THE ERIE COUNTY LEGISLATURE

Session No. 16
SEPTEMBER 11, 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. Todaro

PLEDGE OF ALLEGIANCE: Mr. Dupre

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING: Meeting No. 14 & Meeting No. 15

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

LEGISLATURE	Proclaiming September 14 to 20, 2025, as Sheriffs' Week in Erie County
MAJORITY CAUCUS	Acknowledging and Recognizing National Literacy Month
MAJORITY CAUCUS	Acknowledging and Recognizing National Suicide Prevention Week
MAJORITY CAUCUS	Acknowledging and Recognizing National Childhood Cancer Month in September
MAJORITY CAUCUS	Celebrating and Honoring the 50th Anniversary of Elmwood Tacos and Subs (ETS)
MAJORITY CAUCUS	Acknowledging and Honoring National Senior Citizens Day
DUPRE	Recognizing African American Veterans Day of Honor
DUPRE	Celebrating and Honoring Ukrainian American Day
DUPRE	Congratulating and Recognizing Brinton McClain on Attaining the Rank of Eagle Scout

DUPRE	Recognizing the Third Annual Community Day - Away Out Queens in Training
DUPRE	Congratulating and Recognizing Shanoda Williams on Writing Her Book: A Poetic Experience
DUPRE	Recognizing the First Annual Kaden J. Sickle Cell Foundation, Inc. Community Day
DUPRE	In Recognition of The "Mobility Matters" Youth Podcast Program - Part of Clean Mobility Buffalo
DUPRE & ST. JEAN TARD	Honoring National Minority Donor Awareness Day
DUPRE & ST. JEAN TARD	Honoring National Black Business Month (August 2025)
ST. JEAN TARD	Honoring National Hispanic Heritage Month
ST. JEAN TARD	Honoring PhatCatz of WNY during National Black Business Month
ST. JEAN TARD	Recognizing National Diaper Need Awareness Week
ST. JEAN TARD	Honoring Manna Culinary Group during National Black Business Month
ST. JEAN TARD	Honoring Salud Market during National Black Business Month
ST. JEAN TARD	Honoring Roseland Atlas Restaurant during National Black Business Month
ST. JEAN TARD & VINAL	Honoring Women's Equality Day
VINAL	Recognizing the Official Ribbon Cutting of Flynnstoned Cannabis Company Buffalo
VINAL	Recognizing Millie Schaefer -- Williamsville South Flag Football All-Western New York Flag Football First Team Defense
GREENE	Honoring Amherst Police Captain Tracy Martin In Recognition of Her Retirement from the Department
GREENE	Honoring Debbie Curtis During Suicide

	Prevention Week
MEYERS	In Remembrance of Jacqueline Marie Kubisty
TODARO	Honoring Mark Hjalmarson, The Erie County Fair Daily Firefighter Honoree for August 15, 2025
TODARO	Honoring Jerry Enser, The Erie County Fair Daily Firefighter Honoree for August 7, 2025
TODARO	Honoring Stephen Gaglione, The Erie County Fair Daily Firefighter Honoree for August 10, 2025
TODARO	Congratulating Bank on Buffalo on Opening Its New Location in Depew
TODARO	Celebrating the 175th Anniversary of Saint Mary's Church of the Assumption
LORIGO	Recognizing the 15th Anniversary of West Seneca Art Society
LORIGO	Recognizing the Holland Volunteer Fire Department on Being Named the 2025 EMS Agency of the Year by the Wyoming-Erie Emergency Medical Council
LORIGO	Recognizing Dawne Hoeg on Receiving the Buffalo History Museum 2025 Owen B. Augspurger Award for Stitch Buffalo
LORIGO	Proclaiming August 31st as International Overdose Awareness Day
LORIGO	Recognizing Gracie Mulville for Supporting the Harold O. Brumsted Elementary School Musical Theater Club
MILLS	Honoring Amelia Errington on Achieving the Girl Scout Silver Award
MILLS	Honoring Patricia "Patty" Friend as 2025 Brant Resident of the Year
MILLS	Honoring Annalise Casciano and the Room Theatre Company on the Grand Opening of Their New Studio
MILLS	Honoring William "Billy D" Dzierzanowski for 36 Years of Service to the Town of Boston

MILLS & LORIGO	Celebrating 50 Years of Gymnastics Unlimited, Home of the Orchard Park Gymsters	

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. 4-1 (2025)	ST. JEAN TARD & MEYERS	Amending Erie County Local Law 3 (2019) Establishing the Erie County Corrections Specialist Advisory Board	Public Safety

Amendment to LL Intro. 4-1 (2025)

LL INTRO. 6-1 (2025)	MAJORITY CAUCUS	Authorizing Purchasing Based on Best Value & Expanded Use of Cooperative Purchasing	

COMMITTEE REPORTS:

LEGISLATOR RESOLUTIONS:

INTRO. 16-1	MAJORITY CAUCUS	Legislature Personnel Budget Authorization	

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMM. 16D-9	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 4-1 (2025)	

COMMUNICATIONS FROM ELECTED OFFICIALS:

COMM. 16E-1	COUNTY CLERK	2778 Colvin Boulevard, Tonawanda, NY 14150	Government Affairs
COMM. 16E-2	COMPTROLLER	Department of Law Risk	Finance & Management

		Retention Fund Spending - June 2025	
COMM. 16E-3	LORIGO	Letter Regarding ErieNet	Economic Development
COMM. 16E-4	COMPTROLLER	Interim Financial Report - Second Quarter 2025	Finance & Management
COMM. 16E-5	COUNTY EXECUTIVE	Appointment to the ECBOH	Health & Human Services
COMM. 16E-6	COMPTROLLER	Request for Investigation into the Actions of ECSO Senior Detective (Narcotics) Daniel "D.J." Granville	Government Affairs
COMM. 16E-7	COMPTROLLER	Daniel J. Granville Potential Separation from Service and Cash Out of Leave Balances	Government Affairs
COMM. 16E-8	SHERIFF	Acceptance of FY26 Child Passenger Safety (CPS) Grant	Public Safety
COMM. 16E-9	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Buffalo Center for Arts and Technology	Finance & Management
COMM. 16E-10	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Buffalo Science Museum	Finance & Management
COMM. 16E-11	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Center for Exploratory & Perceptual Art Inc.	Finance & Management
COMM. 16E-12	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Enlightenment Bookstore & Literary Center Inc.	Finance & Management
COMM. 16E-13	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - MusicalFare Theatre	Finance & Management
COMM. 16E-14	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Ujima Company, Inc.	Finance & Management
COMM. 16E-15	SHERIFF	Local Incarceration of State-Ready Individuals	Public Safety
COMM. 16E-16	COMPTROLLER	Request for Referral to AG in the Daniel J. Granville Matter	Government Affairs
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COMM. 16E-17	GREENE	Absence Letter for Session No. 15	
COMM. 16E-18	TODARO	Absence Letter for Session No. 15	RFP
COMM. 16E-19	MILLS	Absence Letter for Session No. 15	RFP
COMM. 16E-20	COMPTROLLER	Audit of the ECSO Jail Management Division - Inmate Commissary Fund	Finance & Management
COMM. 16E-21	COMPTROLLER	Audit of the ECSO Jail Management Division - Inmate Escrow Fund	Finance & Management
COMM. 16E-22	COUNTY EXECUTIVE	Amendments to Documents Regarding the Buffalo Bills & New Stadium Project	Finance & Management
COMM. 16E-23	COUNTY EXECUTIVE	Highmark Stadium Updated SEQR	Finance & Management
COMM. 16E-24	SHERIFF & COUNTY EXECUTIVE	Award Shift Feasibility Study Contract	Public Safety
COMM. 16E-25	COUNTY EXECUTIVE	Parks Transfer of Funds - Operating Budget	Economic Development
COMM. 16E-26	COUNTY EXECUTIVE	Rehabilitation of Marshfield Road Bridge - Town of North Collins	Economic Development
COMM. 16E-27	COUNTY EXECUTIVE	Bridge Replacement of Boston State Road over Anthony Gulf - Town of Boston	Economic Development
COMM. 16E-28	COUNTY EXECUTIVE	Highways Budget Transfer - 2025 Operating Budget	Economic Development
COMM. 16E-29	COUNTY EXECUTIVE	Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring	Economic Development
COMM. 16E-30	COUNTY EXECUTIVE	ESRI Professional Services for Enterprise GIS System Review	Economic Development
COMM. 16E-31	COUNTY EXECUTIVE	ECLIPSE Community Solar Contractor Amendment	Energy & Environment
COMM. 16E-32	COUNTY EXECUTIVE	PILOT Agreement for Hillview Commons & City of Tonawanda - Affordable Housing Development	Economic Development

COMM. 16E-33	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Construction Inspection Term Agreements Change Order No. 1	Energy & Environment
COMM. 16E-34	COUNTY EXECUTIVE	ECSD No. 1 Frank Lloyd Wright Boathouse Proposed Easement - 196 Porter Ave.	Energy & Environment
COMM. 16E-35	COUNTY EXECUTIVE	Notice of Public Hearing - ECSD 2025 Assessment Rolls (2025 Levy)	Energy & Environment
COMM. 16E-36	COUNTY EXECUTIVE	ECSD No. 5 MOA - Town of Amherst & Town of Clarence	Energy & Environment
COMM. 16E-37	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - 2026 User Charges	Energy & Environment
COMM. 16E-38	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Board of Managers Resolutions	Energy & Environment
COMM. 16E-39	COUNTY EXECUTIVE	ECSD Nos. 2 & 3 - Construction Inspection Term Contract Agreement (Work Order: NC-4)	Energy & Environment
COMM. 16E-40	COUNTY EXECUTIVE	ECSD No. 8 - Engineering Term Contract Agreement (Work Order: LAB-3)	Energy & Environment
COMM. 16E-41	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement (Work Order: RAM-5)	Energy & Environment
COMM. 16E-42	COUNTY EXECUTIVE	ECSD No. 1 - Engineering Term Contract Agreement (Work Order: AECOM-3)	Energy & Environment
COMM. 16E-43	COUNTY EXECUTIVE	CPS Authorization to Enter into Phase Two of CAD & RMS Replacement	Public Safety
COMM. 16E-44	COUNTY EXECUTIVE	Acceptance of State Aid for Youth Employment Programs	Health & Human Services
COMM. 16E-45	COUNTY EXECUTIVE	Acceptance of State Aid for Adoption & Legal Guardianship Incentive Funds for Recruitment Activities	Health & Human Services
COMM. 16E-46	COUNTY EXECUTIVE	Acceptance of State Aid for the Supervision & Treatment Services for Juveniles Program Funding	Health & Human Services
COMM. 16E-47	COUNTY	Transfer of Funds - Operating	Health & Human Services

	EXECUTIVE	Budget Department of Social Services	
COMM. 16E-48	COUNTY EXECUTIVE	Live Well Erie Initiatives 2025	Health & Human Services
COMM. 16E-49	COUNTY EXECUTIVE	Authorization to Enter into Contract with OCV, LLC	Immediate Consideration Requested
COMM. 16E-50	COUNTY EXECUTIVE	Authorization to Accept FEMA Aid for DR 4472, PW 494 - Times Beach Boardwalk Project	Immediate Consideration Requested
COMM. 16E-51	SHERIFF	Translation Services for ECHC & ECCF	Public Safety
COMM. 16E-52	SHERIFF	Aviation Unit Training	Public Safety
COMM. 16E-53	SHERIFF	Acceptance of CREST Grant	Public Safety
COMM. 16E-54	SHERIFF	Acceptance of Byrne State Crisis Intervention Program Grant	Public Safety
COMM. 16E-55	ST. JEAN TARD	Request for Independent Investigation into the Granville Case	Government Affairs
COMM. 16E-56	DISTRICT ATTORNEY	Victim Witness Assistance Grant	Immediate Consideration Requested
COMM. 16E-57	DISTRICT ATTORNEY	Traffic Safety Resource Prosecutor Grant	Immediate Consideration Requested

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 16D-1	DEPUTY COMPTROLLER FOR AUDIT & CONTROL	Notification of Change in Audit Scope - Audit of the Financial Transactions in the Bank Accounts Under the Admin. Control of the ECSO	Finance & Management
COMM. 16D-2	DEPUTY COMPTROLLER FOR AUDIT & CONTROL	Change In Scope - EC Comptroller's Office Audit of the ECSO Commissary Fund	Finance & Management
COMM. 16D-3	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 3-1-2025	R&F
COMM. 16D-4	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 5-1-2025	R&F

COMM. 16D-5	COMMISSIONER OF ECDSS	COMM. 12E-34 Compliance Report	Health & Human Services
COMM. 16D-6	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 16D-7	DIRECTOR OF BUDGET & MANAGEMENT	June 2025 Budget Monitoring Report	Finance & Management
COMM. 16D-8	ECDSS COMMISSIONER	COMM. 12E-34 Compliance Report	Health & Human Services

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

COMM. 16M-1	ASSIGNED COUNSEL PROGRAM	2024 Financial Statements & Auditor Reports	Government Affairs
COMM. 16M-2	TOWN OF ALDEN	Resolution Opposing Further Electric Rate Hikes, Condemning Poor Utility Oversight, & Rejecting Unrealistic Energy Mandates	Energy & Environment
COMM. 16M-3	OFFICE OF THE STATE COMPTROLLER	Acknowledging Receipt of COMM. 12E-7 (2025)	Finance & Management
COMM. 16M-4	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2025 State Equalization Rates	Government Affairs
COMM. 16M-5	VBN & BCC PRESIDENT AND CEO	2nd Quarter Reports, Financial Statements & Destination Performance Reports	Health & Human Services

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT:

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
LEGISLATURE	Proclaiming September 14 to 20, 2025, as Sheriffs' Week in Erie County

Attachments

25PROC. 16-1

ES LEG SEP 9 '25 AM8:10

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Proclaiming September 14 to 20, 2025, as Sheriffs' Week in Erie County

WHEREAS, the **Office of Sheriff** has been an integral part of the criminal justice system in New York State throughout our history, having been established in the State's first Constitution in 1777 and having been continued in every succeeding Constitution, and having been one of our original Constitutional offices upon the founding of our County; and

WHEREAS, the **Erie County Sheriff's Office** has continuously been serving the people of Erie County since February 4, 1821; and

WHEREAS, despite changes in its function, status, and powers during its long history, the **Office of Sheriff** has preserved its distinguishing heritage and continued to be an essential component of our criminal justice community; and

WHEREAS, the **Office of Sheriff** has evolved into a modern, professional, full-service law enforcement and corrections agency, manned by well-trained police officers and correctional officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the fields of law enforcement and corrections; and

WHEREAS, the **Office of Sheriff** is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service beyond law enforcement and corrections, to include providing security in our courts, dispatching emergency services, and handling the civil process for our courts; and

WHEREAS, as a constitutionally empowered Office directly responsible to the People, the **Office of Sheriff** remains, even today, responsive and accountable to the public it serves; and

WHEREAS, it is fitting to celebrate the historical contributions of the **Office of Sheriff** and the significant role that the Sheriffs play in our modern criminal justice system.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the essential services provided to the citizens of this County by **Sheriff John C. Garcia and the members of the Sheriff's Office, and proclaim September 14 to 20, 2025, to be Sheriffs' Week in Erie County**.

TIMOTHY MEYERS
Chair of the
Erie County Legislature

JOHN J. MILLS
Minority Leader of the
Erie County Legislature

JOHN J. GILMOUR
Majority Leader of the
Erie County Legislature

LAWRENCE J. DUPRE
Erie County Legislator

TAISHA ST. JEAN TARD
Erie County Legislator

CHRISTOPHER D. GREENE
Erie County Legislator

MICHAEL KOOSHOIAN
Erie County Legislator

FRANK J. TODARO
Erie County Legislator

JOHN BARGNESI
Erie County Legislator

LINDSAY R. LORIGO
Erie County Legislator

JEANNE M. VINAL
Erie County Legislator

OLIVIA M. OWENS
Clerk of the Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

MAJORITY CAUCUS	Acknowledging and Recognizing National Literacy Month

Attachments

25PROC. 16-2

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 3, 2025

BCLEG SEP 9'25 AM10:00

Acknowledging and Recognizing National Literacy Month

WHEREAS, for several decades, ***National Literacy Awareness*** has become an effort to highlight literacy through education; and

WHEREAS, introducing children at an early age to literature and encouraging a love of reading increases prospects for success in school, the workforce and society; and

WHEREAS, equitable access to literacy ensures that everyone has the opportunity to develop critical thinking skills, communicate effectively, and navigate the complexities of the world; and

WHEREAS, without literacy, individuals are often excluded from opportunities for advancement and are at greater risk of poverty, marginalization, and social injustice; and

WHEREAS, tutors are local volunteers who have a sincere interest in community services and the desire to assist others to learn to read or to enhance their reading skills and lives; and

WHEREAS, this Honorable Body will continue to support to increase information literacy awareness so that all citizens understand its vital importance.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body highlights ***National Literacy Awareness*** and extends our appreciation to all teachers, parents, families and support staff whose work to advance literacy has positive benefits for Erie County.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MAJORITY CAUCUS	Acknowledging and Recognizing National Suicide Prevention Week

Attachments

25PROC. 16-3

CC LEG SEP 3'25 AM10:01

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 3, 2025

Acknowledging and Recognizing National Suicide Prevention Week

WHEREAS, suicide is a national and statewide public mental health problem which occurs among all age groups and across all socioeconomic, racial and ethnic backgrounds, is the 11th leading cause of death in the United States, and the 2nd leading cause of death among individuals between the ages of 10 to 34; and

WHEREAS, in the United States, over 49,000 people died by suicide in 2023—and several thousand friends and family members are changed forever by losing those people; and

WHEREAS, the stigma associated with mental illness and suicidality works against suicide prevention by discouraging persons at risk for suicide from seeking life-saving help and further traumatizes survivors of suicide; and

WHEREAS, suicide is preventable, and it is appropriate for a week to be set aside each year to dedicate our thoughts to improving the mental health of all Pasadena residents and raising awareness about suicide; and

WHEREAS, this Honorable Body will continue to support to increase awareness so that all citizens understand its vital importance.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body highlights ***National Suicide Prevention Week*** and extends our appreciation to addressing the mental health needs in Erie County to seniors, adults, youth, children, and families in having a healthy community.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MAJORITY CAUCUS	Acknowledging and Recognizing National Childhood Cancer Month in September

Attachments

25PROC. 16-4

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 7, 2025

LEG SEP 9 '25 AM8:23

Acknowledging and Recognizing National Childhood Cancer Month in September

WHEREAS, September is globally recognized as ***National Childhood Cancer Awareness Month***, a special time to celebrate the courage of children all over the world who battle this disease every day; and

WHEREAS, even during the pandemic, childhood cancer remains the number one cause of death by disease for children in the U.S. and around the world; and

WHEREAS, during National Childhood Cancer Awareness Month, we recognize the courage and strength of the brave children battling a cancer diagnosis, and we remain committed to combat pediatric cancers, support these children and their families and friends in their fight; and

WHEREAS, during National Childhood Cancer Awareness Month, we honor the memory of the precious children and adolescents lost to cancer, and we pray for their families and friends as they remember their loved ones; and

WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treating and cure children with cancer, and

WHEREAS, more than ever, we recommend providing help, compassion, and encouragement to those children who are during a difficult battle; and

WHEREAS, this honorable body appreciates and extends our support to young people fighting for that opportunity to live life to the fullest and recognize all who commit themselves to advancing the journey toward a cancer-free world in honor of ***National Childhood Cancer Awareness Month***.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and encourage all Americans to observe Childhood Cancer Awareness Month and support this because that so deeply impacts families in every community across our country.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MAJORITY CAUCUS	Celebrating and Honoring the 50th Anniversary of Elmwood Tacos and Subs (ETS)

