Seneca Central School Dist.	2,531,245.68	2,531,245.68
9,302.37	Williamsville Central School	4,078,241.53	4,078,241.53
182.58	Yorkshire-Pioneer Central	80,044.70	80,044.70
Total School		\$48,728,207.66	\$33,668,104.54

City Distribution - 2025		April-June	April-June Advanced by NYS to Buffalo	April-June
278,349	Buffalo (City)	\$ 14,935,280.06	\$ 14,935,280.06	\$ -
	Buffalo (City\Town\Village)	\$ 12,589,526.74	\$ 12,589,526.74	\$ -
Total Buffalo		\$27,524,806.80	\$27,524,806.80	\$0.00
19,949	Lackawanna (City)	\$ 1,070,396.88		\$ 1,070,396.88
	Lackawanna (City\Town\Village)	902,279.04		\$ 902,279.04
Total Lackawanna		\$1,972,675.92		\$1,972,675.92
15,129	Tonawanda (City)	\$ 811,771.74		\$ 811,771.74
	Tonawanda (City\Town\Village)	\$ 684,273.89		\$ 684,273.89
Total Tonawanda		\$1,496,045.63		\$1,496,045.63
Total City		\$16,817,448.68	\$14,935,280.06	\$1,882,168.62
Total City\Town\Village		14,176,079.67	12,589,526.74	1,586,552.93
Total Distribution for Cities		\$30,993,528.35	\$27,524,806.80	\$3,468,721.55

Towns and Villages Distribution - 2025			April-June Advanced by NYS to Buffalo	
Population			April-June	April-June
Town of:				
9,706	Alden		333,032.88	333,032.88
129,595	Amherst		5,588,515.76	5,588,515.76
13,943	Aurora		394,265.69	394,265.69
7,948	Boston		359,482.37	359,482.37
4,067	Brant		165,582.96	165,582.96
89,877	Cheektowaga		3,516,736.67	3,516,736.67
32,950	Clarence		1,490,304.99	1,490,304.99
3,121	Colden		141,160.60	141,160.60
5,894	Collins		227,646.87	227,646.87
8,316	Concord		230,725.99	230,725.99
7,573	Eden		342,521.39	342,521.39
11,721	Elma		530,132.47	530,132.47
15,308	Evans		629,368.94	629,368.94
21,389	Grand Island		967,409.22	967,409.22
60,085	Hamburg		2,239,609.73	2,239,609.73
3,281	Holland		148,397.28	148,397.28
45,106	Lancaster		1,524,182.41	1,524,182.41
5,189	Marilla		234,694.78	234,694.78
8,689	Newstead		305,311.22	305,311.22
3,504	North Collins		123,528.86	123,528.86
29,686	Orchard Park		1,223,882.08	1,223,882.08
2,716	Sardinia		122,842.74	122,842.74
72,636	Tonawanda		2,755,952.28	2,755,952.28
3,009	Wales		136,094.91	136,094.91
45,500	West Seneca		2,057,932.55	2,057,932.55
640,809	Total Towns		\$25,789,315.64	\$25,789,315.64
Village of:				
0.241375129	Alden		105,962.58	105,962.58
0.046570697	Williamsville (Amherst)		272,973.65	272,973.65
0.374808568	East Aurora		236,366.25	236,366.25
0.099835813	Farnham		18,364.55	18,364.55
0.106932341	Depew (Cheektowaga)		434,687.73	434,687.73
0.027571633	Sloan		112,080.68	112,080.68
0.00038561	Williamsville (Cheektowaga)		1,567.54	1,567.54
0.146051237	Gowanda		38,934.55	38,934.55
0.386573854	Springville		145,400.77	145,400.77
0.090993214	Angola		63,000.97	63,000.97
0.029274257	Blasdell		79,555.76	79,555.76
0.146613163	Hamburg		398,436.19	398,436.19