Attachments

25PROC. 16-5

EC LEG JUL 24 '25 PM 2:51

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, JULY 24, 2025

Celebrating and Honoring the 50th Anniversary Elmwood Taco & Subs (ETS)

WHEREAS, for the past 50 years, ***Elmwood Taco & Subs (ETS)*** has proudly remained a family-owned business which proudly originated right here in the Queen City that opened their restaurant on the corner of West Delavan; and

WHEREAS, Ron Lucchino opened the store in 1975, and his children, Jackie Kooshoian and Mike Lucchino, now run ETS; and

WHEREAS, ETS has provided Western New York with quality food and customer care that keeps its clients coming back; and

WHEREAS, in 2022, Buffalo Business First honored this multigenerational and family business for their overall excellence, innovation, ethics, philanthropy and contribution to Western New York; and

WHEREAS, ETS still remains a lunchtime, dinner and late-night favorite serving tacos, subs, wings and waffle fries to students and Elmwood Village residents; and

WHEREAS, today's celebration features 50-cent tacos, beverage specials, ETS exclusive limited edition anniversary T-shirts and live music; and

WHEREAS, this Honorable Body desires to honor Elmwood Taco & Subs (ETS), a phenomenal restaurant that embodies and personifies the value of service to our community through their exceptional service throughout the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, it is with great honor that the Erie County Legislature praises ***Elmwood Taco & Subs (ETS)*** for 50 years of extraordinary service and commends them for providing authentic experiences for our children and adults; and be it further

RESOLVED, that the Honorable Body congratulates the Elmwood Taco & Subs (ETS) on its 50th anniversary and applauds the Lucchino and Kooshoian families for their devotion to high quality work in Erie County over the past 50 years.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

MAJORITY CAUCUS	Acknowledging and Honoring National Senior Citizens Day

Attachments

25PROC. 16-6

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 21, 2025

Acknowledging and Honoring National Senior Citizens Day

WHEREAS, August 21st is ***National Senior Citizens Day***, a day that recognizes seniors who have spent their lives contributing to society and have impacted everyone's lives for the better; and

WHEREAS, this day provides an opportunity to show our appreciation for their dedication, accomplishments, and services they give throughout their lives; and

WHEREAS, regardless of their careers, some elderly people played an essential role in our childhood; and

WHEREAS, this day is also created to bring awareness of social, health, and economic issues that affect senior citizens; and

WHEREAS, moving forward, we must ensure that older Americans have the appropriate resources to maintain their independence and stay connected to their communities; and

WHEREAS, this Honorable Body will forever remember and respect Senior Citizens as noble and remarkable individuals who we honor today for their advice, knowledge and wisdom.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby ***National Senior Citizens Day*** and sends much love and support to all programs and celebrate their achievements and recommit to providing our elders with the support and services they need to thrive and age with dignity.

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

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

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

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

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

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

DUPRE	Recognizing African American Veterans Day of Honor

Attachments

25PROC. 16-7

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 5, 2025

EC LEG SEP 9 '25 AM8:25

Recognizing African American Veterans Day of Honor

WHEREAS, African American Soldiers were able to officially join the military after the signing of the Emancipation Proclamation in 1863; and

WHEREAS, Benjamin Oliver Davis, Sr. was the first African American man to join the Army in 1898, 35 years after the signing of the Emancipation Proclamation; and

WHEREAS, African American woman Cathay Williams joined the Army as a man named William Cathay; and

WHEREAS, throughout history, African American soldiers have been critical and essential to our nation during times of prosperity and challenge; and

WHEREAS, African American men and women served in the Army, Navy, Air Force, Marines and Coast Guard branches of the United States military; and

WHEREAS, African American Soldiers when returning to the United States from war did not receive the honor of a ticker tape parade; and

WHEREAS, Erie County supports and joins in this national effort to help America's small businesses do what they do best, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby honor and recognizes all African American Soldiers for their loyalty to our nation.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

DUPRE	Celebrating and Honoring Ukrainian American Day

Attachments

25PROC. 16-8

EC LEG AUG 25 '25 PM1:21:23

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 24, 2025

Celebrating and Honoring Ukrainian American Day
Celebrating the 34th Anniversary of Ukrainian Independence

WHEREAS, celebrating an appreciation of our community's cultural diversity highlights the contributions of our diverse nation builds bridges across cultural lines, and strengthens our community as we learn of the many achievements of all our people; and

WHEREAS, such cultural diversity has strengthened America, and our nation is much stronger when we celebrate our distinct heritage and teach our children of the many contributions and rich history of our fellow Americans; and

WHEREAS, The Ukrainian Cultural Center, located at 562 Genesee Street, has remained a cultural staple for the Buffalo - Ukrainian community; and

WHEREAS, in honor of Ukrainian American Day (34th Anniversary), the Ukrainian Congress Committee of American, Inc. Buffalo Chapter will be hosting a day of authentic Ukrainian food, live vocalists and musicians, Ukrainian dancers, art displays, craft vendors, a full section of Slavic beer, huge basket raffle, bounce house and children's activities; and

WHEREAS, as we celebrate ***Ukrainian American Day***, we recognize the achievements and contributions of the ***Ukrainian*** community here in Western New York, across the nation, and throughout the world; and

WHEREAS, ***Ukrainian American Day*** is an excellent opportunity for people of all cultural backgrounds to learn more about, and show an appreciation for, ***Ukrainian*** people through local events and ceremonies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby wholeheartedly recognize and celebrate ***Ukrainian American Day*** in Western New York and appreciates the contributions and opportunity for educational and cultural harmony that this wonderful event brings to our community.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
DUPRE	Congratulating and Recognizing Brinton McClain on Attaining the Rank of Eagle Scout

Attachments

25PROC. 16-9

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 29, 2025

Congratulating and Recognizing Brinton McClain on Attaining the Rank of Eagle Scout

WHEREAS, ***Brinton McClain*** has proven himself to be an outstanding member of the Boy Scouts of America and has achieved the highest rank of Eagle Scout; and

WHEREAS, each scout is required to complete an Eagle Scout project to achieve the rank; and

WHEREAS, for Brinton's Eagle Scout service project, he organized a clean-up of two lots in the Seneca Babcock neighborhood, planting 12 arborvitae trees, installing flag poles with solar lights and garden benches to beautify the area.

WHEREAS, Brinton will be attending Hilbert College this fall; and

WHEREAS, the Eagle Scout Award is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment this young man has shown; and

WHEREAS, Brinton completed all the requirements for Eagle Scout and has demonstrated high levels of personal achievement, leadership, community service and scouting skills.

NOW, THEREFORE, BE IT

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

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
DUPRE	Recognizing the Third Annual Community Day - Away Out Queens in Training

Attachments

25PROC. 16-10

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG SEP 5 '25 PM 1:56

BUFFALO, NY, SEPTEMBER 4, 2025

Recognizing the Third Annual Community Day Away Out Queens in Training

WHEREAS, the ***Third Annual Community Day,*** hosted by Away Out Queens in Training, in partnership with LMC Impact, is a special community celebration dedicated to bringing families together for a day of joy, connection and fun.; and

WHEREAS, Trinisha Brown has been very instrumental in building confidence, integrity and self-esteem for young women in the Western New York area; and

WHEREAS, through her work under Away Out Queens, Trinisha has invested in the community and plans to equip other women to explore giving back through empowerment, encouragement, and inspiration; and

WHEREAS, this event connects families, neighbors, and friends from across the Fillmore District for a day of celebration, unity, and community pride; and

WHEREAS, organizations such as Away Out Queens and LMC Impact acknowledge the importance of this community event today; and

WHEREAS, this Honorable Body desires to acknowledge the ***Third Annual Community Day***, an annual event that celebrates, brings unity and collaboration amongst the City of Buffalo and throughout Erie County.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds Away Out Queens and LMC Impact for their generous and selfless efforts today as we honor and recognize the ***Third Annual Community Day*** as an important and festive component of cultural meaning in the City of Buffalo.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
DUPRE	Congratulating and Recognizing Shanoda Williams on Writing Her Book: A Poetic Experience

Attachments

25PROC. 16-11

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

EC LEG SEP 5 '25 PM 1:57

Congratulating and Recognizing
Shanoda Williams on writing her Book: A Poetic Experience

WHEREAS, ***Shanoda Williams,*** also known by many as "Shay", currently lives and works in the City of Buffalo; and

WHEREAS, ***Shanoda*** always had a passion for bringing people together, and turned that passion into writings that committed to spread joy, truth, and to help more individuals; and

WHEREAS, prior to her journey as an author, ***Shanoda*** has held an accomplished career as an Elementary Teacher for 25+ years in the Buffalo Publics School System; and

WHEREAS, she also holds an associate's degree in human services from Hilbert College, a bachelor's degree in social work from Daemen College, and a master's degree in education from Niagara University; and

WHEREAS, outside of her successful career in Education and her exceptional skill in writing, Shanoda is a proud mother, loving daughter, aunt, cousin and supportive friend to many others; and

WHEREAS, on today September 6, 2025, we are grateful to have ***Shanoda*** present her book, A Poetic Experience "Launching a Story, Living the Poem"; and

WHEREAS, this honorable body celebrates local, homegrown talent, such as ***Shanoda Williams***, and enthusiastically supports her spiritual and therapeutic journey through her debut book filled with emotions and experiences.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature hereby recognizes and congratulates ***Shanoda Williams*** for her outstanding accomplishment of writing A Poetic Experience "Launching a Story, Living the Poem" and offers our deepest appreciation for her dedicated work and wish her the best in all her future endeavors.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
DUPRE	Recognizing the First Annual Kaden J. Sickle Cell Foundation, Inc. Community Day

Attachments

25PROC. 16-12

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG AUG 18 '25 PM 3:07

BUFFALO, NY, AUGUST 21, 2025

Recognizing the First Annual Kaden J. Sickle Cell Foundation, Inc. Community Day

WHEREAS, ***the Kaden J. Sickle Cell Foundation, Inc.***, which is a nonprofit foundation that provides services to caregivers, children and families who suffer from Sickle Cell Anemia Disease; and

WHEREAS, this event, named after ***Kaden J. Williams***, a 5th grader at Dr. Charles Drew Science Magnet and the son of Danitra McDade and the late James Williams, was diagnosed with Sickle-Cell since birth ,but he continues to persevere with the support of his family and friends; and

WHEREAS, today's event, located on Roebling Avenue (between Lang and Wecker Avenue), aims to connect families, neighbors, and friends for a day of community pride ,entertainment, food and celebrating Kaden on his 10th birthday; and

WHEREAS, this nonprofit foundation has quickly grown tremendously, with the mission to remain active through fundraising, giveaways (Back to School, Christmas, Easter, Thanksgiving) seminars, meat raffles, Sneaker Ball and many other activities; and

WHEREAS, the ***Kaden J. Sickle Cell Foundation*** also acknowledges the importance of caregivers and the important role they play in lives of those battling Sickle Cell; and

WHEREAS, this Honorable Body desires to acknowledge the ***Kaden J. Sickle Cell Foundation, Inc***, an annual event that will help continue to give back to our Sickle Cell warriors, their families, and most of all, celebrating the courage and resilience of all those living with Sickle Cell.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds the ***Kaden J. Sickle Cell Foundation, Inc.***, for their generous and selfless efforts today as we recognize the ***First Annual Kaden J. Sickle Cell Foundation, Inc. Community Day*** as an important and festive component in the City of Buffalo.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
DUPRE	In Recognition of The "Mobility Matters" Youth Podcast Program - Part of Clean Mobility Buffalo

Attachments

25PROC. 16-13

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 13, 2025

In Recognition of the "Mobility Matters" Youth Podcast Program Part of Clean Mobility Buffalo

EC LEG AUG 14 '25 PM 5:12

WHEREAS, Erie County is committed to fostering innovation in transportation, uplifting youth voices, and promoting environmental justice as part of our broader mission to serve all residents equitably; and

WHEREAS, the *Mobility Matters* Youth Podcast Program was created through NYSERDA's Clean Transportation Prize program to empower young people, ages 10 to 15, with the tools of media literacy, civic storytelling, and podcast production, while educating them about clean mobility solutions and their impact on the Buffalo community; and

WHEREAS, *Mobility Matters* provides participants with real-world experience in interview techniques, audio production, and collaborative storytelling, culminating in the creation of original podcast episodes featuring conversations with local transportation experts and community leaders; and

WHEREAS, *Mobility Matters* provides participants with real-world experience in interview techniques, audio production, and collaborative storytelling, culminating in the creation of original podcast episodes featuring conversations with local transportation experts and community leaders; and

WHEREAS, the youth involved in *Mobility Matters* will record in professional settings, including studio time at WBFO and on-site experiences aboard electric buses through a partnership with the Niagara Frontier Transportation Authority (NFTA); and

WHEREAS, this program is made possible through the leadership and collaboration of Clementine Gold Group, NFTA, LISC-NY, Crews Control Media, the Buffalo Association of Black Journalists, and numerous educators, creatives, and community members committed to youth development; and

WHEREAS, the impact of the *Mobility Matters* Youth Podcast Program will run deep in Western New York.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable do hereby recognize the extraordinary efforts of the *Mobility Matters* Youth Podcast Program and proclaim August 13, 2025, as Mobility Matters Day and encourages all residents to celebrate the achievements of these young storytellers and support ongoing efforts to build a cleaner, more connected, and more equitable future for all.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

DUPRE & ST. JEAN TARD	Honoring National Minority Donor Awareness Day

Attachments

25PROC. 16-14

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

EC LEG JUL 29 '25 PM 4:35

National Minority Donor Awareness Day

WHEREAS, ***National Minority Donor Awareness Day*** brings this day to the forefront and focuses attention on the need for minority donors; and

WHEREAS, during August, individuals and families can raise awareness especially among minorities, for more organ, eye, and tissue donors in diverse communities; and

WHEREAS, throughout American history, within the African-American, Asian, Hispanic, Native American and Pacific Islander-American communities, there is a serious shortage of transplants; and

WHEREAS, minorities make up almost 60% of those on the organ waiting list; and

WHEREAS, due to chronic conditions, minority patients see an increased need for transplants affecting the heart, kidney, pancreas, and liver; and

WHEREAS, along with educating people about the need to donate organs, the day also encourages them to register themselves as donors; and

WHEREAS, during the month of August, we recognize ***National Minority Donor Awareness Day*** and recommit ourselves to evolving an awareness for donors for minorities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize ***National Minority Donor Awareness Day*** in bringing awareness, acknowledge minorities and teach good health habits so that there may be a decreased need for an organ transplant.

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

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

DUPRE & ST. JEAN TARD	Honoring National Black Business Month (August 2025)

Attachments

25PROC. 16-15

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

EC LEG JUL 29 '25 PM 4:35

Honoring National Black Business Month (August 2025)

WHEREAS, every August commemorates and celebrates ***National Black Business Month***, a time to acknowledge and appreciate black-owned businesses across the nation and all that they represent in the country's continual striving for diversity and equality; and

WHEREAS, when we celebrate the contribution of black business owners and entrepreneurs, it pays homage to them and their legacies, especially since celebrating this month recognizes the importance of black-owned businesses when it comes to contributing to the nation's economy as well; and

WHEREAS, the primary sectors in which black-owned businesses operate include health care, social work, repair and maintenance, beauty salons, restaurants, and more; and

WHEREAS, Black-owned businesses provide family-supporting jobs and careers to folks across our state, and are essential to the flourishing of local communities and culture; and

WHEREAS, Black-owned businesses have been a steady rise in recent years, which means it's imperative to continue to boost that momentum and lift the Black-owned businesses that are operating; and

WHEREAS, this month and year-round, we need to recognize the importance of ***National Black Business Month*** and encourage local government officials and community leaders to continue to focus efforts on supporting Black-owned businesses and create a more hospitable environment in which Black-owned businesses can grow.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognize August 2025 as ***National Black Business Month*** and encourages all individuals to understand the importance of celebrating and shed light on Black ownership and encourage others to support Black-owned businesses in the City of Buffalo and throughout Erie County.

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

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

ST. JEAN TARD	Honoring National Hispanic Heritage Month

Attachments

25PROC. 16-16

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG SEP 9 '25 AM8:25

BUFFALO, NY, SEPTEMBER 15 – OCTOBER 15, 2025

Honoring National Hispanic Heritage Month

WHEREAS, Hispanic Heritage Month is an appreciation of our community's cultural diversity and ethnic heritage that highlights the contributions of our diverse nation and builds bridges across cultural lines by strengthening our community as we learn of the many achievements of all our people; and

WHEREAS, such cultural diversity has strengthened America, and our nation is much stronger when we celebrate our distinct heritage and teach our children of the many contributions and rich history of our fellow Americans; and

WHEREAS, the inspirational origination of Hispanic Heritage Month nationally was set in 1968 when the Congress authorized President Lyndon Johnson to set aside a week to celebrate the many contributions of Hispanic Americans, and was expanded in 1988 when a joint resolution of Congress authorized President Ronald Reagan to proclaim the event a month-long celebration; and

WHEREAS, Hispanic Heritage Month is a time that Hispanic communities around the country come together to celebrate all that "is" the community - historically speaking and in present day; and

WHEREAS, September 15 was chosen as the starting point for the celebration because it is the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua; and

WHEREAS, as we celebrate Hispanic Heritage Month in the United States, from September 15th through October 15th, we recognize the achievements and contributions of the Hispanic community here in Western New York, across the nation, and throughout the world; and

WHEREAS, Hispanic Heritage Month is an excellent opportunity for people of all cultural backgrounds to learn more about, and show an appreciation for, Hispanic Americans thru numerous local events, ceremonies and workshops; and

WHEREAS, The Hispanic Heritage Council has and continues to focus their priorities to preserve the history of Hispanics in Western New York and worldwide for future generations, promote peace, respect, and appreciation within the Hispanic community, promote peace, respect, and appreciation of Hispanic culture in the larger WNY community.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby wholeheartedly recognize and celebrate Hispanic Heritage Month in Western New York, and appreciates the contributions and opportunity for educational and cultural harmony that this wonderful event brings to our community; and be it further

RESOLVED, that this Legislature encourages people to attend and participate in this celebration of Hispanic culture, and to utilize this fantastic event as an opportunity to educate their children of the rich history, numerous contributions and pride that is our Hispanic community.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
ST. JEAN TARD	Honoring PhatCatz of WNY during National Black Business Month

Attachments

25PROC. 16-17

EC LEG SEP 9 '25 AM 8:22

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 27, 2025

Honoring PhatCatz of WNY during National Black Business Month

WHEREAS, the month of August is observed as National Black Business Month, an annual observance that highlights the remarkable achievements, contributions, milestones, and historical progress of Black businesses and entrepreneurs across the United States; and

WHEREAS, ***PhatCatz of WNY*** is a locally owned Restaurant serving comfort foods , Southern Cuisine, Southern Fish Fry, a lively atmosphere and much more; and

WHEREAS, owner Kim Collins-Jones has earned a stellar reputation for her incredible soul food and her staff that provides exceptional customer service; and

WHEREAS, this restaurant is known for its generous portions, with customers praising their catfish dinners and the shrimp baskets; and

WHEREAS, Kim continues to mentor future entrepreneurs and provide employment opportunities; and

WHEREAS, this Honorable Body desires to acknowledge and recognize exceptional Black - Owned Businesses such as the ***PhatCatz of WNY***.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds and recognizes the ***PhatCatz of WNY*** as an important Black-Owned Business in the Buffalo-Niagara region; and be it further

RESOLVED, that the Erie County Legislature proudly recognizes Kim and her loyal staff for their continuous work, as we proudly recognize the ***PhatCatz of WNY*** during National Black Business Month.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

ST. JEAN TARD	Recognizing National Diaper Need Awareness Week

Attachments

25PROC. 16-18

EC LEG SEP 9 '25 AM8:23

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, SEPTEMBER 7, 2025

Recognizing National Diaper Need Awareness Week

WHEREAS, diaper need, the condition of not being able to afford a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy, can adversely affect the health and well-being of children and their families; and

WHEREAS, national surveys and research studies report that nearly one in two families struggles with diaper need, and 48 percent of families delay changing a diaper to extend the available supply; and

WHEREAS, a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in childcare programs and quality early-education programs that enable children to thrive and parents to work; and

WHEREAS, many parents struggling with diaper need report missing an average of five days of work each month due to an insufficient supply of diapers; and

WHEREAS, without enough diapers, babies and toddlers risk infections and health problems that may require medical attention resulting in medical costs, and parents may be prevented from accessing childcare needed to go to work or school, thereby destabilizing the family's economic prospects and well-being; and

WHEREAS, the people of Erie County recognize that diaper need is a public health issue, and addressing diaper need can lead to economic opportunity for the state's families and communities and improved health for children, thus ensuring all children and families have access to the necessities required to thrive and reach their full potential; and

WHEREAS, Erie County is proud to be home to trusted community-based organizations including Every Bottom Covered that recognize the importance of diapers in ensuring health and providing economic stability for families and thus distribute diapers to families through various channels; and

WHEREAS, through their important work of addressing diaper need, diaper banks play a critical role in supporting families, improving infant health and wellbeing, and advancing our local and state economic growth.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds and recognizes ***National Diaper Need Awareness Week and*** thank the aforementioned diaper banks, their staff, volunteers and donors, for their courageous service during the crisis, and encourage the citizens of Erie County to donate generously to diaper banks, diaper drives, and support those organizations that collect and distribute diapers to families struggling with diaper need, so that all of Erie County children and families can thrive and reach their full potential.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
ST. JEAN TARD	Honoring Manna Culinary Group during National Black Business Month

Attachments

25PROC. 16-19

ECC LEG AUG 20 '25 PM3:37

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 27, 2025

Honoring Manna Culinary Group during National Black Business Month

WHEREAS, the month of August is observed as National Black Business Month, an annual observance that highlights the remarkable achievements, contributions, milestones, and historical progress of Black businesses and entrepreneurs across the United States; and

WHEREAS, the trio of Chef Dale, Chef Tina Holt, and Chef Reggie Ingram of ***Manna Culinary Group*** have a combined 80 years of local experience in food service, catering and culinary education between them; and

WHEREAS, ***Manna*** serves daily specials such as fried or baked chicken, vegetarian options, fresh baked sweets, and have real chefs creating the experience; and

WHEREAS, ***Manna*** is also known for its generous portions, with customers praising dishes such as their fish and grits and flavorful chicken and waffles meal; and

WHEREAS, the trio of chefs continue to mentor future chefs in providing employment opportunities and allow employees to enjoy an exceptional culinary experience; and

WHEREAS, this Honorable Body desires to acknowledge and recognize exceptional Black - Owned Businesses such as the ***Manna Culinary Group***.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds and recognizes the ***Manna Culinary Group*** as an important Black-Owned Business in the Buffalo-Niagara region; and be it further

RESOLVED, that the Erie County Legislature proudly recognize Chef Dale, Chef Tina Holt, and Chef Reggie Ingram and their loyal staff for their continuous work, as we proudly recognize the ***Manna Culinary Group*** during National Black Business Month.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
ST. JEAN TARD	Honoring Salud Market during National Black Business Month

Attachments

25PROC. 16-20

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG AUG 20 '25 PM 3:57

BUFFALO, NY, AUGUST 27, 2025

Honoring Salud Market during National Black Business Month

WHEREAS, the month of August is observed as National Black Business Month, an annual observance that highlights the remarkable achievements, contributions, milestones, and historical progress of Black businesses and entrepreneurs across the United States; and

WHEREAS, ***Salud Market*** is a healthy option in the community for everyone; and

WHEREAS, the community-driven couple of James and Marielyn Miller aim to offer high-quality, nutritious products and exceptional service; and

WHEREAS, ***Salud Market*** is also known for their juices, smoothie choices such as their popular Green Queen and Golden Smoothie, fresh salads, and seasonally fresh produce from local farms; and

WHEREAS, the market is also known for its fresh sea moss, which has been praised for improving customers' immune systems and bone health; and

WHEREAS, customers describe their experience at Salud Market as warm and inviting; and

WHEREAS, this Honorable Body desires to acknowledge and recognize exceptional Black - Owned Businesses such as the ***Salud Market*** .

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds and recognizes the ***Salud Market*** as an important Black-Owned Business in the Buffalo-Niagara region; and be it further

RESOLVED, that the Erie County Legislature proudly recognizes James and Marielyn for their continuous work, as we proudly recognize ***Salud Market*** during National Black Business Month.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
ST. JEAN TARD	Honoring Roseland Atlas Restaurant during National Black Business Month

Attachments

25PROC. 16-21

EC LEG AUG 26 '25 PM 2:29

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 27, 2025

Honoring Roseland Atlas Restaurant during National Black Business Month

WHEREAS, the month of August is observed as National Black Business Month, an annual observance that highlights the remarkable achievements, contributions, milestones, and historical progress of Black businesses and entrepreneurs across the United States; and

WHEREAS, ***Roseland Atlas Restaurant,*** located at 492 Rhode Island Street, serves big and bold, offering craft cocktails and an international food menu; and

WHEREAS, ***Roseland*** is also known for its generous portions, with customers praising dishes such as their Cacio e Pepe, bucatini with meatballs, slow-roasted porchetta, Tiramisu and olive oil cake; and

WHEREAS, ***Roseland*** has quickly established their mark with their flavorful Italian dishes and exceptional customer service; and

WHEREAS, this Honorable Body desires to acknowledge and recognize exceptional Black - Owned Businesses such as ***Roseland Atlas Restaurant***.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby applauds and recognizes ***Roseland Atlas Restaurant*** as an important Black-Owned Business in the Buffalo-Niagara region; and be it further

RESOLVED, that the Erie County Legislature proudly recognizes the staff for their continuous work, as we proudly recognize the ***Roseland Atlas Restaurant*** during National Black Business Month.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

ST. JEAN TARD & VINAL	Honoring Women's Equality Day

Attachments

25PROC. 16-22

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, NY, AUGUST 26, 2025

EC LEG AUG 12 '25 PM 2:55

Honoring Women's Equality Day

WHEREAS, August 26 is ***Women's Equality Day*** in the United States, a day to commemorate the 19th amendment of the Constitution which, in 1920, gave women the right to vote; and

WHEREAS, ***Women's Equality Day*** was established as a way to recognize the unique challenges and barriers women face, and the rights that need defending and strengthening towards; and

WHEREAS, from historical icons such as Susan B. Anthony, Sojourner Truth to Rosa Parks, the timeline of women's history milestones stretches back to the founding of the United States; and

WHEREAS, locally and nationally, as we celebrate Women's Equality Day, we recognize the pioneers whose fight for suffrage paved the way for future generations of leaders; and

WHEREAS, the talent and hard work strengthen our economy, our families, our communities and sustain our unique American way of life; and

WHEREAS, recognizing Women's Equality Day as a day of celebration throughout the country emphasizes the importance of women's work for democracy.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby recognizes ***Women's Equality Day*** and encourage all residents to honor phenomenal women's past history and present culture, honor the accomplishments that so many women fought so hard to achieve and rededicate ourselves to tackling the challenges that remain and expanding opportunity for women and girls everywhere.

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

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

Olivia M. Owens
Clerk of the Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
VINAL	Recognizing the Official Ribbon Cutting of Flynnstoned Cannabis Company Buffalo

Attachments

25PROC. 16-23

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

Recognizing the Official Ribbon Cutting of Flynnstoned Cannabis Company Buffalo

WHEREAS, at ***Flynnstoned Cannabis Company Buffalo***, their mission is to revolutionize the cannabis industry by offering premium quality products, a world-class customer experience, and promoting responsible and inclusive cannabis use; and

WHEREAS, outside of their new Buffalo location, FlynnStoned additionally has locations in Syracuse, North Syracuse, Binghamton, Brooklyn, Oswego, Rochester, and Staten Island; and

WHEREAS, led by Jeff Hoffman, General Manager of the new ***Flynnstoned Cannabis Company***, will be located at 6850 Main St., Suite 1, Williamsville, NY 14221; and

WHEREAS, ***Flynnstoned Cannabis Company Buffalo*** is more than a cannabis dispensary; it symbolizes resilience, equity, and progress; and

WHEREAS, ***Flynnstoned Cannabis Company*** will also provide safe, high-quality cannabis products free from harmful contaminants while fostering a welcoming space for education and empowerment; and

WHEREAS, with aspirations of becoming an exceptional dispensary in Western New York's, ***FlynnStoned*** will follow their vision of setting the standard for customer education, leveraging their expertise, making strong local connections, and committing to community engagement; and

WHEREAS, ***Flynnstoned Cannabis Company Buffalo*** core values are integrity, community, empowerment, inclusivity and innovation, which provide a standard to help preserve a legacy and shape the future; and

WHEREAS, in addition to providing exceptional dispensary service for its members, ***Flynnstoned*** aims to work in tandem with their clients, providing quality products and services throughout Erie County; and

WHEREAS, Jeff Hoffman and staff have been thoroughly working to take advantage of every available opportunity for the purpose of continually advancing their business to the next level to build a solid reputation for ***Flynnstoned Cannabis Company Buffalo***.

WHEREAS, The FlynnStoned Cannabis Company team is driven by their unwavering determination to create a thriving and inclusive cannabis culture, where quality products and meaningful experiences converge.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognizes and extends our congratulations and best wishes to the staff as they host the official ribbon-cutting of the new ***Flynnstoned Cannabis Company Buffalo*** on today, September 6, 2025; and be it further

RESOLVED, that this Honorable Body extends our appreciation to ***Flynnstoned Cannabis Company Buffalo*** as they build their clientele throughout Erie County for many years to come.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
VINAL	Recognizing Millie Schaefer -- Williamsville South Flag Football All-Western New York Flag Football First Team Defense

Attachments

25PROC. 16-24

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY

EC LEG JUL 24 '25 PM 3:54

BUFFALO, NY, JULY 25, 2025

Recognizing Millie Schaefer – Williamsville South Flag Football All-Western New York Flag Football First Team Defense

WHEREAS, ***Millie Schaefer,*** a junior at Williamsville South is representing Western New York with yet another milestone accomplishment; and

WHEREAS, ***Millie*** helped the Billies reach the Section VI Class B final in Flag Football; and

WHEREAS, she had 50 flag pulls, six for loss, two interceptions and pick-sixes; and

WHEREAS, on offense, Millie had 307 receiving yards and nine touchdowns; and

WHEREAS, last season, Millie was named Division 2 North All-Star playing cornerback; and

WHEREAS, Schaefer also is a member of the girls' soccer and basketball teams; and

WHEREAS, this Honorable Body takes delight in acknowledging and recognizing individuals like ***Millie*** who enhance, represent, and change by way of action in devoting his time to becoming a phenomenal student-athlete and representing the Western New York community.

NOW, THEREFORE, BE IT

RESOLVED, that with the utmost respect and admiration, the Erie County Legislature recognizes and congratulates ***Millie Schaefer*** on being named to the All-Western New York – First Team Defense and we extend our heartfelt congratulations and praise to her on representing Western New York and best wishes on a safe and healthy flag football season next year.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
GREENE	Honoring Amherst Police Captain Tracy Martin In Recognition of Her Retirement from the Department

Attachments

25PROC. 16-25

EC LEG SEP 9 '25 AM9:30

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y. SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Amherst Police Captain Tracy Martin In Recognition of Her Retirement from the Department

WHEREAS, it is with great pride and admiration that the Erie County Legislature recognizes individuals who have dedicated their lives to public service and made significant contributions to the safety and well-being of our community; and

WHEREAS, ***Captain Tracy Martin*** retired from the ***Amherst Police Department*** on July 24, 2025, after an impressive 26-year career marked by leadership, integrity, and unwavering commitment to excellence in law enforcement; and

WHEREAS, ***Captain Martin*** began her service with the department in 1999, quickly rising through the ranks—becoming Lieutenant in 2011 and making history in 2021 as the department's first female police captain; and

WHEREAS, during her tenure, ***Captain Martin*** held numerous leadership roles, including Supervisor of the New Recruit Training Program, Commander of the SCUBA and Evidence Team, and a key figure in launching the department's Gun Involved Violence Elimination (GIVE) Initiative; and

WHEREAS, ***Captain Martin's*** dedication, professionalism, and service have been recognized with five Departmental Merit Awards, the Amherst Bee Officer of the Year Award, and an Officer of the Year Honorable Mention, earning her the admiration and respect of her colleagues and the community she served; and

WHEREAS, ***Captain Martin's*** legacy as a trailblazer, mentor, and respected leader will have a lasting impact on the Amherst Police Department and will continue to inspire future generations of law enforcement professionals.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and congratulate ***Captain Tracy Martin*** in recognition of her retirement and extend heartfelt gratitude for her distinguished service and leadership. May her next chapter be filled with continued happiness, health, and well-deserved relaxation.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

GREENE	Honoring Debbie Curtis During Suicide Prevention Week

Attachments

25PROC. 16-26

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y. SEPTEMBER 11, 2025 A.D.

EC LEG SEP 9 '25 1:9:40

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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Debbie Curtis During Suicide Prevention Week

WHEREAS, ***Suicide Prevention Week*** is a time to raise awareness, remember those lost, and support the many individuals and families affected by suicide and mental illness; and

WHEREAS, Clarence resident ***Debbie Curtis*** has dedicated herself to honoring the memory of her son, Brock Wesley Curtis, who passed away far too soon at the age of 24; and

WHEREAS, Brock was known as an "all-American kid" — an athlete, a traveler, and an outdoor enthusiast — who, like far too many young adults, struggled with the invisible challenges of mental illness, ultimately being diagnosed with bipolar one disorder; and

WHEREAS, following this unimaginable loss, ***Debbie Curtis*** and her family established the nonprofit 4TeamBrock, a 501(c)(3) organization committed to raising awareness, ending the stigma around serious mental health conditions, and supporting suicide prevention initiatives in our community; and

WHEREAS, the heart of 4TeamBrock is Brock's family, including Brock's mother Debbie, his father Scott, his older brother Bradley, his eldest sister Jennifer, and his older sister Nicole — with each sibling just two years apart in age; and

WHEREAS; Brock himself, forever the youngest, stands at the top of the 4TeamBrock logo, looking over them all and inspiring them every day to carry on his legacy and help others; and

WHEREAS, 4TeamBrock is guided by the belief that "at some point in life, everyone needs help" and centered on a foundation built on compassion, integrity, and love, using its own resources — and the resources entrusted to it by others — to help individuals with mental illness and to support their families so they can live longer, healthier lives; and

WHEREAS, the organization channeled this mission into action by hosting the first annual Together We Walk 4TeamBrock 24-hour community walk/run at Clarence High School, where participants of all ages and abilities gathered to promote mental health awareness and suicide prevention; and

WHEREAS, in 2025, ***Debbie Curtis*** embarked on a remarkable, more than 50-day solo bicycle ride across the United States, beginning in San Diego, California, and ending in New York City, New York, to raise awareness, honor Brock's legacy, and spread the message that "people aren't alone, and mental health is health"; and

WHEREAS, through her courage, compassion, and determination, ***Debbie Curtis*** has touched countless lives, encouraged open dialogue about mental illness, and inspired hope for a future where no one struggles in silence.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and commend ***Debbie Curtis*** for her extraordinary dedication to suicide prevention and mental health awareness and honors her as an inspiration to our community during ***Suicide Prevention Week.***

CHRISTOPHER D. GREENE
Erie County Legislator, District 6

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

MEYERS	In Remembrance of Jacqueline Marie Kubisty

Attachments

25PROC. 16-27

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

In Remembrance of Jacqueline Marie Kubisty

WHEREAS, Almighty God, in His infinite wisdom, on July 22, 2025, removed from our midst ***Jacqueline Marie Kubisty,*** in whose death we have lost a loving mother, grandmother, great-grandmother, sister valued and respected citizen, and whose family has lost a leader, kind and devoted member; and

WHEREAS, ***Jacqueline Marie Kubisty,*** daughter of the late Walter Badaszewski and the late Emily Badaszewski**,** was born in Buffalo, New York; and

WHEREAS, ***Jacqueline*** received her Christian upbringing at an early age; and

WHEREAS, ***Jacqueline*** bestowed the importance of discipline and emphasized hard work to her children; and

WHEREAS, ***Jacqueline*** also demonstrated a sincere commitment to provide wisdom to her family and those dear to her; and

WHEREAS, in her leisure time, Jacqueline was an animal lover and had many cherished fur babies; and

WHEREAS, through her warmth, kind spirit, and pleasant personality, ***Jacqueline*** was loved by many and made a lasting transformation in the lives of her family and other loved ones; and

WHEREAS, Jacqueline's beautiful life will continue to be cherished on Earth in the lives of her loving children, Deborah A. (Stephen) Bogdan, Kenneth Kubisty, Kim M. (Thomas) Stresing and Richard T. (Christina) Kubisty; three loving grandchildren, Eric, Jordan, and Jeremy; four great-grandchildren, Aubrey, Austin, Lucah and Weston; one brother, Deacon Robert Badaszewski and a host of extended family members and wonderful friends; and

WHEREAS, after eighty-six fruitful and joyous years on this Earth, Jacqueline now rests peacefully with her loving parents; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby mourns the passing of ***Jacqueline Marie Kubisty*** and pauses in its deliberations to recognize her praiseworthy life, her love of family and her commitment and devotion to the betterment of our community; and be it further

RESOLVED, that the Erie County Legislature express its sympathy and condolences to the ***Kubisty*** family, and to her many friends, knowing full well that she has received her eternal and glorified reward in Heaven, having heard the consoling words of the Master, *"Well done, thou good and faithful servant."*

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
TODARO	Honoring Mark Hjalmarson, The Erie County Fair Daily Firefighter Honoree for August 15, 2025

Attachments

25PROC. 16-28

EC LEG SEP 9 '25 AM8:09

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 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 11th of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Mark Hjalmarson

The Erie County Fair Daily Firefighter Honoree for August 15, 2025

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

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

WHEREAS, the Townline Volunteer Fire Department is fully staffed by volunteers from our local community, providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions; and

WHEREAS, on August 15, 2025, **Mark Hjalmarson** was honored as an ***Erie County Fair Daily Firefighter Honoree***, an honor presented to a firefighter who makes an impact in the community and is nominated by members of the public; and

WHEREAS, **Mark Hjalmarson** selflessly volunteers his time and energy to the Townline Volunteer Fire Department wherever needed and is known for being a hardworking, ever-present, and proactive member, who is always doing all he can to make the department the best it can be.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Mark Hjalmarson** as ***Erie County Fair Daily Firefighter Honoree*** for August 15, 2025, and thank him for his dedication and sacrifice to the Townline Volunteer Fire Department and the community.