0.09640724	Depew (Lancaster)	196,681.58	196,681.58
0.156485614	Lancaster	319,248.23	319,248.23
0.223121297	Akron	87,686.05	87,686.05
0.220556579	North Collins	34,954.57	34,954.57
0.088475901	Orchard Park	118,794.53	118,794.53
0.161119619	Kenmore	529,322.19	529,322.19
Total Village		\$3,194,018.37	\$3,194,018.37
Grand Total Towns and Villages		\$28,983,334.01	\$28,983,334.01

Recapitulation		April-June	April-June Advanced by NYS to Buffalo	April-June
County of Erie		\$157,337,930.25		157,337,930.25
School Districts		48,728,207.66	15,060,103.12	33,668,104.54
Cities		16,817,448.68	14,935,280.06	1,882,168.62
Cities (Towns and Villages)		14,176,079.67	12,589,526.74	1,586,552.93
Towns		25,789,315.64		25,789,315.64
Villages		3,194,018.37		3,194,018.37
Total Sales Tax Distribution		\$266,043,000.27	\$42,584,909.92	\$223,458,090.35

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



KEVIN R. HARDWICK
Erie County Comptroller

Erie County Legislature
Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-31	COMPTROLLER	Department of Law Risk Retention Fund Spending - May 2025
--------------	-------------	--

		Attachments
25	COMM. 13E-31	



EC LEG JUN 27 25 13:40

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

June 27, 2025

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

Re: Department of Law Risk Retention Fund Spending – May 2025

Dear Honorable Members:

Pursuant to Resolution Intro. 3-2 (2016), as amended, please find attached an accounting of expenses from the County's Risk Retention Fund for May 2025.

Sincerely,

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

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

Attachment

County of Erie
Law Department Spending
Risk Retention
May, 2025

Run Date: 6/25/2025

<u>Vendor Number</u>	<u>Vendor Name</u>	<u>Expenditures</u>
103442	Hodgson Russ	2,763.00
104457	LAWLEY SERVICE INSURANCE GROUP	17,307.00
108120	Walsh Roberts & Grace	2,295.00
116145	HURWITZ & FINE PC	97.65
118314	JEREMY C TOTH AS CUSTODIAN	10,359.57
120447	LIPPES MATHIAS WEXLER FRIEDMAN LLP	632,873.21
143279	BENGART & DEMARCO LLP	5,345.50
143544	THOMAS E WEBB JR ESQ	3,960.00
148572	ALISA LUKASIEWICZ, PLLC	5,165.50
6	Lancaster Central School District	33,858.78
		<u>714,025.21</u>

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13E-32

COUNTY CLERK

Notice of Property for 2025 In Rem
Foreclosure Proceeding

Attachments

25COMM. 13E-32



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

June 25, 2025

Scott A. Bylewski, Esq.
Director of Real Property Tax Services
95 Franklin Street - Room 100
Buffalo, New York 14202
<Via Email: scott.bylewski@erie.gov>

Re: Notice of Property for 2025 In Rem Foreclosure Proceeding

Dear Mr. Bylewski:

I write to bring to your attention a vacant property that has been a blight on the community for close to six years: 359 Riley Street, Buffalo, New York 14208.

As part of the Erie County Clerk's Office Zombies Initiative and partnership with the Western New York Law Center, we learned that 359 Riley has had numerous Code Violations since it was purchased in 2020 by "359 Riley St Partners LLC", based out of Nassau County. The Zombies Initiative has received multiple complaints regarding this property from the community.

Pursuant to the data received from the Clerk's Office's most recent FOIL request to the Department of Real Property Tax Services ("DRPTS") in June 2025, we learned that 359 Riley is tax delinquent and has been since 2020, in the amount of approximately \$1,310.64.

Concerningly, this property has not yet been foreclosed upon or sent to auction. According to the attached foreclosure policy received from DRPTS via FOIL request in March 2025, the "In Rem provisions" of Article 11 of the Erie County Tax Act provide for "In Rem foreclosure upon any tax lien certificate that has been due and outstanding for a period of 2 years."

Furthermore, the FOIL response from DRPTS indicates that "a threshold amount of \$3,850 due in arrears" is used to determine which properties are included in In Rem foreclosure proceedings.

While the back taxes owed by the owner of 359 Riley is not at the \$3,850 threshold amount, I strongly urge DRPTS to consider including this property in the 2025 In Rem foreclosure proceedings for the good of the community.

Scott A. Bylewski, Esq.

June 25, 2025

Page 2

Going forward, the Clerk's Office will continue to alert DRPTS and the Erie County Legislature of other vacant and abandoned properties that have been allowed to languish due to the County's current foreclosure policy.

Very truly yours,



MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

Cc: Erie County Legislature (via filing)



County of Erie

MARK C. POLONCARZ
COUNTY EXECUTIVE

DEPARTMENT OF REAL PROPERTY TAX SERVICES

SCOTT A. BYLEWSKI
DIRECTOR REAL PROPERTY
Email: Scott.Bylewski@erie.gov
Office 716-858-2715 - Fax 716-858-6440

February 2, 2023

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

RE: In Rem Process

Dear Honorable Members:

This correspondence sets forth the policy of selecting properties subject to the In Rem proceedings.

The objective of the In Rem proceeding is twofold: to collect revenue due to the County and return parcels to the active tax rolls. The County of Erie's Department of Real Property Tax Services (DRPTS) works with eligible residents to enter into payment plans whenever possible. The goal is not to remove residents from their homes.

The County's In Rem foreclosure is governed by Article 11 of the Erie County Tax Act ("ECTA") described as the "In Rem provisions", which provides for In Rem foreclosure upon any tax lien certificate that has been due and outstanding for a period of 2 years. To successfully foreclose upon a subject tax lien certificate, the County is required to meet each of the notice requirements as set forth in the In Rem provisions.

Looking at the most recent numbers available, there were 373,363 parcels in the County as of December 31, 2021.¹ As of January 2023, 10,415 of these parcels are eligible for foreclosure in that they have tax lien certificates that have been due and outstanding for the required 2-year period.

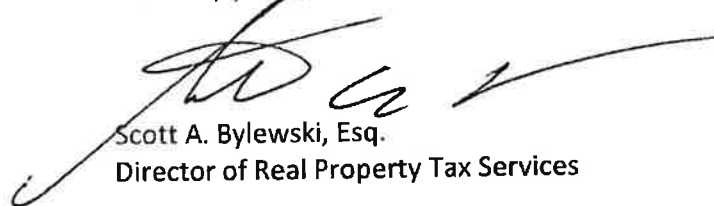
From the list of parcels with tax lien certificates eligible for foreclosure, DRPTS removes parcels that are currently the subject of other In Rem foreclosure proceedings, have been redeemed, or involve any legal or environmental impediments to sale (e.g., parcels that are brownfields, land locked, or otherwise in need of remediation or undesirably situated). As of January 2023, the list was reduced to 5,026 parcels in this regard.

Finally, due to budgetary constraints, a total of 1600 out of the aforesaid 5,026 parcels are selected to be subject to the 2023 In Rem foreclosure proceeding. DRPTS used a threshold amount of \$3,850 due in arrears to arrive at the list of 1600 parcels. Please note that typically, the threshold amount due for inclusion in the In Rem will not be lower than the legal expense incurred to foreclose upon and auction any given parcel.

Enclosed please find a graphic illustrating the aforesaid.

Please contact me should your Honorable Body require further information.

Sincerely yours,



Scott A. Bylewski, Esq.
Director of Real Property Tax Services

SAB
Enclosure

¹ At the time of writing, parcel / deed transactions from the 2022 calendar year are still being processed. The total number of parcels in Erie County as of 12/31/22 will be available after the tentative roll date for each municipality, which for most in Erie County, is May 1, 2023.