FRANK J. TODARO
Erie County Legislator – 8th District

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
TODARO	Honoring Jerry Enser, The Erie County Fair Daily Firefighter Honoree for August 7, 2025

Attachments

25PROC. 16-29

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 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 11th of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Jerry Enser

The Erie County Fair Daily Firefighter Honoree for August 7, 2025

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

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

WHEREAS, the Lancaster Fire Department is fully staffed by volunteers from our local community, providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions; and

WHEREAS, on August 7, 2025, **Jerry Enser** was honored as an ***Erie County Fair Daily Firefighter Honoree***, an honor presented to a firefighter who makes an impact in the community and is nominated by members of the public; and

WHEREAS, Jerry Enser selflessly volunteers his time and energy to the Lancaster Fire Department wherever needed and is known for being a hardworking, ever-present, and proactive member, who is always doing all he can to make the department the best it can be.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Jerry Enser** as ***Erie County Fair Daily Firefighter Honoree*** and thank him for his dedication and sacrifice to the Lancaster Fire Department and the community.

FRANK J. TODARO
Erie County Legislator – 8th District

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
TODARO	Honoring Stephen Gaglione, The Erie County Fair Daily Firefighter Honoree for August 10, 2025

Attachments

25PROC. 16-30

EC LEG SEP 9 '25 AM8:09

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 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 11th of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Stephen Gaglione

The Erie County Fair Daily Firefighter Honoree for August 10, 2025

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

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

WHEREAS, the Lancaster Fire Department is fully staffed by volunteers from our local community, providing fire, rescue, and emergency services for the Village of Lancaster and surrounding mutual aid jurisdictions; and

WHEREAS, on August 15, 2025, **Stephen Gaglione** was honored as an ***Erie County Fair Daily Firefighter Honoree***, an honor presented to a firefighter who makes an impact in the community and is nominated by members of the public; and

WHEREAS, Stephen Gaglione selflessly volunteers his time and energy to the Lancaster Fire Department wherever needed and is known for being a hardworking, ever-present, and proactive member, who is always doing all he can to make the department the best it can be.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Stephen Gaglione** as ***Erie County Fair Daily Firefighter Honoree*** for August 10, 2025, and thank him for his dedication and sacrifice to the Lancaster Fire Department and the community.

FRANK J. TODARO
Erie County Legislator – 8th District

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
TODARO	Congratulating Bank on Buffalo on Opening Its New Location in Depew

Attachments

25PROC. 16-31

EC LEG SEP 9 '25 AM 8:09

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Congratulating Bank on Buffalo on Opening its New Location in Depew

WHEREAS, Erie County is enriched by institutions that not only deliver quality financial services but also uplift the environmental, social, and cultural well-being of our community; and

WHEREAS, Bank on Buffalo opened its first location in Buffalo's historic Electric Tower in February of 2017, but its parent company, "County National Bank" or CNB, can trace its origins back to 1865; and

WHEREAS, Bank on Buffalo fosters a culture of diversity, inclusion & belonging, cultivating an environment where all individuals can thrive, supported by corporate responsibility rooted in these core values; and

WHEREAS, through its environmental responsibility initiatives, **Bank on Buffalo** leverages its network to accelerate sustainability and economic recovery, working to ensure that the planet thrives; and

WHEREAS, Bank on Buffalo's emphasis on Social Impact demonstrates a steadfast commitment to building an equitable future—enabling people and businesses to prosper so that shared humanity, communities, and economies can flourish; and

WHEREAS, on August 20th, 2025, Bank on Buffalo will open its 14th location on Transit Road in Depew, marking the next chapter in this company's long and storied history.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to congratulate **Bank on Buffalo** on the Grand Opening and wishes it many years of success.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
TODARO	Celebrating the 175th Anniversary of Saint Mary's Church of the Assumption

Attachments

25PROC. 16-32

EC LEG SEP 9 '25 AM8:09

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 2025, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County to be held in Old County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution will be adopted, of which the following is a true copy:*

Celebrating the 175th Anniversary of Saint Mary's Church of the Assumption

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

WHEREAS, the first Catholic settlers in Lancaster arrived from Germany throughout the 1820s and 1830s, and by 1834, there were records of fifteen Catholic families in Lancaster who would walk eleven miles to receive services in Buffalo; and.

WHEREAS, Father Nicolas Metz was concerned about the challenges this presented to children, so he began to raise money, and on January 6, 1834, a piece of land was purchased in Lancaster, New York for $80 that would later become **Saint Mary's Church of the Assumption**; and

WHEREAS, Father John Neumann was a visiting priest from 1837 through 1840 and became instrumental in erecting the first church on St. Mary's Hill and establishing St. Mary's first school; and

WHEREAS, in 1850 Bishop Timon sent a resident pastor, Father Sergius de Stchoulepnkoff, who supervised the building of the first brick church, and the dedication of that church, under the corporate title **"St. Mary's Church of the Assumption"**; and

WHEREAS, throughout its history, **St. Mary of the Assumption** has witnessed significant changes in the world and society, yet its core mission has remained unchanged: to provide a space to celebrate the eucharist; and

WHEREAS, Saint Mary's Church of the Assumption expects its parish and services to continue to grow larger and stronger with the energy and faith of its dedicated parishioners; and

WHEREAS, Saint Mary's Church of the Assumption celebrates its **175th Anniversary** on August 17, 2025, marked by a variety of special masses and events for parishioners to enjoy.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to celebrate **Saint Mary's Church of the Assumption** for its **175th Anniversary** and celebrate its legacy.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

LORIGO	Recognizing the 15th Anniversary of West Seneca Art Society

Attachments

25PROC. 16-33

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the 15th Anniversary of West Seneca Art Society

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, in 2025, the **West Seneca Art Society** is celebrating its **15th Anniversary** of promoting art and creativity throughout the community, sharing the joy of creation and self-expression throughout the town of West Seneca; and

WHEREAS, founded in 2010 by Bernice Smith, the **West Seneca Art Society** has since grown to over 60 members, welcoming artists of any skill level who specialize in any discipline or medium of artistic expression; and

WHEREAS, with a mission of spreading "inspiration, education, and enjoyment to all", the **West Seneca Art Society** emphasizes equality between novice and established artists, promoting a platform for its members to help each other grow and improve their skills; and

WHEREAS, the **West Seneca Art Society** is active throughout the community, regularly hosting workshops, outdoor painting events, volunteering efforts, and exhibits throughout the town each year; and

WHEREAS, the **West Seneca Art Society** also displays art pieces in the West Seneca Town Hall for visitors to enjoy throughout the year; and

WHEREAS, now celebrating its **15th Anniversary**, the **West Seneca Art Society** continues to contribute to the community's vitality and creativity, providing a space for interested individuals to collaborate and share their artistic pursuits.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the **West Seneca Art Society on its 15th Anniversary** of spreading the wonders of artistic expression to the community and commends its members for their contributions each year.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
LORIGO	Recognizing the Holland Volunteer Fire Department on Being Named the 2025 EMS Agency of the Year by the Wyoming-Erie Emergency Medical Council

Attachments

25PROC. 16-34

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing the Holland Volunteer Fire Department For Being Named the 2025 EMS Agency of the Year by the Wyoming-Erie Emergency Medical Council

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

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

WHEREAS, the **Holland Volunteer Fire Department** has been recognized by the Wyoming-Erie Emergency Medical Council as the **EMS Agency of the Year for 2025** for the outstanding work of their firefighters and EMS providers in serving the community; and

WHEREAS, the **EMS Agency of the Year Award** is presented to a company that consistently exhibits exemplary professionalism and performance when providing or supporting pre-hospital emergency care as the first responders to the scene of an incident; and

WHEREAS, the **Holland Volunteer Fire Department** was first organized in 1893, and its ambulance service began in 1968, continually growing in strength to best serve its neighbors throughout the Holland area; and

WHEREAS, exemplifying the highest standards of professionalism and bravery, the tireless efforts of the **Holland Volunteer Fire Department** have made the Holland community and Western New York a safer place to live, work, and thrive.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize the **Holland Volunteer Fire Department** for being named the **EMS Agency of the Year for 2025** by the Wyoming-Erie Emergency Medical Council, and thanks each of its members for the exceptional service they provide to the community each day.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
LORIGO	Recognizing Dawne Hoeg on Receiving the Buffalo History Museum 2025 Owen B. Augspurger Award for Stitch Buffalo

Attachments

25PROC. 16-35

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Dawne Hoeg on Receiving the Buffalo History Museum 2025 Owen B. Augspurger Award for Stitch Buffalo

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

WHEREAS, Dawne Hoeg, a resident of East Aurora, was honored by the Buffalo History Museum with the **2025 Owen B. Augspurger Award** for her contributions to the community as the founder of her nonprofit, **Stitch Buffalo**; and

WHEREAS, Stitch Buffalo is a textile arts center that supports refugee and immigrant women by providing a workshop for their craft as well as a platform to sell their handcrafted goods, creating a community of artisans from around the world to express their unique heritage through their work; and

WHEREAS, the **Owen B. Augspurger Award** was established in 1974 by the Buffalo History Museum to recognize individuals for their outstanding contributions to the local history of Western New York as part of the Museum's Red Jacket Awards; and

WHEREAS, Stitch Buffalo provides a welcoming environment to individuals of all backgrounds, offering community classes that foster cross-cultural interactions and promote sustainability by the reuse of second-hand and donated materials; and

WHEREAS, through her efforts as founder of **Stitch Buffalo**, **Dawne Hoeg** has contributed significantly to the cultural preservation and international community of Western New York, creating a lasting connection with all who interact through their textile arts.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Dawne Hoeg** as the recipient of the **Buffalo History Museum 2025 Owen B. Augspurger Award** for her exceptional efforts in the community through **Stitch Buffalo**.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
LORIGO	Proclaiming August 31st as International Overdose Awareness Day

Attachments

25PROC. 16-36

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 2025 A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County to be held in Old County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution will be adopted, of which the following is a true copy:*

Proclaiming August 31st as International Overdose Awareness Day

WHEREAS, International Overdose Awareness Day is recognized annually on August 31st to commemorate the lives lost to drug overdoses, accidental or otherwise, and raise awareness of the ongoing global crisis that claims nearly six hundred thousand lives per year; and

WHEREAS, in the United States, over eighty thousand drug overdose deaths were estimated to have occurred in 2024, the lowest number of projected deaths since 2019; and

WHEREAS, International Overdose Awareness Day is an effort to support families and friends who are mourning the loss of a loved one to an overdose, as well as those currently struggling with addiction, offering resources and a community for all those affected; and

WHEREAS, working with like-minded organizations, Spectrum Health and Human Services of West Seneca, New York is hosting its "Not One More: Standing Together to End Overdose" on August 31, 2025 as a remembrance event to honor those who have passed from an overdose; and

WHEREAS, throughout Erie County, numerous organizations work each day alongside Spectrum Health and Human Services to provide residents struggling with addiction and its effects, including Kids Escaping Drugs, Horizon Health Services, Save the Michaels of the World, and several more; and

WHEREAS, it is important to view overdose awareness not with a stigma, but with the mindset that it is a global issue with prevention solutions that can only work when community-wide efforts are centered on compassion and respect for others.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to proclaim August 31, 2025 as **International Overdose Awareness Day** to remember those who have passed from drug overdose and supports their surviving friends and family in mourning.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
LORIGO	Recognizing Gracie Mulville for Supporting the Harold O. Brumsted Elementary School Musical Theater Club

Attachments

25PROC. 16-37

EC LEG SEP 9 '25 AM9:53

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Recognizing Gracie Mulville for Supporting the Harold O. Brumsted Elementary School Musical Theater Club

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

WHEREAS, **Gracie Mulville**, a third-grade teacher at the **Harold O. Brumsted Elementary School** in Holland, New York, was awarded one of five grants from the New York State Retired Teachers Association, which she used to fund the **Musical Theater Club** for third- and fourth-grade students; and

WHEREAS, the New York State Retired Teachers Association awards a grant each year to educators in Erie, Cattaraugus, Chautauqua, Niagara, or Genesee Counties, with the goal of supporting teacher-driven initiatives that promote cultural presentations; and

WHEREAS, the **Musical Theater Club** at **Harold O. Brumsted Elementary School** introduces students to the musical production process at an early age, offering hands-on experience in areas such as choreography, script performance, and stage presentation; and

WHEREAS, participation in the performing arts has a profoundly positive impact on young students, fostering confidence, enhancing memory, and cultivating teamwork skills throughout the various stages of working on a production; and

WHEREAS, the **Musical Theater Club** underscores the value of creative opportunities in the lives of young students, helping them build lifelong memories and inspiring a lasting appreciation for the arts.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Gracie Mulville** for her support of the **Harold O. Brumsted Elementary School Musical Theater Club** and wishes the Club's students the best of luck in their future performances.

LINDSAY R. LORIGO
Erie County Legislator, District 10

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MILLS	Honoring Amelia Errington on Achieving the Girl Scout Silver Award

Attachments

25PROC. 16-38

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., AUGUST 25, 2025, A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County to be held in Old County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution will be adopted, of which the following is a true copy:

Honoring Amelia Errington on Achieving the Girl Scout Silver Award

WHEREAS, The Erie County Legislature is proud to honor outstanding young individuals in our community whose commitment to service and leadership enriches the lives of others; and

WHEREAS, Amelia Errington, a dedicated member of Girl Scout Troop 30677 since kindergarten, has earned the distinguished **Girl Scout Silver Award**—one of the highest honors a Girl Scout can achieve—through her compassion, creativity, and service; and

WHEREAS, inspired by her love of animals and years of involvement in 4-H with her dog, **Amelia** envisioned a project that would directly support pet welfare and access to essential pet care supplies in the community; and

WHEREAS, Amelia Errington partnered with the SPCA to create a community-based Pet Pantry initiative, successfully organizing, stocking, and installing three pantries at strategic locations—the Hamburg Library, the VFW Post in Lake View, and the Blasdell Community Church—ensuring they are accessible to families in need and those seeking to care for their pets; and

WHEREAS, Amelia's Silver Award Project has made a tangible and lasting contribution to the welfare of animals and the people who love them, and her efforts reflect the values of empathy, leadership, and civic engagement; and

WHEREAS, Amelia Errington will be formally recognized for her achievement and the successful implementation of her **Silver Award Project** during a dedication ceremony at the Hamburg Library on **August 25, 2025.**

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and celebrate the remarkable service and vision of **Amelia Errington,** commend her for achieving the **Girl Scout Silver Award,** and extend heartfelt congratulations and best wishes for continued success in all her future endeavors.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MILLS	Honoring Patricia "Patty" Friend as 2025 Brant Resident of the Year

Attachments

25PROC. 16-39

EC LEG SEP 9 '25 AM8:09

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., SEPTEMBER 9TH, 2025, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County to be held in Old County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution will be adopted, of which the following is a true copy:*

Honoring Patricia "Patty" Friend, 2025 Brant Resident of the Year

WHEREAS, **Patricia "Patty" Friend** has earned the admiration of her community through decades of generosity, civic engagement, and heartfelt service to the Town of Brant; and

WHEREAS, born on January 21, 1959, to Rob and Kathleen Mittner, **Patty** grew up in Buffalo and later Point Breeze in Angola, alongside her siblings, and graduated from Lake Shore High School, where she was known for her strong work ethic and caring personality; and

WHEREAS, in 1979, **Patty** married Bill Friend and together they raised three children—Ron, Jolene, and Sam—on their family farm in Brant, creating a welcoming home rooted in faith, kindness, and community values; and

WHEREAS, for many years, their barn served as the beloved site of the annual Christmas Barn Mass for St. Anthony's Church, a tradition that brought neighbors together in warmth and celebration; and

WHEREAS, as **Brant Town Historian, Patty Friend** has preserved the town's heritage through extensive research, the creation of commemorative postal cancellations, and public storytelling that brings history to life; and

WHEREAS, **Patty** is a devoted volunteer for events like Brant Summer Fest, the Angola Library, and St. Anthony's Church, always willing to lend a hand and ready to support a good cause; and

WHEREAS, **Patty** regularly contributes to the *Angola Pennysaver*, highlighting the achievements of residents and businesses, and sharing moments that celebrate community pride; and

WHEREAS, known for her welcoming spirit, sense of humor, love of gardening, photography, and time spent with her cherished grandchildren, **Patty Friend** exemplifies the heart of Brant and is deeply respected by all who know her.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Patricia "Patty" Friend** as the **2025 Brant Resident of the Year**, and thanks her for a lifetime of extraordinary service, neighborly kindness, and unwavering community spirit.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MILLS	Honoring Annalise Casciano and the Room Theatre Company on the Grand Opening of Their New Studio

Attachments

25PROC. 16-40

EC LEG SEP 9 '25 AM8:09

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 2025, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Honoring Annalise Casciano and the Room Theatre Company on the Grand Opening of Their New Studio

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

WHEREAS, **Annalise Casciano's** educational journey went from Sacred Heart Academy to the University of Buffalo, where she graduated with a degree in psychology and a minor in theater, and had instilled in her the values of perseverance to follow her dreams; and

WHEREAS, at just twenty years old, **Annalise Casciano** founded **The Room Theatre Company** in September 2021 with only eight students while balancing the demands of college life, and today her company serves more than 100 students across multiple programs; and

WHEREAS, on September 13, 2025, **The Room Theatre Company** celebrates the grand opening of its new 2,000-square-foot studio at 4168 N Buffalo Street in Orchard Park, a remarkable homecoming as **Annalise** takes over the very space once occupied by her childhood teacher, Amy Lynn, transforming the inspiration of her youth into a thriving business of her own; and

WHEREAS, **The Room Theatre Company's** curriculum empowers young performers of all backgrounds to discover their creative potential, inspiring even the most reluctant to step into the spotlight and build confidence; and

WHEREAS, through her commitment to nurturing creativity, **Annalise Casciano** has enriched the lives of her students, while **The Room Theatre Company's** productions showcase imagination and artistry, bringing stories to life.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to recognize **Annalise Gasciano and The Room Theatre Company** for their remarkable success and congratulate them on the grand opening of their new studio in Orchard Park.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MILLS	Honoring William "Billy D" Dzierzanowski for 36 Years of Service to the Town of Boston

Attachments

25PROC. 16-41

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK
LEGISLATURE OF ERIE COUNTY
BUFFALO, N.Y., AUGUST 6, 2025, A.D.

I HEREBY CERTIFY THAT *at a regular session of the Legislature of Erie County to be held in Old County Hall, in the City of Buffalo, on the 11th day of September 2025 A.D., a resolution will be adopted, of which the following is a true copy:*

Honoring William "Billy D" Dzierzanowski for 36 Years of Service to the Town of Boston

WHEREAS, the Erie County Legislature seeks to recognize and honor individuals in our community who provide essential services and improve the quality of life for residents across Erie County; and

WHEREAS, William "Billy D" Dzierzanowski began his employment with the Town of Boston in 1989 in the Parks Department, where he worked for nine years before moving to the Highway Department in 1999; and

WHEREAS, during his twenty-seven years in the Highway Department, **Mr. Dzierzanowski** took on key responsibilities such as road repair, snow removal, brush pickup, equipment operation and maintenance, and general upkeep of town roads and rights-of-way; and

WHEREAS, he carried out these duties in all types of weather—through snowstorms, high heat, heavy rain, and hazardous conditions—ensuring the roads remained safe and passable for residents year-round; and

WHEREAS, in addition to his full-time work with the Town, **Mr. Dzierzanowski** also serves as a volunteer firefighter with the Patchin Fire Company in Boston, New York, further contributing to public safety in his community; and

WHEREAS, Mr. Dzierzanowski retired from the Town of Boston on July 30, 2025, following thirty-six years of dependable and hands-on service.