IN REM SELECTION

01

01

PARCELS IN ERIE COUNTY (AS OF
12/2021) - 373,363

02

PARCELS WITH TAX LIEN CERTIFICATES
THAT HAVE BEEN DUE AND OUTSTANDING
FOR THE REQUIRED 2-YEAR PERIOD (AS
OF 1/2023) - 10,415

03

PARCELS THAT DO NOT HAVE
EXISTING/PENDING IN REM FORECLOSURE,
REDEMPTIONS, OR LEGAL/ENVIRONMENTAL
IMPEDIMENTS TO SALE- 5,026

02

03

04

04

PARCELS THAT OWE MORE THAN \$3,850 IN
ARREARS - 1,600

Erie County Legislature

Meeting Date: 07/10/2025

SUBJECT

COMM. 13D-1

PRINCIPAL PLANNER
GATTI

SEQR for EC Agricultural & Farmland
Protection Plan Update

Attachments

25COMM. 13D-1

**STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS, TYPE I ACTION**

Pursuant to Part 617 of the implementing regulations pertaining to Article 8,
(State Environmental Quality Review Act) of the Environmental Conservation Law.

DATE: July 1, 2025

TO: Potential Interested or Involved Agencies

NAME OF ACTION: Erie County Agricultural and Farmland Protection Plan Update

ACTION DESCRIPTION: The Erie County Agricultural and Farmland Protection Plan Update (hereafter "the Plan") is an update of the 2012 Plan and addresses changes which have occurred during the last 13 years. The Plan primarily focuses on farmland resources; farm viability; an integrated agricultural economy; water resources, climate resiliency, and environmental protection; public appreciation of agriculture; and urban agriculture.

The Plan, developed through extensive public outreach, assesses the current state of the Erie County agricultural sector and provides recommendations to improve Erie County agriculture through a variety of recommendations. The updated Plan will include but is not limited to the following:

1. Inventory of agricultural land.
2. Analysis of agriculture and development pressure in the County.
3. Identification of land for protection.
4. Connecting rural and urban farmers with new markets.
5. Improving the financial viability of agriculture.
6. Development of recommended actions to support farms and protect farmland.

LOCATION: Erie County, New York

Erie County acting through the Department of Environment and Planning (DEP) is processing this as a Type I Action for the purpose of SEQR. Erie County wishes to declare Lead Agency Status and conduct a Coordinated Review of the Erie County Agricultural and Farmland Protection Plan. See attached description and supporting documentation.

Please notify the below contact within thirty (30) days, by July 31, 2025, if your agency objects to Erie County acting as Lead Agency. If no objections are expressed, Erie County will assume lead agency status for this action and will make a determination of significance. Please return the attached response letter by email to sarah.gatti@erie.gov or by mail to:

Sarah Gatti, Principal Planner
Erie County Department of Environment and Planning
95 Franklin Street, 10th Floor
Buffalo NY 14202

SEQR REFERRAL RESPONSE

Project Name: Erie County Agricultural and Farmland Protection Plan Update

Location: Erie County

Lead Agency

- ☐ Agency **does not object** to Erie County acting as Lead Agency
- ☐ Agency objects to Erie County acting as Lead Agency. If checked, identify the preferred Lead Agency: _____.

Comments

Agency: _____

Responsible Official: _____

Title: _____

Signature: _____ Date: _____

Please return by mail no later than **July 31, 2025** to:

Sarah Gatti, Principal Planner
Erie County Department of Environment and Planning
95 Franklin Street, 10th Floor
Buffalo NY 14202

Or email to sarah.gatti@erie.gov

This Solicitation for Lead Agency Status has been provided to the following potential Interested or Involved Agencies:

Village of Akron
Hon. Brian T. Perry, Mayor
21 Main Street,
Akron, NY 14001

Town of Alden
Hon. Colleen M. Pautler, Supervisor
3311 Wende Road,
Alden, NY 14004

Village of Alden
Hon. Michael Retzlaff, Mayor
13336 Broadway,
Alden, NY 14004

Town of Amherst
Hon. Brian J. Kulpa, Supervisor
5583 Main Street,
Williamsville, NY 14221

Village of Angola
Hon. Thomas M. Whelan, Mayor
41 Commercial Street,
Angola, NY 14006

Town of Aurora
Hon. Charles D. Snyder, Supervisor
300 Gleed Avenue,
East Aurora, NY 14052

Village of Blasdell
Hon. Robert C. Hefner Jr., Mayor
121 Miriam Avenue,
Blasdell, NY 14219

Town of Boston
Hon. Jason A. Keding, Supervisor
8500 Boston State Road,
Boston, NY 14025

Town of Brant
Hon. Mark J. DeCarlo, Supervisor
1272 Brant North Collins Road,
Brant, NY 14027

City of Buffalo
Hon. Christopher P. Scanlon, Mayor
201 City Hall,
Buffalo, NY 14202

Town of Grand Island
Hon. Peter J. Marston Jr., Supervisor
2255 Baseline Road,
Grand Island, NY 14072

Town of Hamburg
Hon. Catherine A. Rybczynski, Supervisor
6100 South Park Avenue,
Hamburg, NY 14075

Village of Hamburg
Hon. Thomas P. Tallman, Mayor
100 Main Street,
Hamburg, NY 14075

Town of Holland
Hon. Geoffrey W. Hack, Supervisor
47 Pearl Street,
Holland, NY 14080

Village of Kenmore
Hon. Patrick Mang, Mayor
2919 Delaware Avenue,
Kenmore, NY 14217

City of Lackawanna
Hon. Annette Iafallo, Mayor
714 Ridge Road,
Lackawanna, NY 14218

Town of Lancaster
Hon. Robert E. Leary, Supervisor
21 Central Avenue,
Lancaster, NY 14086

Village of Lancaster
Hon. William Schroeder, Mayor
5423 Broadway,
Lancaster, NY 14086

Town of Marilla
Hon. Earl A. Gingerich Jr., Supervisor
1740 Two Rod Road,
Marilla, NY 14102

Town of Newstead
Hon. Dawn Izydorczak, Supervisor
PO Box 227,
Akron, NY 14001

Town of Cheektowaga
Hon. Brian M. Nowak, Supervisor
3301 Broadway,
Cheektowaga, NY 14227

Town of Clarence
Hon. Patrick Casilio, Supervisor
One Town Place,
Clarence, NY 14031

Town of Colden
Hon. James P. DePasquale, Supervisor
PO Box 335,
Colden, NY 14033

Town of Collins
Hon. Kenneth E. Martin, Supervisor
PO Box 420,
Collins, NY 14034

Town of Concord
Hon. Philip Drozd, Supervisor
PO Box 368,
Springville, NY 14141

Village of Depew
Hon. Kevin J. Peterson, Mayor
85 Manitou Street,
Depew, NY 14043

Village of East Aurora
Hon. Peter M. Mercurio, Mayor
571 Main Street,
East Aurora, NY 14052

Town of Eden
Hon. Richard S. Ventry, Supervisor
2795 East Church Street,
Eden, NY 14057

Town of Elma
Hon. Wayne A. Clark, Supervisor
1600 Bowen Road,
Elma, NY 14059

Town of Evans
Hon. Raymond J. Ashton, Supervisor
8787 Erie Road,
Angola, NY 14006

Village of Farnham
Hon. Jere Hoisington, Mayor
PO Box A16,
Farnham, NY 14061

Town of North Collins
Hon. John M. Tobia, Supervisor
PO Box 640,
North Collins, NY 14111

Village of North Collins
Hon. Vincent D. George, Mayor
PO Box 459,
North Collins, NY 14111

Town of Orchard Park
Hon. Eugene L. Majchrzak, Supervisor
4295 South Buffalo Street,
Orchard Park, NY 14127

Village of Orchard Park
Hon. Jo Ann Litwin Clinton, Mayor
4295 S. Buffalo Road,
Orchard Park, NY 14127

Town of Sardinia
Hon. Beverly A. Gambino, Supervisor
12320 Savage Road,
Sardinia, NY 14131

Village of Sloan
Hon. Thomas Ferrucci, Mayor
425 Reiman Street,
Sloan, NY 14212

Village of Springville
Hon. Timothy P. Michaels, Mayor
PO Box 17,
Springville, NY 14141

City of Tonawanda,
Hon. John L. White, Mayor
200 Niagara Street,
Tonawanda, NY 14150

Town of Tonawanda
Hon. Joseph H. Emminger, Supervisor
2919 Delaware Avenue #14,
Buffalo, NY 14217

Town of Wales
Hon. Timothy B. Howard, Supervisor
12345 Big Tree Road,
Wales Center, NY 14169