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature does hereby recognize and thank **William "Billy D" Dzierzanowski** for thirty-six years of dedicated service to the Town of Boston and his ongoing service as a member of the Patchin Fire Company, and extends its best wishes as he enters retirement.

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT	
MILLS & LORIGO	Celebrating 50 Years of Gymnastics Unlimited, Home of the Orchard Park Gymsters

Attachments

25PROC. 16-42

EC LEG SEP 9 '25 AM8:10

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., SEPTEMBER 11, 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 11th day of September 2025 A.D., a resolution was adopted, of which the following is a true copy:*

Celebrating 50 Years of Gymnastics Unlimited, Home of the Orchard Park Gymsters

WHEREAS, ***Gymnastics Unlimited***, founded in 1975 and operated by the ***Orchard Park Gymsters***, has dedicated fifty years to teaching gymnastics to individuals of all ages, fostering both athletic skills and personal development; and

WHEREAS, ***Gymnastics Unlimited*** has become a cornerstone of the community by offering creative programs that enhance self-confidence, listening skills, and problem-solving abilities through the discipline of gymnastics; and

WHEREAS, under the leadership of owner June Haas, the Learning 'n' Motion Preschool Classes have successfully integrated classroom academics with athletic training, allowing children to practice early learning skills while engaging in gymnastics; and

WHEREAS, Gymnastics Unlimited grew from a handful of staff to its current student-to-teacher ratio of seven to one, instructing over two hundred children throughout their team programs; and

WHEREAS, Gymnastics Unlimited continues to evolve, with plans to incorporate new athletic opportunities such as Ninja training, further promoting endurance, speed, and strength; and

WHEREAS, for five decades, **Gymnastics Unlimited** has remained dedicated to building confidence, strength, and lifelong skills in its students while enriching the Erie County community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor and recognize **Gymnastics Unlimited for fifty years** of commitment to athletic development, personal growth, and community enrichment in Erie County.

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

LINDSAY R. LORIGO
Erie County Legislator – 10th District

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

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

Attachments

LL INTRO. 2-1 (2024)

EC LEG APR 30 '24 AM11:00

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: 09/11/2025

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)

EC LEG JUL 22 '24 PM12:19

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 5-2 -2024

LOCAL LAW NO. ____-2024

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

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. LEGISLATIVE INTENT

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

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

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

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

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

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

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

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

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

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

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

Section 3. EFFECTIVE DATE

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

Section 4. SEVERABILITY

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

Sponsor:

John J. Bargnesi

Erie County Legislature
Meeting Date: 09/11/2025

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

Attachments

LL INTRO. 7-1

EC LEG OCT 7 '24 PM5:23

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: 09/11/2025

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

Amendment to LL Intro. 4-1 (2025)

Attachments

LL INTRO. 4-1 (2025)

EC LEG JUL 9 '25 PM 9:08

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 need 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

- [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:

a. 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.
b. Members of the Advisory Board may not serve as elected public officers for Erie County[hold elective office].

SECTION 4. MEETINGS

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: 09/11/2025

SUBJECT

LL INTRO. 6-1 (2025)	MAJORITY CAUCUS	Authorizing Purchasing Based on Best Value & Expanded Use of Cooperative Purchasing

Attachments

LL INTRO. 6-1 (2025)

EC LEG SEP 9 '25 AM 9:02

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE COUNTY OF ERIE
LOCAL LAW INTRO. NO 6-1 - 2025
LOCAL LAW NO. _____ - 2025

"A LOCAL LAW AUTHORIZING PURCHASING BASED ON BEST VALUE AND EXPANDED USE OF COOPERATIVE PURCHASING"

SECTION 1: LEGISLATIVE INTENT:

The State Legislature and Governor amended General Municipal Law §103(1) (A08692/S6117) on January 27, 2012, to provide local governments with greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires political subdivisions with a population of less than one million to pass a local law authorizing the use of the best value award process.

(From Assembly Bill Memo A08692) – Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The "best value" standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

The federal government, approximately half of the states and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers; it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when public procurement results in low unit costs at the outset but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan quality and options and incentives for more timely performance and/or additional services.

Even if the initial expenditure is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities' needs, including such important goals as the participation of small, minority, and women-owned businesses and the development of environmentally preferable good and service
delivery methods. Best value procurement will provide much needed flexibility in obtaining important goods and services at favorable prices and will reduce the time to procure such goods and services.

General Municipal Law § 103(16) permits New York municipalities and districts to make purchases and contract for services through contracts let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with GML §103 and made available for use by other governmental entities. This is commonly referred to as "piggybacking," and the same local law requirement applies to piggybacking on any contract awarded by best value. The County already makes many contracts awarded to the lowest responsible bidder available to specified public entities in Western New York as permitted by County Law § 408-a(2), but that statute was not revised to reflect the authorization of best value contracting or the option of piggybacking on best value contracts granted by an amendment to GML § 103(16) in 2013 (S. 3766-A). Under GML § 104-b, the County also establishes its own rules for procurement not covered by GML § 103.

Cooperative purchasing strengthens public sector procurement by reducing duplicative efforts, leveraging economies of scale, and promoting consistency in the acquisition of goods and services across jurisdictions. Allowing other local governments, school districts, and public agencies to access County contracts reduces costs for those entities while expanding competition and opportunities for vendors. This may be done by the County acting alone, or as the "lead public agency" for a formal purchasing consortium.

The administration of cooperative purchasing arrangements requires the County to invest resources in soliciting, evaluating, and maintaining contracts for shared use. To ensure fairness to Erie County taxpayers who bear the cost of developing and administering such contracts, the County is authorized to recover its reasonable administrative costs from vendors benefitting from the expanded use of County contracts by other governmental entities.

Accordingly, the purpose of this Local Law is to modernize the County's procurement practices by (1) authorizing the County to award contracts on a best value basis and to make purchases through other contracts awarded by best value; and (2) expanding and facilitating opportunities for other governmental entities to purchase through County contracts through Purchasing Consortia or individually. These measures collectively advance the goals of efficiency and fiscal responsibility in the expenditure of public funds.

SECTION 2 – DEFINITIONS:

Authorized User. A governmental or other public entity to which a contract awarded by Erie County or by another Contracting Agency has been made available for use, consistent with the requirements of General Municipal Law §103 and other applicable law.

Best Value. As defined in State Finance Law § 163(j), "Best Value" means the basis for awarding contracts to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerors that are small businesses, certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law or service-disabled veteran-owned business enterprises as defined in subdivision one of section forty of the veterans' services law to be used in evaluation of offers for awarding of contracts for services.

Contracting Agency. The County or a state, agency, political subdivision, district, or other governmental or public entity that has solicited, awarded, and entered into a contract in accordance with General Municipal Law §103 or other applicable law, and whose contract is made available for use by members of a Purchasing Consortium or other governmental entities.

Cooperative Contract. A Purchase Contract that has been solicited and awarded by a Contracting Agency in compliance with General Municipal Law §103 or other applicable law, and that is made available for use by Authorized Users through a Purchasing Consortium or by direct authorization.

Purchasing Consortium. An organization, association, or cooperative arrangement of governmental or other public entities serving as Contracting Agencies and/or Authorized Users for one another or that otherwise administer or facilitate the shared use of Cooperative Contracts.

Purchase Contract. A contract for the purchase of apparatus, materials, equipment or supplies, or for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies.

SECTION 3 – AWARDING CONTRACTS ON THE BASIS OF BEST VALUE:

A. The Purchasing Director may award Purchase Contracts (including contracts for service work, but excluding any Purchase Contract necessary for the completion of a public works contract pursuant to Labor Law Article 8) on the basis of Best Value to a responsive and responsible bidder or offeror in the manner provided by General Municipal Law § 103.

B. The Division of Purchase shall establish and revise administrative guidelines and evaluation tools for determining when award on the basis of Best Value is appropriate, the form and content of best-value bid solicitations, how bid submissions will be assessed, and how such awards will be documented.

C. When a Purchase Contract is to be awarded on the basis of Best Value:

   i. The Purchasing Director shall document in the procurement record and in advance of the initial solicitation and receipt of offers, the determinations that use of Best Value is appropriate for the procurement and of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of Best Value and the manner in which the evaluation process and selection shall be conducted. When appropriate, these determinations shall be made in consultation with the requesting department head.

   ii. The bid solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative

importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of Best Value.

iii. Factors may include, but are not limited to: product or service quality, durability, reliability, timeliness of performance, efficiency, useful lifespan, compatibility with existing systems, experience and qualifications of the offeror, past performance, customer support, cost of maintenance, long-term cost implications, and sustainability practices. Where appropriate, factors may also include the participation of minority- and women-owned business enterprises, service-disabled veteran-owned businesses, and other small businesses.

D. Pursuant to General Municipal Law § 103(16), the Purchasing Director is accordingly authorized to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may be required by the County through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let on the basis of Best Value in a manner consistent with General Municipal Law § 103 and made available for use by other governmental entities.

E. Contracts and procurements made under the County's Purchasing Policies & Procedures adopted pursuant to General Municipal Law § 104-b may also be awarded based on Best Value.

SECTION 4 – EXPANDING OPPORTUNITIES FOR COOPERATIVE PURCHASING THROUGH ERIE COUNTY CONTRACTS:

A. Pursuant to General Municipal Law §§ 103(16) and 104-b, in addition to that authority granted by and already exercised under General Municipal Law §§ 103(3) & 109-c, and County Law § 408-a(2):

i. The Erie County Legislature may, with respect to any Purchase Contract let by the County except one for services subject to Article 8 or Article 9 of the New York Labor Law, authorize the inclusion of a provision whereby purchases may be made or such services may be obtained under such contract by any governmental entity, if the County could make purchases or obtain services under such contract were it let by the United States of America or any agency thereof, any state or any other political subdivision or district therein.

ii. The same may be authorized for sole-source contracts, professional services contracts awarded through the request for proposal (RFP) process, or other Purchase Contracts governed by the County's Purchasing Policies & Procedures adopted under General Municipal Law § 104-b.

iii. To the extent permissible by law, additional not-for-profit entities may be Authorized Users as designated by the Erie County Legislature and Purchasing Director.

iv. Subject to approval by the Erie County Legislature, the County may serve as a Contracting Agency for a Purchasing Consortium and may enter into agreements with Purchasing Consortia and/or vendors to facilitate and administer cooperative purchasing and to make County contracts available for use by Authorized Users. Such contracts may include terms requiring vendors and/or Purchasing Consortia to the County for administrative and related costs incurred in connection with the establishment and administration of Cooperative Contracts. Reimbursement or compensation rates that are consistent with standard practices in the cooperative purchasing industry shall be deemed presumptively reasonable and valid.

v. When so approved by the Legislature and Purchasing Director, any Authorized User may make purchases and contract for services through the County's Purchase Contracts and Cooperative Contracts to the extent the County and Purchasing Consortia (if any) have provided for and is permitted by the law applicable to each Authorized User. Under no circumstances shall the County of Erie be deemed a party to, or assume any liability or responsibility for, any contract, purchase, payment, or obligation entered into by an Authorized User or Purchasing Consortium pursuant to this Local Law or GML § 103. Each Authorized User is responsible for determining its own compliance with relevant law and shall accept sole responsibility for any and all payments due a vendor, contractor, or purchasing consortium.

SECTION 5 – PURCHASING POLICIES & PROCEDURES:

The County's Purchasing Policies & Procedures are hereby amended to restate and incorporate Sections 2 through 4 of this Local Law. The Erie County Legislature may subsequently modify the rules and procedures herein by resolution amending the Purchasing Policies & Procedures.

SECTION 6 – SEVERABILITY:

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

SECTION 7 – EFFECTIVE DATE:

This local law shall take effect immediately upon filing with the New York Secretary of State.

SPONSORS: Legislators Bargnesi, Dupre, Gilmour, Kooshoian, Meyers, St. Jean Tard, and Vinal.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

INTRO. 16-1	MAJORITY CAUCUS	Legislature Personnel Budget Authorization

Attachments

25INTRO. 16-1

EC LEG SEP 9 '25 AM 8:02

A RESOLUTION TO BE SUBMITTED BY
THE MAJORITY CAUCUS
OF THE ERIE COUNTY LEGISLATURE

RE: Legislature Personnel Budget Authorization

WHEREAS, Article II, Section 202.4 of the Erie County Charter, as amended by Local Law No. 1-2017, addresses the procedure for the allocation of funds for the Erie County Legislature; and

WHEREAS, it states that "the fund appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, shall be allocated to the majority and minority in the proportion that the majority members of the Legislature will bear to the total number of legislators, provided that the majority will not receive more than 65 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, and the proportion that the minority members of the Legislature will bear to the total number of legislators, provided that the minority will not receive less than 35 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, as of the commencement of the fiscal year for which the budget is adopted;" and

WHEREAS, in order to keep the Legislature's annual departmental budget in accordance with the Erie County Charter, the Legislature needs the authority to hire staff at a variable minimum.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is authorized to fill the following positions at a variable minimum up to and including step 5:

- JG12 – Director of Policy & Research to the Majority (LEG) - (Cost Center 1003030)

and be it further

RESOLVED, the original date of County service will be used for calculating future increments;

and be it further

RESOLVED, that certified copies of this resolution be presented to the Chairperson of the Erie County Legislature, the Minority Leader of the Erie County Legislature, Commissioner of Personnel, and the Director of Budget & Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-9	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 4-1 (2025)

Attachments

25COMM. 16D-9

SUSPENSION

EC LEG SEP 10 '25 AM 9:34

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

COUNTY OF ERIE

DEPARTMENT OF LAW

September 9, 2025

VIA E-MAIL ONLY
Hon. Timothy J. Meyers, Chairman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 4-1 2025

Dear Chairman Meyers:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 4-1 2025 (4-1).

Preemption

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

Here, 4-1 does not present any direct conflicts with state statute and since the State Legislature has not taken specific action to assume sole regulatory authority on this topic, 4-1 does not present a preemption issue of concern.

Amendment to correct a typographical error pursuant to Erie County Charter Article 2 Section 204 ("204")

Section 2 of 4-1, which describes the composition of membership of the Erie County Corrections Specialist Advisory Board, inadvertently left out language mandating that one board seat be held by a former prisoner. It is the understanding of this office that this was a typographical error and that the purpose of 4-1 is to expand board membership and not contract board membership.

In order to achieve the stated purpose of 4-1, we hereby recommend that the Erie County Legislature amend 4-1 to correct the stated typographical error by re-inserting the language mandating that one board seat be held by a former prisoner.

It is the opinion of this office that an amendment correcting the referenced typographical error is consistent with the provisions of 204 and that the holding of a second public hearing by the Legislature is not required in order to effectuate the correction.

Grammar

The stated purpose of 4-1 is to provide for additional community participation on the Erie County Corrections Specialist Advisory Board. Should the amendment proposed by the Department of Law above be incorporated into 4-1 prior to passage, we find the grammar and usage of 4-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, should the amendment proposed by the Department of Law above be incorporated into 4-1 prior to passage, we find that 4-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

Should the amendment proposed by the Department of Law above be incorporated into 4-1 prior to passage, we find that Local Law Intro. 4-1 2025 is sufficient as to form.

Respectfully yours,

JEREMY C. TOTH
Erie County Attorney

By 

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

GPK/lda

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-1	COUNTY CLERK	2778 Colvin Boulevard, Tonawanda, NY 14150

Attachments

25COMM. 16E-1

COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

RECEIVED JUL 29 '25 PM 3:47

July 29, 2025

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

Re: 2778 Colvin Boulevard, Tonawanda, NY 14150

Dear Honorable Members:

I write to bring to your attention a public safety concern sent to my Office and others by a constituent regarding 2778 Colvin Boulevard in Tonawanda, specifically a potentially hazardous tree.

While the letter appears to have been cc'd to the Erie County Attorney, the Commissioner for the Erie County Department of Parks, Recreation, and Forestry, and Legislator Bargnesi, I am filing the letter in an abundance of caution to ensure Legislative attention.

Very truly yours,

MICHAEL P. KEARNS
Erie County Clerk

MPK/wal

Encl.

Patrick Ruffino
2772 Colvin Blvd.
Tonawanda NY 14150
May 10, 2025

Micheal Kearns
Erie County Clerk
95 Franklin St.
Buffalo, NY 14202

RE: Notice of Public Safety Condition
2778 Colvin Blvd, Tonawanda NY 14150

Dear Mr Kearns,
I am notifying you and the County of Erie of a public safety hazard that exists with the tree between the street and sidewalk at 2778 Colvin Blvd in the Town of Tonawanda. The tree is completely dead and huge branches hang over the street and sidewalk.

This area receives heavy pedestrian and vehicle traffic daily. The threat of falling branches causes a serious safety risk to anyone walking or driving by this tree.

I am requesting that Erie County Departments take the appropriate actions to eliminate this safety risk in a timely fashion. For further information or any comments please contact me pruffino148@gmail.com

Thank you for your attention in this matter.

Sincerely,

Patrick Ruffino

CC: Jeremy Toth, Erie County Attorney

Troy Schinzel, Commissioner Erie County Dept of Parks, Recreation, and Forestry

John Bargnesi, Erie County Legislator 4th Dist.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-2	COMPTROLLER	Department of Law Risk Retention Fund Spending - June 2025

Attachments

25COMM. 16E-2

EC LEG JUL 31 '25 PM 2:16

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

July 31, 2025

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

Re: Department of Law Risk Retention Fund Spending – June 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 June 2025.

Sincerely,

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

Attachment

95 FRANKLIN STREET • ROOM 1100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

County of Erie
Law Department Spending
Risk Retention
June, 2025

Run Date: 7/29/2025

Vendor Number	Vendor Name	Expenditures
1	Charlotte Sawajkos and	400,000.00
1	Law Office of Lindy Korn, PLLC	27,000.00
103442	Hodgson Russ	15,847.79
104457	LAWLEY SERVICE INSURANCE GROUP	202,512.50
106065	PHILLIPS LYTLE HITCHCOCK	278.50
118314	JEREMY C TOTH AS CUSTODIAN	9,242.09
139834	LEGAL MED	7,200.00
143279	BENGART & DEMARCO LLP	6,609.00
143544	THOMAS E WEBB JR ESQ	5,415.00
6	Hail Ali	15,000.00
6	Prudential Assigned Settlement Serv	300,000.00
		989,104.88

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-3	LORIGO	Letter Regarding ErieNet

Attachments

25COMM. 16E-3

ERIE COUNTY LEGISLATURE

HON. LINDSAY R. LORIGO
10TH DISTRICT LEGISLATOR

July 31, 2025

Commissioner Daniel Castle, Executive Director Melissa Hartman
Erie County Department of Environment and Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202

Dear Commissioner Castle and Director Hartman,

It has been more than five years since the 2019 announcement of the ErieNet middle-mile broadband network. To date, not a single residential home in my district has received service. The delays, lack of clear timelines, and non-committal answers given during the mid-year budget hearings have only increased concerns about the viability of this project and its long-term cost to taxpayers.

Taxpayers deserve direct answers to the following questions:

- How many miles of middle-mile cable have been installed to date, and in which municipalities has it been placed?
- What portion of the installed network is currently operational?
- How much money has been spent to date on the project?
- How much of that total has been spent on the purchase and storage of materials and equipment?
- What is the estimated annual cost to maintain and repair the ErieNet system once operational?
- What specific maintenance and repair plans are in place for the system?
- Is Erie County currently in active negotiations with any service providers to build the final mile needed to deliver service to homes and businesses?
- How many providers are involved in those negotiations?
- Is the project currently on budget for construction costs?
- Have there been any overruns or areas where costs are trending higher than budgeted?
- Have contractual deadlines or milestones been missed?
- Have any contracts with ECC Technologies been amended to reflect delays?
- Has the County identified any barriers that could prevent the project from being completed as designed?
- When will the Legislature receive an updated business plan that reflects the current status of the project?

The projected cost of ErieNet has already nearly doubled since 2019. The completion date has been pushed back repeatedly. The County Executive stated that construction would begin in September 2022 or early 2023, but work did not begin until this year. Even now, estimates suggest that only 75 miles will be installed by the end of August, well short of what is required to deliver service.

The explanation that "red tape" is to blame has been offered for years. This is not an acceptable answer. The Local Development Corporation was created to avoid those delays, not to be stalled by them.

The public has invested heavily in this project and deserves transparency. I request that your written response to these questions be provided so it can be entered into the Legislature's record. I will also be requesting a formal committee meeting to review the answers.

Thank you for your prompt attention to this matter.

Sincerely,

Lindsay Lorigo
Erie County Legislator – District 10

cc: Legislature Chairman Timothy Meyers
Legislator Taisha St. Jean Tard

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-4	COMPTROLLER	Interim Financial Report - Second Quarter 2025

Attachments

25COMM. 16E-4

EC LEG AUG 11 '25 PM2:25

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

August 5, 2025

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

Mark C. Poloncarz, Esq.
Erie County Executive
95 Franklin Street, 16th Floor
Buffalo, New York 14202

Dear Honorable Members and County Executive Poloncarz:

My office has prepared an Interim Financial Report ("Report") of the County of Erie, New York ("County") as of and for the three-month period ended June 30, 2025 (second quarter 2025). The Report, enclosed for your review, consists of the following elements:

- Financial Statements
- Investment Report
- Cash Flow Statement
- Property Tax and Sales Tax Summary
- Debt Schedules
- Miscellaneous Financial Data (including data on short and long-term bonded indebtedness, property tax rates and constitutional taxing power)

Our office provides the following observations and comments for your consideration:

Sales Tax

As you know, the County ended 2024 with substantially less revenue from sales tax than budgeted. However, after lower numbers in January and February 2025, and due in part to a large, positive State sales tax reconciliation, we have seen modest increases in sales tax revenue for 2025 year to date. The majority of the positive variance in sales tax revenue in 2025 is attributable to the reconciliation. The Director of Budget and Management observed this trend in his May 2025 Budget Monitoring Report, issued on July 15, 2025.

On July 30, 2025, New York State Comptroller Thomas DiNapoli reported that overall, across New York, local government sales tax collections increased 3.7% in the first two quarters of 2025 (January-June), compared to the same quarters in 2024. His office reported that for Erie County, receipts for the first two quarters of 2024 compared to 2025 were as follows:

January-June 2024	January-June 2025	% Change
$503.9 million	$525.8 million	4.4%

The DiNapoli report noted that "factors outside of any broad economic or regional trends can also impact individual county and city sales tax collections. These include the prior period corrections and late filing changes (referred to in Office of the New York State Comptroller reports as "technical

adjustments") regularly made by the New York State Department of Taxation and Finance to correct for earlier sales tax distribution inaccuracies. These adjustments can significantly affect year-over-year changes."

In addition, sales tax trends are impacted by events occurring at the federal level that are creating uncertainty and affecting consumer confidence (and Canadian visitors), all of which impacts sales tax revenue. Anecdotally, we believe international tourism to be down but cannot definitively say so given our limited metrics.

Real Property Taxes

Through the six-month period ended June 30, 2025, the County has received 91.1% of the $445,416,684 in property tax that was levied and is collectible for County purposes. This contrasts with 90.8% at the same point in 2024. Taxes remaining to be collected are at $39,833,443 for 2025, compared to $38,809,742 the first two quarters in 2024.

Borrowing

Our office anticipates conducting the county's annual borrowing in late August 2025. Due to our cash position, our office continues to project that the County will not need to issue a Revenue Anticipation Note (RAN) in 2025 (similar to 2021, 2022, 2023 and 2024).

Investments

Our office has continued to invest available cash in a variety of ways, through purchasing US Treasury Bills and our accounts at NYCLASS, Citizens Bank, Key Bank and JP Morgan Chase. In late January 2025, we paused investing in US Treasury Bills and placed available cash at NYCLASS to take advantage of favorable interest rates and liquidity. The County also earns interest on our operating accounts at M&T Bank, which is the County's lead banking partner. For the first six months of 2025, our office made 847 investments generating $13,658,518 in total interest earnings; during the same period in 2024, we generated $17,406,133 in total interest earnings due in part, to having more available cash.

Conclusion

The financial statements and other information contained in this Report have been compiled largely from the official accounting records maintained in the County's SAP system. The Financial Statements from Erie County Medical Center Corporation, Erie Community College, the Erie County Tobacco Securitization Corporation, the Buffalo and Erie County Industrial Land Development Corporation, Inc. and the Erie County Fiscal Stability Authority are not included because financial information for the aforementioned entities is maintained separately from the County.

Information contained in this Report has not been reviewed by the County's independent auditor; therefore, no opinion on this Report is expressed.

If you have any questions, please contact me at (716) 858-8400.

Sincerely yours,

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

Enclosure

cc: Erie County Fiscal Stability Authority
Mark Cornell, Director of Budget and Management

COUNTY OF ERIE, NEW YORK

INTERIM FINANCIAL REPORT

FOR THE SIX MONTHS ENDED JUNE 30, 2025

Erie County Comptroller's Office

KEVIN R. HARDWICK

Erie County Comptroller

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For the six months ended June 30, 2025

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FUND FINANCIAL STATEMENTS

COUNTY OF ERIE, NEW YORK
Balance Sheet
Governmental Funds
June 30 2025
(amounts expressed in thousands)

	General	Emergency Response	General Government Buildings, Equipment and Improvements	Other Governmental Funds
ASSETS:				
Cash and cash equivalents	$ 325,903	$ 17,502	$ 22,347	$ 170,460
Investments	-	-	-	200
Receivables (net of allowances)				
Real property taxes, interest, penalties and liens	92,361	-	-	683
Leases	889	-	-	-
Other	6,517	-	644	30,683
Due from other funds	64,968	15,047	-	52,849
Due from other governments	312,431	5	147	34,445
Prepaid items	1,358	-	-	2,414
Restricted cash	145	36,632	84,117	97,931
Total assets	**$ 804,572**	**$ 69,186**	**$ 107,255**	**$ 389,665**
LIABILITIES:				
Accounts payable	$ 3,642	$ -	$ 194	$ 10,217
Accrued liabilities	161,534	84	2,468	18,323
Due to other funds	7,100	35,808	18,436	59,764
Due to component unit	2,768	72	-	-
Due to other governments	8,353	-	2,040	39
Retained percentages payable	-	37,944	-	4,162
Unearned revenue	20,416	-	-	4,311
Total liabilities	**203,813**	**73,908**	**23,138**	**96,816**
DEFERRED INFLOWS OF RESOURCES:				
Unavailable revenue – property taxes	60,120	-	-	-
Deferred inflows – relating to leases	888	-	-	
Total deferred inflows of resources	**61,008**	**-**	**-**	**-**
FUND BALANCES:				
Nonspendable:				
Community development loans	-	-	-	29,393
Prepaid items	1,358	-	-	2,414
Restricted for:				
Handicapped parking	143	-	-	-
E-911 system costs	-	-	-	5,385
Opioid prevention	-	-	-	25,116
Debt service	2,153	-	-	28,758
Capital expenditures	-	-	84,117	72,552
Assigned:				
Other purposes	274,905	(4,722)	-	129,231
Unassigned	261,192	-	-	-
Total fund balances	**539,751**	**(4,722)**	**84,117**	**292,849**
Total liabilities, deferred inflows of resources and fund balances	**$ 804,572**	**$ 69,186**	**$ 107,255**	**$ 389,665**

Statement of Revenues, Expenditures and Changes in Fund Balances

Governmental Funds

For the six months ended June 30, 2025

(amounts expressed in thousands)

	General	Emergency Response	General Government Buildings, Equipment and Improvements	Other Governmental Funds
REVENUES:				
Real property taxes and tax items	$ 316,732	$ -	$ -	$ 25,760
Sales and use taxes	531,419	-	-	2,020
Transfer taxes	233	-	-	8,019
Intergovernmental	251,932	-	4,029	48,619
Interfund	5,321	-	-	-
Departmental	46,348	-	-	42,592
Interest	10,561	358	371	6,220
Miscellaneous	847	-	70	5,459
Total revenues	**1,163,393**	**358**	**4,470**	**138,689**
EXPENDITURES:				
Current:				
General government support	296,032	3,431	-	11,172
Public safety	104,198	-	-	11,848
Health	55,349	-	-	9,768
Transportation	15,619	619	-	20,529
Economic assistance and opportunity	373,861	-	-	11,068
Culture and recreation	22,419	-	-	81
Education	52,238	-	-	-
Home and community service	3,236	9,714	-	35,553
Capital outlay	-	-	69,993	31,183
Debt service:				
Principal retirement	-	-	-	8,042
Interest and fiscal charges	-	-	-	12,775
Total expenditures	**922,952**	**13,764**	**69,993**	**152,019**
Excess (deficiency) of revenues over expenditures	**240,441**	**(13,406)**	**(65,523)**	**(13,330)**
OTHER FINANCING SOURCES (USES):				
Issuance of general obligation debt	-	-	-	
Premium on bond issuance	-	-	-	
Sale of property	44	-	-	-
Transfers in	-	504	2,440	33,878
Transfers out	(50,428)	(5,437)	-	(2,623)
Total other financing sources (uses)	**(50,384)**	**(4,933)**	**2,440**	**31,255**
Net change in fund balances	190,057	(18,339)	(63,083)	17,925
Fund balances at beginning of year	349,694	13,617	147,200	274,924
Fund balances at end of six months	**$ 539,751**	**$ (4,722)**	**$ 84,117**	**$ 292,849**

Statement of Net Position

Proprietary Fund

June 30 2025

(amounts expressed in thousands)

	Business - Type Activity Enterprise Fund Utilities Aggregation Fund
ASSETS:	
Current Assets:	
Due from other funds	$ 76
Due from other governments	4,796
Total current assets	4,872
Total assets	4,872
LIABILITIES	
Current Liabilities:	
Accounts payable	921
Accrued liabilities	23
Due to other funds	3,823
Due to other governments	76
Total current liabilities	4,843
Total liabilities	4,843
NET POSITION:	
Unrestricted	29
Total net position	$ 29

Statement of Revenues, Expenses and Changes in Net Position

Proprietary Fund

For the six months ended June 30, 2025

(amounts expressed in thousands)

	Business - Type Activity Enterprise Fund Utilities Aggregation Fund
OPERATING REVENUES:	
Interfund revenues	$ 4,785
Other operating revenue	12,285
Total operating revenue	17,070
OPERATING EXPENSES:	
Employee wages	144
Employee benefits	64
Utilities and telephone	16,143
Total operating expenses	16,351
Change in net position	719
Total net position - beginning	(690)
Total net position at end of six months.	$ 29

Statement of Agency Net Position

Agency Fund
June 30 2025
(amounts expressed in thousands)

	Agency Fund
ASSETS:	
Cash and cash equivalents	$ 42,785
Other	359
Due from other governments	2
Bonds and securities held in custody	20
Total assets	$ 43,166
LIABILITIES:	
Held in custody for others	43,166
Total liabilities	$ 43,166

COMBINING & INDIVIDUAL FUND STATEMENTS & SCHEDULES

NONMAJOR GOVERNMENTAL FUNDS

SPECIAL REVENUE FUNDS

These funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specific purposes. These funds include the Road, Sewer, Downtown Mall, E-911, Grants, Community Development, and Pharmaceutical Litigation Settlements Fund.

- **Road Fund**
  Used to account for all revenues and expenditures related to the maintenance of County roads and bridges, snow removal, construction and reconstruction of County roads not required to be recorded in a Capital Projects Fund.

- **Sewer Fund**
  Used to account for the activities of the various sewer districts currently in operation within the County.

- **Downtown Fund**
  Used to account for revenues raised through a special district charge levy and the subsequent expenditure of these monies for the operation and maintenance of a downtown pedestrian/transit mall.

- **E-911 Fund**
  Used to account for revenues raised through a telephone access line surcharge and the subsequent expenditure of these monies for the establishment and maintenance of an enhanced 911 emergency telephone system.

- **Grants Fund**
  Used to account for federal and state operating grants (except the Community Development Block Grant) earmarked for specific programs, so that grantor accounting and reporting requirements can be satisfied.

- **Community Development Fund**
  Used to assist participating municipalities in the development of locally approved community or economic development activities that are eligible under federal program regulations.

- **Pharmaceutical Litigation Settlements Fund**
  Used to account for the County's receipt and spending of pharmaceutical litigation settlement funds from national, state and County litigation against pharmaceutical companies. The County started receiving revenue from the Office of the New York State Attorney General in 2022. Much of the settlement funding is restricted and has to be spent on specific public health measures to combat opioid abuse. The Fund reports separate breakdowns for the usages of restricted funds and unrestricted funds.

DEBT SERVICE FUND

The Debt Service Fund is used to account for current payments of principal and interest on general obligation long-term debt, and for financial resources that have been accumulated to make future principal and interest payments on general long term indebtedness.

NONMAJOR GOVERNMENTAL FUNDS (Continued)

CAPITAL PROJECTS FUNDS

Capital Projects Funds are used to account for financial resources to be used for the acquisition or construction of major capital facilities.

- **Highways, Roads, Bridges and Equipment Fund**
  Utilized to account for capital projects administered by the Department of Public Works for the construction or reconstruction of County roads and bridges and the acquisition of equipment not accounted for in the Road Fund.

- **Sewers, Facilities, Equipment and Improvements Fund**
  Used to account for capital projects relating to the construction and acquisition of sewer facilities and equipment by the operating sewer districts.

- **Tobacco Proceeds Fund**
  Used to account for the net proceeds from the County's securitization of its share of the 1998 Master Settlement Agreement with the tobacco industry that will be used to fund capital projects that otherwise would have been supported by operating funds or the issuance of bonds.

- **Special Capital Projects Fund**
  Utilized to account for capital projects administered by departments other than Public Works that are primarily for the acquisition or construction of buildings, improvements and equipment.

Combining Balance Sheet

Nonmajor Governmental Funds

June 30 2025

(amounts expressed in thousands)

	Special Revenue			
	Road	Sewer	Downtown Mall	E-911
ASSETS:				
Cash and cash equivalents	$ 43,219	$ 44,490	$ 183	$ 4,780
Investments	-	-	-	-
Receivables (net of allowances)				
Real property taxes, interest, penalties and liens	-	-	683	-
Other	-	-	-	833
Due from other funds	-	45,820	-	-
Due from other governments	5,766	1,757	-	334
Prepaid items	-	2,381	-	33
Restricted cash	-	-	-	-
Total assets	**$ 48,985**	**$ 94,448**	**$ 866**	**$ 5,980**
LIABILITIES:				
Accounts payable	$ 18	$ 9,528	$ -	$ 12
Accrued liabilities	1,321	2,197	65	550
Due to other funds	-	-	-	-
Due to other governments	-	-	-	-
Retained percentages payable	-	23	-	-
Unearned revenue	-	-	-	-
Total liabilities	**1,339**	**11,748**	**65**	**562**
FUND BALANCES:				
Nonspendable:				
Community development loans	-	-	-	-
Prepaid items	-	2,381	-	33
Restricted for:				
E-911 system costs	-	-	-	5,385
Opioid prevention	-	-	-	-
Debt service	-	-	-	-
Capital expenditures	-	-	-	-
Assigned:				
Other purposes	47,646	80,319	801	-
Total fund balances	**47,646**	**82,700**	**801**	**5,418**
Total liabilities, deferred inflows of resources and fund balances	**$ 48,985**	**$ 94,448**	**$ 866**	**$ 5,980**

Combining Balance Sheet

Nonmajor Governmental Funds

June 30 2025

(amounts expressed in thousands)

	Special Revenue			
	Grants	Community Development	Pharmaceutical Litigation Settlements	Total
ASSETS:				
Cash and cash equivalents	$ -	$ -	$ -	$ 92,672
Investments	-	-	-	-
Receivables (net of allowances)				
Real property taxes, interest, penalties and liens	-	-	-	683
Other	-	29,850	-	30,683
Due from other funds	-	-	-	45,820
Due from other governments	26,100	8	-	33,965
Prepaid items	-	-	-	2,414
Restricted cash	-	-	25,579	25,579
Total assets	$ 26,100	$ 29,858	$ 25,579	$ 231,816
LIABILITIES:				
Accounts payable	$ 114	$ 287	$ -	$ 9,959
Accrued liabilities	2,532	91	189	6,945
Due to other funds	18,922	78	-	19,000
Due to other governments	23	16	-	39
Retained percentages payable	-	-	-	23
Unearned revenue	4,037	-	274	4,311
Total liabilities	25,628	472	463	40,277
FUND BALANCES:				
Nonspendable:				
Community development loans	-	29,393	-	29,393
Prepaid items	-	-	-	2,414
Restricted for:			-	
E-911 system costs	-	-	-	5,385
Opioid prevention	-	-	25,116	25,116
Debt service	-	-	-	-
Capital expenditures	-	-	-	-
Assigned:			-	
Other purposes	472	(7)	-	129,231
Total fund balances	472	29,386	25,116	191,539
Total liabilities, deferred inflows of resources and fund balances	$ 26,100	$ 29,858	$ 25,579	$ 231,816

Combining Balance Sheet

Nonmajor Governmental Funds

June 30 2025

(amounts expressed in thousands)

	Debt Service	Capital Projects: Highways, Roads, Bridges and Equipment	Capital Projects: Sewers, Facilities Equipment and Improvements	Capital Projects: Tobacco Proceeds
ASSETS:				
Cash and cash equivalents	$ 21,729	$ 7,900	$ 44,930	$ 3
Investments	-	-	-	200
Receivables (net of allowances)				
Real property taxes, interest, penalties and liens	-	-	-	-
Other	-	-	-	-
Due from other funds	7,029	-	-	-
Due from other governments	-	42	108	-
Prepaid items	-	-	-	-
Restricted cash	-	65,782	2,049	16
Total assets	**$ 28,758**	**$ 73,724**	**$ 47,087**	**$ 219**
LIABILITIES:				
Accounts payable	$ -	$ 45	$ 141	$ -
Accrued liabilities	-	5,435	3,570	-
Due to other funds	-	1,379	38,796	3
Due to other governments	-	-	-	-
Retained percentages payable	-	1,083	2,531	-
Unearned revenue	-	-	-	-
Total liabilities	**-**	**7,942**	**45,038**	**3**
FUND BALANCES:				
Nonspendable:				
Community development loans	-	-	-	-
Prepaid items	-	-	-	-
Restricted for:				
E-911 system costs	-	-	-	-
Opioid prevention	-	-	-	-
Debt service	28,758	-	-	-
Capital expenditures	-	65,782	2,049	216
Assigned:				
Other purposes	-	-	-	-
Total fund balances	**28,758**	**65,782**	**2,049**	**216**
Total liabilities, deferred inflows of resources and fund balances	**$ 28,758**	**$ 73,724**	**$ 47,087**	**$ 219**

Combining Balance Sheet

Nonmajor Governmental Funds

June 30 2025

(amounts expressed in thousands)