Town of West Seneca
Hon. Gary A. Dickson, Supervisor
1250 Union Road,
West Seneca, NY 14224

Village of Gowanda
Hon. David Smith, Mayor
27 East Main Street,
Gowanda, NY 14070

NYS Department of State- Coastal
Resources/LWRP Unit
99 Washington Ave, Suite 1010,
1 Commerce Plaza, Albany, NY 12231

Village of Williamsville
Hon. Christine L. Hunt, Mayor
5565 Main Street,
Williamsville, NY 14221

Erie County Legislature
Olivia Owens, Clerk of the Legislature
92 Franklin Street - 4th Floor,
Buffalo, NY 14202

U.S. Army Corps of Engineers, Buffalo District
Shannon Azzarelli, Regulatory Branch
478 Main Street
Buffalo, NY 14202

NYS Office of Parks, Recreation and Historic
Preservation, Niagara Region Daniel McEneny,
Director - Division of Historic Preservation
Deveaux Woods Park,
3160 Deveaux Woods Drive,
Niagara Falls, NY 14305

NYS Department of Environmental
Conservation, Region 9 Lisa Porter
Czechowicz, Regional Permit
Administrator
270 Michigan Avenue,
Buffalo, NY 14203

NYS Department of Transportation, Region 5
Francis P. Cirillo, Regional Director
100 Seneca Street,
Buffalo, NY 14203

Exhibits:

- Exhibit A, SEQR FEF
 - Attached to email
- [Exhibit B. Draft Plan](#)
 - <https://www3.erie.gov/agriculture/document-library>

EXHIBIT A
SEQR FEAF

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Erie County Agricultural and Farmland Protection Plan Update		
Project Location (describe, and attach a general location map): Erie County		
Brief Description of Proposed Action (include purpose or need): Erie County Legislature intends to accept the Erie County Agricultural & Farmland Protection Plan, which updates the 2012 Plan. The Plan includes policies and recommended actions to 1) Keep high quality farmland in agricultural production, 2) Maintain and enhance the economic viability of Erie County farms, 3) Support agricultural economic development countywide, 4) Protect water and environmental quality and ensure climate resilience relating to agriculture, 5) Increase public appreciation of farming and support for agriculture and related businesses among local decision-makers, and 6) Expand opportunities for urban agriculture, including commercial growers, community and school gardens, and home gardening. The Plan identifies priority areas for farmland protection and reference material to support farmland protection initiatives undertaken by Erie County, municipalities and its partners.		
Name of Applicant/Sponsor: County of Erie		Telephone: 716-858-8008 E-Mail: mark.rountree@erie.gov
Address: 95 Franklin Street		
City/PO: Buffalo	State: NY	Zip Code: 14202
Project Contact (if not same as sponsor; give name and title/role):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Erie County Legislature - Acceptance of Plan	October 2025 (projected)
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	NYS Commissioner of Agriculture - Approval of Plan	November 2025 (projected)
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

Municipalities with adopted farmland protection plans include the Towns of Amherst, Clarence, Colden, Eden, Grand Island, North Collins, Marilla, and Wales

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? <u>Not applicable - the action is not site-specific.</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? <u>Not applicable.</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? <u>School Districts throughout Erie County.</u>	
b. What police or other public protection forces serve the project site? <u>Not applicable. Action is not site-specific.</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Not applicable, as proposed Action is not site-specific. Fire Districts and Fire Companies throughout Erie County.</u>	
d. What parks serve the project site? <u>Not applicable. Action is not site-specific.</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>The proposed action is the acceptance of the updated Erie County Agricultural and Farmland Protection Plan. There is no site-specific action.</u>	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? _____ iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ 	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project? <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>		
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>_____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: _____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action Note: The proposed action is the acceptance of the updated Erie County Agricultural and Farmland Protection Plan. There is no site-specific action.

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
- ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p>
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div style="width: 45%;"> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p>

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>
<p>E.3. Designated Public Resources On or Near Project Site</p>
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ 	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ 	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. 	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No 	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name County of Erie Date June 27, 2025

Signature  Title Chief Planner

PRINT FORM