	Capital Projects		
	Special Capital Projects	Total	Total Nonmajor Governmental Funds
ASSETS:			
Cash and cash equivalents	$ 3,226	$ 56,059	$ 170,460
Investments	-	200	200
Receivables (net of allowances)			
Real property taxes, interest, penalties and liens	-	-	683
Other	-	-	30,683
Due from other funds	-	-	52,849
Due from other governments	330	480	34,445
Prepaid items		-	2,414
Restricted cash	4,505	72,352	97,931
Total assets	$ 8,061	$ 129,091	$ 389,665
LIABILITIES:			
Accounts payable	$ 72	$ 258	$ 10,217
Accrued liabilities	2,373	11,378	18,323
Due to other funds	586	40,764	59,764
Due to other governments	-	-	39
Retained percentages payable	525	4,139	4,162
Unearned revenue	-	-	4,311
Total liabilities	3,556	56,539	96,816
FUND BALANCES:			
Nonspendable:			
Community development loans	-	-	29,393
Prepaid items	-	-	2,414
Restricted for:			
E-911 system costs	-	-	5,385
Opioid prevention	-	-	25,116
Debt service	-	-	28,758
Capital expenditures	4,505	72,552	72,552
Assigned:			
Other purposes	-	-	129,231
Total fund balances	4,505	72,552	292,849
Total liabilities, deferred inflows of resources and fund balances	$ 8,061	$ 129,091	$ 389,665

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Governmental Funds
For the six months ended June 30, 2025
(amounts expressed in thousands)

	Special Revenue			
	Road	Sewer	Downtown Mall	E-911
REVENUES:				
Real property taxes and tax items	$ -	$ 23,891	$ 1,869	$ -
Sales and use taxes	-	-	-	2,020
Transfer taxes	8,019	-	-	-
Intergovernmental	12,189	-	-	21
Departmental	80	38,218	-	-
Interest	-	619	-	-
Miscellaneous	-	1,054	-	-
Total revenues	**20,288**	**63,782**	**1,869**	**2,041**
EXPENDITURES:				
Current:				
General government support	-	-	1,068	-
Public safety	-	-	-	4,954
Health	-	-	-	936
Transportation	20,529	-	-	-
Economic assistance and opportunity		-	-	-
Culture and recreation	-	-	-	-
Home and community service	-	32,287	-	-
Capital outlay	-	-	-	-
Debt service:				
Principal retirement	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total expenditures	**20,529**	**32,287**	**1,068**	**5,890**
(Deficiency) excess of revenues over expenditures	**(241)**	**31,495**	**801**	**(3,849)**
OTHER FINANCING SOURCES (USES):				
Transfers in	10,190	-	-	4,282
Transfers out	(565)	(2,069)	-	-
Total other financing sources (uses)	**9,625**	**(2,069)**	**-**	**4,282**
Net change in fund balances	**9,384**	**29,426**	**801**	**433**
Fund balances at beginning of year	**38,262**	**53,274**	**-**	**4,985**
Fund balances at end of six months	**$ 47,646**	**$ 82,700**	**$ 801**	**$ 5,418**

(Continued)

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Governmental Funds
For the six months ended June 30, 2025
(amounts expressed in thousands)

	Special Revenue			
	Grants	Community Development	Pharmaceutical Litigation Settlements	Total
REVENUES:				
Real property taxes and tax items	$ -	$ -	$ -	$ 25,760
Sales and use taxes	-	-	-	2,020
Transfer taxes	-	-	-	8,019
Intergovernmental	34,517	199	-	46,926
Departmental	540	3,449	289	42,576
Interest	-	-	332	951
Miscellaneous	371	-	-	1,425
Total revenues	35,428	3,648	621	127,677
EXPENDITURES:				
Current:				
General government support	10,104	-	-	11,172
Public safety	6,714	-	180	11,848
Health	6,670	-	2,162	9,768
Transportation	-	-	-	20,529
Economic assistance and opportunity	10,733	148	187	11,068
Culture and recreation	81	-	-	81
Home and community service	731	2,535	-	35,553
Capital outlay	-	-	-	-
Debt service:			-	
Principal retirement	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total expenditures	35,033	2,683	2,529	100,019
(Deficiency) excess of revenues over expenditures	395	965	(1,908)	27,658
OTHER FINANCING SOURCES (USES) :				
Transfers in	66	96	-	14,634
Transfers out	11	-	-	(2,623)
Total other financing sources (uses)	77	96	-	12,011
Net change in fund balances	472	1,061	(1,908)	39,669
Fund balances at beginning of year	-	28,325	27,024	151,870
Fund balances at end of six months	$ 472	$ 29,386	$ 25,116	$ 191,539

(Continued)

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Governmental Funds
For the six months ended June 30, 2025
(amounts expressed in thousands)

		Capital Projects		
	Debt Service	Highways, Roads, Bridges and Equipment	Sewers, Facilities Equipment and Improvements	Tobacco Proceeds
REVENUES:				
Real property taxes and tax items	$ -	$ -	$ -	$ -
Sales and use taxes	-	-	-	-
Transfer taxes	-	-	-	-
Intergovernmental	51	863	-	-
Departmental	-	-	16	-
Interest	4,614	-	655	-
Miscellaneous	3,743	-	-	-
Total revenues	**8,408**	**863**	**671**	**-**
EXPENDITURES:				
Current:				
General government support	-	-	-	-
Public safety	-	-	-	-
Health	-	-	-	-
Transportation	-	-	-	-
Economic assistance and opportunity	-	-	-	-
Culture and recreation	-	-	-	-
Home and community service	-	-	-	-
Capital outlay	-	10,525	17,261	-
Debt service:				
Principal retirement	8,042	-	-	-
Interest and fiscal charges	12,775	-	-	-
Total expenditures	**20,817**	**10,525**	**17,261**	**-**
(Deficiency) excess of revenues over expenditures	**(12,409)**	**(9,662)**	**(16,590)**	**-**
OTHER FINANCING SOURCES (USES) :				
Transfers in	15,651	565	2,959	-
Transfers out	-	-	-	-
Total other financing sources (uses)	**15,651**	**565**	**2,959**	**-**
Net change in fund balances	**3,242**	**(9,097)**	**(13,631)**	**-**
Fund balances at beginning of year	**25,516**	**74,879**	**15,680**	**216**
Fund balances at end of six months	**$ 28,758**	**$ 65,782**	**$ 2,049**	**$ 216**

(Continued)

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Governmental Funds
For the six months ended June 30, 2025
(amounts expressed in thousands)

	Capital Projects		
	Special Capital Projects	Total	Total Nonmajor Governmental Funds
REVENUES:			
Real property taxes and tax items	$ -	$ -	$ 25,760
Sales and use taxes	-	-	2,020
Transfer taxes	-	-	8,019
Intergovernmental	779	1,642	48,619
Departmental	-	16	42,592
Interest	-	655	6,220
Miscellaneous	291	291	5,459
Total revenues	1,070	2,604	138,689
EXPENDITURES:			
Current:			
General government support	-	-	11,172
Public safety	-	-	11,848
Health	-	-	9,768
Transportation	-	-	20,529
Economic assistance and opportunity	-	-	11,068
Culture and recreation	-	-	81
Home and community service	-	-	35,553
Capital outlay	3,397	31,183	31,183
Debt service:			
Principal retirement	-	-	8,042
Interest and fiscal charges	-	-	12,775
Total expenditures	3,397	31,183	152,019
(Deficiency) excess of revenues over expenditures	(2,327)	(28,579)	(13,330)
OTHER FINANCING SOURCES (USES):			
Transfers in	69	3,593	33,878
Transfers out	-	-	(2,623)
Total other financing sources (uses)	69	3,593	31,255
Net change in fund balances	(2,258)	(24,986)	17,925
Fund balances at beginning of year	6,763	97,538	274,924
Fund balances at end of six months	$ 4,505	$ 72,552	$ 292,849

(Concluded)

LIBRARY COMPONENT UNIT

The financial data shown for the Buffalo and Erie County Public Library is derived from records maintained on its behalf by the County. The Library does not issue separate financial statements. The inclusion of the Library as a component unit in the County's financial statements reflects the County's financial accountability for this legally separate entity.

Balance Sheet

Library Component Unit
June 30 2025
(amounts expressed in thousands)

		Library
ASSETS:		
Cash and cash equivalents	$	31,194
Due from primary government		2,768
Due from other governments		1,488
Prepaid items		38
Total assets	$	35,488
LIABILITIES:		
Accounts payable	$	91
Accrued liabilities		1,584
Retained percentages payable		51
Unearned revenue		1,548
Total liabilities		3,274
FUND BALANCES:		
Nonspendable		38
Committed		4,252
Assigned		4,344
Unassigned		23,580
Total fund balances		32,214
Total liabilities and fund balances	$	35,488

Statement of Revenues, Expenditures and Changes in Fund Balances

Library Component Unit

For the six months ended June 30, 2025

(amounts expressed in thousands)

	Library
REVENUES:	
Real property taxes and tax items	$ 30,947
Intergovernmental	1,125
Departmental	43
Interest	93
Miscellaneous	148
Total revenues	32,356
EXPENDITURES:	
Current:	
Culture and recreation	17,746
Total expenditures	17,746
Net change in fund balances	14,610
Fund balances at beginning of year	17,604
Fund balances at end of six months	$ 32,214

INVESTMENT REPORT

Investment Report

January 1, 2025 through June 30, 2025

In accordance with the Comptroller's Investment Guidelines, the Investment Report for the first six months of 2025 is hereby submitted. The primary objectives of the investment program, as set out in established guidelines, are as follows in order of importance:

- compliance with legal requirements
- safeguarding of principal
- ensuring sufficient liquidity
- obtaining a reasonable rate of return

Our cash management program offers the County a good return on its investments without assuming unnecessary risks. A total of 847 investments were made during the first six months, resulting in $13,658,518 in total interest earnings for all funds. The average yield for the first six months was 3.52%. For comparison, during the first six months of 2024, 812 investments were effectuated which generated $17,406,133 in total interest earnings for all funds at an average yield of 4.31%.

SUMMARY OF INVESTMENTS PURCHASED

	Number of Investments Jan - June		Average Investment (in millions) Jan – June		Average Length of Investment (days) Jan – June	
	2025	2024	2025	2024	2025	20204
Manufacturers & Traders	746	756	27.8	40.1	6	6
Citizens	6	6	21.9	21.1	30	30
JP Morgan Chase	6	6	21.8	21.1	30	30
NYCLASS	83	37	38.0	46.0	21	24
Key	6	7	6.2	14.5	30	26
Totals	847	812				

Investment Report

January 1, 2025 through June 30, 2025

SUMMARY OF INTEREST EARNINGS BY FUND

	General Fund	Trust Fund	Capital Fund	Sewer Fund	Total
1st Quarter	$3,995,236	$119,666	$1,707,715	$157,297	$5,979,914
2nd Quarter	$5,115,496	$232,786	$1,869,880	$460,442	$7,678,604
Year to date	$9,110,732	$352,452	$3,577,595	$617,739	$13,658,518

Please note the 2025 Adopted Budget General Fund interest earnings is $8,000,000. The actual year to date earnings for the General Fund as of June 30, 2025 is $9,110,732. For comparison, as of June 30, 2024, the General Fund interest earnings were $11,431,394.

SUMMARY OF WEIGHTED AVERAGE YIELD (ALL FUNDS)

Month	Average Yield	
	2025	2024
January	3.39%	4.33%
February	3.32%	4.07%
March	3.57%	4.32%
April	3.65%	4.24%
May	3.64%	4.58%
June	3.45%	4.34%
Weighted Average Jan. – Jun.	3.52%	4.31%

CASH FLOW STATEMENT

As a matter of procedure, the Erie County Comptroller's Office does not report public projections regarding future cash flows or other results. However, the Comptroller's Office has prepared projected cash flow information, set forth in the following schedule, to present the projected cumulative cash flow of Erie County for the year ending December 31, 2025.

The projected financial information is subject to change based on various intervening factors, and was not produced to comply with guidelines established by the American Institute of Certified Public Accountants with respect to prospective financial information. Rather, it was prepared by the Comptroller's Office based on data provided by the Division of Budget, Management and Finance and other sources to reflect the best and currently available estimates and judgments, and presents, to the best of the Comptroller's Office's knowledge, the expected future cash flow of the County.

This information is not static or audited, and should not be relied upon as indicative of future results.

NEITHER THE COUNTY'S INDEPENDENT AUDITORS NOR ANY OTHER INDEPENDENT ACCOUNTANTS HAVE COMPILED, EXAMINED OR PERFORMED ANY PROCEDURES WITH RESPECT TO THE PROSPECTIVE CASH FLOW INFORMATION CONTAINED HEREIN. IN ADDITION, THEY HAVE NOT EXPRESSED ANY OPINION OR ANY OTHER FORM OF ASSURANCE ON SUCH INFORMATION OR ITS ACHIEVABILITY, AND ASSUME NO RESPONSIBILITY FOR, AND DISCLAIM ANY ASSOCIATION WITH, THE PROSPECTIVE FINANCIAL INFORMATION.

County Of Erie

Cash Flow Statement

January-June Actual, July-December Projected
2025

Description	Actual January	Actual February	Actual March	Actual April	Actual May
Opening Balance	$ 295,048,932				
RECEIPTS:					
DSS	$ 158,664	28,583,309	$ 36,039,375	$ 19,893,899	$ 14,098,402
Sales Tax	52,865,495	70,412,798	61,405,977	83,194,733	69,561,572
Real Property Tax	9,166,764	74,237,070	262,255,980	*38,741,989*	25,428,945
Other	64,705,111	27,299,568	70,163,736	21,760,560	22,696,079
EFSCA Set Aside Release	-	-	-	-	163,909
Total Receipts	126,896,035	200,532,744	429,865,068	163,591,181	131,948,908
DISBURSEMENTS:					
DSH/IGT/ICA	-	40,246,369	2,528,702	-	2,528,702
DSS Expense	18,406,924	19,198,029	19,521,308	18,891,180	19,431,158
MMIS	15,803,688	15,803,688	15,803,688	20,746,015	16,596,812
Payroll	67,566,911	44,543,365	32,255,562	38,179,322	38,710,825
Vendor	35,292,048	70,985,825	129,051,217	64,314,376	44,322,070
Debt Service	2,841	546,917	8,351,802	2,302,994	743,997
Capital Subsidy	1,291,135	325,700	106,742	66,889	10,154
Sewer Property Tax	-	-	-	39,424,275	9,801,361
Stadium Set Asides	-	-	-	-	-
ECFSA Bond Set Asides	357,797	357,797	357,797	357,797	358,110
ECFSA Debt Service	-	-	-	-	163,909
Total Disbursements	138,721,345	192,007,690	207,976,817	184,282,848	132,667,098
Monthly Cash Flow	$ (11,825,309)	$ 8,525,055	$ 221,888,250	$ (20,691,668)	$ (718,191)
Cumulative Cash Flow	$ 283,223,622	$ 291,748,677	$ 513,636,927	$ 492,945,260	$ 492,227,069

(Continued)

County Of Erie

Cash Flow Statement

January-June Actual, July-December Projected
2025

Description	Actual June	Projected July	Projected August	Projected September	Projected October
RECEIPTS:					
DSS	$ 36,525,337	$ 45,898,635	$ 26,423,492	$ 29,661,163	$ 17,807,308
Sales Tax	98,549,764	58,511,284	71,825,572	70,007,373	88,192,235
Real Property Tax	11,781,559	12,284,455	4,798,042	6,654,681	1,818,927
Other	26,851,902	42,060,428	30,626,476	45,172,207	21,807,589
EFSCA Set Aside Release	2,920,375	-	-	-	-
Total Receipts	176,628,936	158,754,802	133,673,582	151,495,423	129,626,060
DISBURSEMENTS:					
DSH/IGT/ICA	-	2,528,702	-	2,528,702	-
DSS Expense	20,967,693	16,722,645	18,685,198	16,935,104	14,275,571
MMIS	16,596,812	20,746,015	16,596,812	20,746,015	16,596,812
Payroll	39,996,566	43,306,136	67,628,429	45,085,619	45,085,619
Vendor	120,088,645	32,036,950	45,418,239	99,273,068	27,553,265
Debt Service	2,399,089	-	-	34,714,181	36,762
Capital Subsidy	120,345	8,889,938	3,959,775	400,000	41,960
Sewer Property Tax	1,336,026	742,876	725,600	397,352	368,559
Stadium Set Asides	-	-	-	-	-
ECFSA Bond Set Asides	358,110	1,327,093	1,327,093	1,327,093	1,327,093
ECFSA Debt Service	2,920,375	-	-	-	-
Total Disbursements	204,783,660	126,300,356	154,341,146	221,407,134	105,285,641
Monthly Cash Flow	$ (28,154,723)	$ 32,454,444	$ (20,667,564)	$ (69,911,711)	$ 24,340,419
Cumulative Cash Flow	$ 464,072,346	$ 496,526,790	$ 475,859,226	$ 405,947,515	$ 430,287,934

(Continued)

County Of Erie

Cash Flow Statement

January-June Actual, July-December Projected
2025

Description	Projected November	Projected December	TOTAL
RECEIPTS:			
DSS	24,279,246.34	24,425,018.72	$ 303,793,848
Sales Tax	65,673,000.46	94,559,516.01	884,759,320
Real Property Tax	4,210,757	4,765,970	456,145,140
Other	30,017,606	22,735,200	425,896,463
EFSCA Set Aside Release	713,909	434,750	4,232,944
Total Receipts	124,894,519	146,920,455	2,074,827,714
DISBURSEMENTS:			
DSH/IGT/ICA	-	-	50,361,177
DSS Expense	15,861,579	15,500,562	214,396,952
MMIS	16,596,812	20,746,015	213,379,184
Payroll / Pension	45,085,619	110,116,604	617,560,578
Vendor	27,262,793	100,293,718	795,892,214
Debt Service	-	68,000	49,166,583
Capital Subsidy	383,715	1,833,712	17,430,064
Sewer Property Tax	5,534,141	-	58,330,190
Stadium Set Asides	-	-	-
ECFSA Bond Set Asides	1,327,093	1,327,093	10,109,968
ECFSA Debt Service	713,909	434,750	4,232,944
Total Disbursements	112,765,662	250,320,454	2,030,859,854
Monthly Cash Flow	$ 12,128,857	$ (103,400,000)	$ 43,967,860
Cumulative Cash Flow	$ 442,416,791	$ 339,016,791	

(Concluded)

PROPERTY AND SALES TAX SUMMARY

Property Tax Collections

Six Months Ended June 30, 2025 and 2024

	2025	2024
Gross Levy	$ 904,598,731	$867,963,213
Less: Amount Retained by Towns	(459,182,047)	(444,464,041)
Net Collectible by County	445,416,684	423,499,172
Less: January - June Collections	(405,583,240)	(384,689,430)
Net Outstanding at June 30	$ 39,833,443	$38,809,742
Percentage Collected through June 30	91.1%	90.8%

Source: Erie County Govern Tax Collection System.

Sales Tax Revenue

Six Months Ended June 30, 2025 and 2024

	2025 Adopted Budget	June 2025 Y-T-D Revenue (1) (2)	% of Budget Realized	2024 Adopted Budget	June 2024 Y-T-D Revenue (1) (2)	% of Budget Realized
Sales And Use Tax	$ 236,000,098	$ 116,850,184	49.5%	$ 241,067,475	$121,326,232	50.3%
1% Sales Tax- Erie County Purposes	222,830,950	110,323,379	49.5%	227,615,560	114,549,458	50.3%
0.25% Sales Tax	55,688,066	27,579,610	49.5%	56,883,796	28,635,672	50.3%
0.50% Sales Tax	111,376,132	55,159,220	49.5%	113,767,592	57,271,344	50.3%
Totals	**$ 625,895,246**	**$ 309,912,393**	**49.5%**	**$639,334,423**	**$321,782,706**	**50.3%**

Source: Erie County Comptroller's Office.

Notes:
(1) Through June 30, 2025 year to date, $214,118,956 was recorded as both a revenue and an expenditure in the County's General Fund for sales tax shared with local municipalities. This revenue amount is excluded from the table above.

(2) Includes accrual estimate for portion to be received in August 2025.

DEBT SCHEDULES

Annual Debt Service Requirements for Long-Term Gen Obligation Indebtedness of the County (1)

As of June 30, 2025

Fiscal Year Ending December 31	Principal Payments	Interest Payments	Total Debt Service
2025	28,533,185.00	9,814,194.27	38,347,379.27
2026	35,762,267.00	18,072,041.36	53,834,308.36
2027	32,399,510.00	16,533,858.84	48,933,368.84
2028	33,890,752.00	14,957,584.42	48,848,336.42
2029	31,617,995.00	13,306,797.86	44,924,792.86
2030	28,795,238.00	11,775,717.74	40,570,955.74
2031	30,186,481.00	10,365,356.69	40,551,837.69
2032	23,541,336.00	8,976,355.32	32,517,691.32
2033	20,228,839.00	7,840,649.18	28,069,488.18
2034	17,168,839.00	6,889,959.84	24,058,798.84
2035	17,572,839.00	6,093,911.33	23,666,750.33
2036	11,647,839.00	5,274,216.23	16,922,055.23
2037	11,567,839.00	4,741,225.59	16,309,064.59
2038	9,347,839.00	4,207,706.18	13,555,545.18
2039	9,742,839.00	3,786,217.17	13,529,056.17
2040	9,892,839.00	3,346,990.97	13,239,829.97
2041	6,350,000.00	2,899,943.02	9,249,943.02
2042	6,075,000.00	2,604,358.35	8,679,358.35
2043	6,200,000.00	2,298,350.50	8,498,350.50
2044	6,505,000.00	1,980,359.40	8,485,359.40
2045	6,820,000.00	1,661,009.40	8,481,009.40
2046	7,140,000.00	1,326,313.00	8,466,313.00
2047	7,420,000.00	1,040,470.20	8,460,470.20
2048	7,025,000.00	757,050.00	7,782,050.00
2049	7,395,000.00	388,237.50	7,783,237.50
Totals	**$ 412,826,476.00**	**$ 160,938,874.36**	**$ 573,765,350.36**

Source: Erie County Comptroller's Office

Note:
(1) Amount is net of debt service payments of $17,903,407.50 made from January 1, 2025 to June 30, 2025.

Direct General Obligation Indebtedness Outstanding

As of June 30, 2025

Bonds:		
Highway Improvements	$ 126,423,990.61	
Buildings and other Improvements	192,139,602.56	
Sewer District Facilities	54,744,552.40	
Community College	16,596,550.24	
Highmark Stadium	7,754,385.67	
Computer System	5,981,435.65	
Court House Facilities	2,720,000.00	
Convention Center	4,126,075.28	
Key Bank Center	-	
Prison Facilities	2,085,134.59	
Buffalo Zoo	254,749.00	
Total Long-Term Debt		$ 412,826,476.00 (1) (2)
Exclusions :		
Sewer District Debt	54,744,552.40	
Budgeted Appropriations	25,090,000.00	
Total Deductions		79,834,552.40
Net Direct Debt		**$ 332,991,923.60**

Source: Erie County Comptroller's Office

Notes:

(1) Pursuant to the agreement governing the sale of the County hospital and nursing home to Erie County Medical Center Corporation, the County continues to be directly responsible for the payment of certain bonded debt for these facilities. Bonded debt, in the amount of $52,580,000 of Erie County Medical Center Corporation for which the County has indirect responsibility as guarantor, is not included above.

(2) This schedule reflects remaining principal for bonds issued from 2001 to 2024 by the County.

Calculation of Constitutional Debt Limit

As of June 30, 2025

For Fiscal Year Ended December 31	Equalized Full Valuation of Taxable Real Property
2021	70,645,602,048.00
2022	74,148,294,674.00
2023	83,955,196,847.00
2024	96,968,303,216.00
2025	104,251,092,857.36
Total five year full valuation	**$ 429,968,489,642.36**
5 Year Average full valuation	**$ 85,993,697,928.00**
Debt limit - 7% of average full valuation	**$ 6,019,558,854.96**

Source: NYS Office of the State Comptroller - Data Management Unit

Calculation of Total Net Indebtedness

As of June 30, 2025

Five year average full valuation (2020-2024)		**$ 85,993,697,928.00**
Debt Limit - 7% of average full valuation		**$ 6,019,558,854.96**
Outstanding Indebtedness:		
Bonds - General	$ 258,081,923.60	
Bonds - Sewer	54,744,552.40	
Bond Guaranty - ECMCC (1)	52,580,000.00	
Total Indebtedness	**365,406,476.00**	
Less Exclusions:		
Sewer Exclusion	54,744,552.40	
Budgeted Appropriations	25,090,000.00	
Total Exclusions	**79,834,552.40**	
Total Net Indebtedness		**285,571,923.60**
Net Debt Contracting Margin		**$ 5,733,986,931.36**
Percentage of Debt Contracting Power Exhausted		**4.74%**

Sources:
Property Value - NYS Office of the State Comptroller - Data Management Unit
Indebtedness and exclusions - Erie County Comptroller's Office

Note:
(1) Erie County Medical Center Corporation

MISCELLANEOUS FINANCIAL DATA

Property Tax Collection History

Last Ten Fiscal Years

Fiscal Year	County Property Taxes Levied (1)	All Other Property Taxes Levied (2)	Total Property Taxes Levied for the Fiscal Year	Collected within the Fiscal Year of the Levy	
				Amount	Percentage of Levy
2015	245,876,811	428,290,819	674,167,630	655,940,466	97.30%
2016	257,638,097	437,982,920	695,621,017	677,125,859	97.34%
2017	272,002,597	447,195,930	719,198,527	700,924,354	97.46%
2018	287,386,093	457,147,623	744,533,716	725,368,656	97.43%
2019	295,096,353	469,825,980	764,922,333	745,093,535	97.41%
2020	305,272,912	481,191,141	786,464,053	765,776,625	97.37%
2021	312,095,683	492,768,043	804,863,726	785,705,523	97.62%
2022	319,959,718	498,290,359	818,250,077	800,581,184	97.84%
2023	329,709,718	515,596,355	845,306,073	825,232,095	97.63%
2024	328,709,718	539,253,495	867,963,213	847,222,961	97.61%

Sources:

Erie County Department of Real Property Tax Services
Erie County Govern Tax Collection System

Notes:

(1) Totals shown exclude amounts levied in accordance with State law to recover election expenditures from the municipalities that were incurred by the County.

(2) Totals shown are primarily comprised of taxes levied for the benefit of County towns, re-levy of uncollected school and village taxes, and sewer district taxes and user charges.

Short-Term Borrowing History (1)

2002-2024

Year	Amount	Type		Issue Date	Maturity Date
2002	43,000,000	RAN	(2)	09/18/02	09/17/03
2003	90,000,000	RAN		06/24/03	06/23/04
2004	82,500,000	RAN		07/14/04	07/13/05
2005	80,000,000	RAN		03/11/05	03/10/06
2005	80,000,000	RAN		07/14/05	07/13/06
2006	110,000,000	RAN		06/13/06	06/13/07
2007	75,000,000	RAN		06/27/07	06/27/08
2008	75,000,000	RAN		09/30/08	06/30/09
2009	103,534,867	BAN	(3)	05/20/09	05/18/10
2009	65,000,000	RAN		10/27/09	06/30/10
2010	45,000,000	RAN		08/12/10	06/30/11
2010	20,000,000	RAN		12/14/10	04/14/11
2011	88,000,000	RAN		10/06/11	06/29/12
2012	75,000,000	RAN		10/11/12	06/28/13
2013	109,440,000	RAN		08/27/13	06/30/14
2014	110,000,000	RAN		09/18/14	06/30/15
2015	89,560,000	RAN		12/14/15	06/30/16
2016	89,580,000	RAN		12/07/16	06/30/17
2017	111,225,000	RAN		09/28/17	06/30/18
2018	79,255,000	RAN		09/26/18	06/30/19
2019	-	N/A		N/A	N/A
2020	125,000,000	RAN		06/25/20	06/24/21
2021	-	N/A		N/A	N/A
2022	-	N/A		N/A	N/A
2023	-	N/A		N/A	N/A
2024	-	N/A		N/A	N/A

Source: Erie County Comptroller's Office

Notes:

(1) Excludes all Bond Anticipation Notes ("BANs") issued by the Environmental Facilities Corporation.

(2) Revenue Anticipation Notes ("RANs") may be issued in any fiscal year in anticipation of the collection or receipt of taxes (other than real property taxes) and certain other types of revenue which are due and payable in such fiscal year and moneys to be received from the State or Federal government which are due in such fiscal year. Pursuant to State law, such notes must mature within one year after the date of issuance, and may be renewed from time to time for periods of up to one year; however, the maturity of such notes, including renewals, may not extend beyond the end of the second fiscal year following the fiscal year in which such notes were originally issued.

The issuance of RANs has been necessitated, in part, by the State's practice of requiring local governments to pay 100% of the expenditures for various programs in advance, and then providing subsequent, often delayed, reimbursement for the non-local share.

(3) BANs may be issued in anticipation of bond proceeds to be received at a later date. On May 17, 2010, the BANs were paid by the issuance of long-term general obligation bonds by the ECFSA pursuant to an agreement entered into by the parties.

Outstanding Long-Term Direct Indebtedness (1)

Last Ten Fiscal Years
As of December 31

Fiscal Year	Amount (2)	
2014	391,605,000	(3)
2015	368,175,000	(3)
2016	348,165,000	(3)
2017	327,405,000	(3)
2018	318,235,000	(3)
2019	310,830,000	(3)
2020	291,805,000	(3)
2021	257,477,929	(3)
2022	262,188,634	(3)
2023	266,117,096	(3)
2024	393,118,315	(3)

Source: Erie County Comptroller's Office

Notes:
(1) Excludes all sewer debt payable from special assessments.

(2) Excludes ECMCC bond guaranty of $87,500,000 for 2014, $84,790,000 for 2015, $81,930,000 for 2016, $78,910,000 for 2017, $72,365,000 for 2019, $68,820,000 for 2020, $65,080,000 for 2021, $61,135,000 for 2022, $56,970,000 for 2023, and $52,580,000 for 2024.

(3) Excludes ECHSA Bonds and includes Erie County Mirror Bonds.

Valuations, Tax Levies and Rates

Last Five Fiscal Years

	2025	2024	2023	2022	2021
Assessed Valuation	$ 64,377,136,427	$ 63,326,369,865	$ 54,700,637,199	$ 53,820,516,518	$ 50,811,242,811
Equalized Full Valuation	104,251,092,857	96,968,303,216	83,955,196,847	74,148,294,674	70,645,602,048
Levied for County Purposes [1]	342,798,883	328,709,718	329,709,718	319,959,718	312,095,683
Rates for $1,000 of Equalized Full Valuation	$3.29	$3.39	$3.93	$4.32	$4.42

Source: Division of Real Property Tax Annual Reports

Note:
(1) Includes County and Library property taxes.

Computation of Constitutional Taxing Power for 2025

Tax Year	Full Valuation
2021	70,645,602,048
2022	74,148,294,674
2023	83,955,196,847
2024	96,968,303,216
2025	104,251,092,857
Total	$ 429,968,489,642
Five-Year Average Full Valuation	$ 85,993,697,928
Tax Limit (1.5%) (1)	$ 1,289,905,469
Total Exclusions	53,172,836
Total Taxing Power	1,343,078,305
Total Levy for 2025 (2)	334,185,950
Tax Margin (1)	$ 1,008,892,355

Source: Data excerpted from the County's Constitutional Tax Limit Report, filed with the New York State Comptroller

Notes:
(1) New York State Constitutional Tax Limit equals 1.5% of Five-Year Average Full Valuation. By Amendment to the County Charter, the County has limited its annual property tax levy to one per centum (1.0%) of the five year average of full valuation. The County's 2025 total taxing power under this local law is $913,109,815 leaving a tax margin of $578,923,865

(2) Includes County and Library property taxes, taxes for election expenses and Community College chargebacks.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-5	COUNTY EXECUTIVE	Appointment to the ECBOH

Attachments

25COMM. 16E-5

EC LEG AUG 13 '25 PM 2:11

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

August 13, 2025

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

Dear Honorable Members:

I, Mark C. Poloncarz, Erie County Executive, pursuant to Erie County Charter Section 503, do hereby appoint the following individual to the Board of Health, for a term expiring December 31, 2030.

Appointment:

Charles D. Clark, MBA
Lackawanna City Hall
714 Ridge Road, Room 309
Lackawanna, NY 14218

Should you have any questions regarding this appointment or any other matter, please feel free to contact my office at (716)858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nn

cc: Commissioner Gale R. Burstein, M.D., MPH, Department of Health
Appointee

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-6	COMPTROLLER	Request for Investigation into the Actions of ECSO Senior Detective (Narcotics) Daniel "D.J." Granville

Attachments

25COMM. 16E-6

ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

August 19, 2025

Hon. Leticia James
New York State Attorney General
The Capitol
Albany, NY 12224-0341

Re: Request for Investigation into the Actions of Erie County Sheriff's Office Senior Detective (Narcotics) Daniel "D.J." Granville

Dear Attorney General James:

As you are likely aware, on April 11, 2024, Erie County Sheriff's Office Senior Detective (Narcotics) Daniel ("DJ") Granville was involved in an incident in his County 24-hour take-home vehicle whereby he severely damaged seven parked vehicles and his County vehicle.

This incident did not become known until March 11, 2025 when Buffalo-area media outlets reported what had occurred.

On August 15, 2025, based on an investigation by a special prosecutor, Mr. Granville pled guilty to two criminal misdemeanor charges of reckless driving and leaving the scene of an accident that caused property damage. I understand that the Buffalo Police Department and the Erie County Sheriff's Office may be conducting internal investigations.

Given the additional information that has come to light, including that Buffalo Police officers refused to cooperate with the Niagara County District Attorney's inquiry, I would like to join Buffalo Councilmember David Rivera in requesting that your office conduct an independent investigation.

Thank you in advance for your consideration. I look forward to hearing from you.

Respectfully,

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

cc: Erie County Legislature

95 FRANKLIN STREET • ROOM 1100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-7	COMPTROLLER	Daniel J. Granville Potential Separation from Service and Cash Out of Leave Balances

Attachments

25COMM. 16E-7

EC LEG AUG 19 '25 PM 3:08

ERIE COUNTY COMPTROLLER

KEVIN R. HARDWICK

April 11, 2025

Dr. Brian Bray, Erie County Commissioner of Personnel
Department of Personnel
95 Franklin Street, Sixth Floor
Buffalo, New York 14202

Re: Daniel J. Granville Potential Separation from Service and Cash Out of Leave Balances

Dear Commissioner Bray:

As you know, there is an ongoing Buffalo Police internal affairs investigation concerning events that transpired on April 11, 2024 involving Erie County Sheriff's Office Senior Detective Daniel Granville while he was driving his County-issued take home vehicle. The Sheriff's Office has also publicly stated that their office is conducting some form of investigation, although its status is unknown.

Since March 13, 2025, after this matter became public, Mr. Granville has been utilizing sick leave and not reporting to work. It is possible that Mr. Granville may seek to resign or retire in the near future. If so, he would be entitled to certain benefits pursuant to the collective bargaining agreement between Erie County and the Erie County Sheriff's Police Benevolent Association, of which he is a member. This includes a cash out of certain unused leave balances.

I am writing to respectfully request that in the event Mr. Granville does separate from service, the Department of Personnel refrains from issuing any lump sum payments (cash-out) of unused vacation or personal time to Mr. Granville pending the results of various investigations, legislative oversight, and possible action by the special prosecutor appointed to review this matter.

It is not my intention to impede Mr. Granville's receipt of any benefits which he has earned under Erie County's personnel policies, the PBA contract, or Civil Service Law. However, given the conflicting information about whether Mr. Granville was on duty or off duty at the time of the incident, and tens of thousands of dollars in payments that the County has already made or may be required to make to property owners whose vehicles were damaged by Mr. Granville, it makes sense that we proceed with caution.

My interest in sending you this letter, therefore, is simply to preserve the County's ability, if necessary and appropriate, to recoup funds from Mr. Granville from his payroll or cash out of unused time balances, to cover the costs of the damage he caused on April 11, 2024. Thank you in advance.

Sincerely,

K. R. Hardwick

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

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Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-8	SHERIFF	Acceptance of FY26 Child Passenger Safety (CPS) Grant

Attachments

25COMM. 16E-8

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

SHERIFF OF ERIE COUNTY

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

August 15, 2025

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

Re: Acceptance of FY26 Child Passenger Safety (CPS) Grant

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum requesting authorization to accept the Child Passenger Safety (CPS) Grant from the Governor's Traffic Safety Committee for Fiscal Year 2026.

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

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of FY26 Child Passenger Safety (CPS) Grant
Date: August 15, 2025

Summary of Recommended Action

This resolution authorizes Erie County and the Erie County Sheriff's Office to enter into an agreement with the Governor's Traffic Safety Committee to accept $2,000.00 from the Child Passenger Safety (CPS) Grant Program. This funding will be utilized by the Erie County Sheriff's Office to support training, education and the purchase of child safety seats for Erie County residents.

Fiscal Implications of Proposal

This resolution has no impact on county tax dollars.

Reasons for Recommendation

The goal of the Child Passenger Safety (CPS) Program is to increase the proper use and installation of child safety seats. The Erie County Sheriff's Office shares this goal. The Erie County Legislature must authorize an agreement to accept these funds, which are administered through the Governor's Traffic Safety Committee.

Consequences of Negative Action

The Erie County Sheriff's Office will forfeit $2,000.00 in grant funding.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of FY26 Child Passenger Safety (CPS) Grant

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

WHEREAS, the Governor's Traffic Safety Committee has awarded the Erie County Sheriff's Office $2,000.00 as part of the Child Passenger Safety (CPS) Program; and

WHEREAS, this funding will be utilized to assist in the proper installation and use of child safety seats across Erie County; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and Erie County Sheriff's Office to enter into an agreement with the Governor's Traffic Safety Committee to accept $2,000.00 as part of the Child Passenger Safety (CPS) Program; and be it further

RESOLVED, the funding shall be allocated in the Erie County Sheriff's Office, Police Services Division Budget (Fund 110, Fund Center 11510) as follows:

REVENUE	INCREASE
409020 – Miscellaneous State Aid	$2,000.00

APPROPRIATIONS	INCREASE
530000 – Other Expenses	$2,000.00

and be it further

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

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

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-9	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Buffalo Center for Arts and Technology

Attachments

25COMM. 16E-9

August 2025

EC LEG AUG 22 '25 PM2:00

Erie County Cultural Funding Grant Monitoring Program
Buffalo Center for Arts and Technology
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

August 22, 2025

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

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective
The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology
Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of $5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving $5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2025.

2023 Program
During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. If an organization fails to respond to the Auditor's request for records, they will be deemed non-responsive. If an organization refuses to provide some or all requested documentation, it will be deemed non-compliant. Either designation will be reported to the Department of Environment and Planning. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 20[illegible]	TAX YEAR 2021	TAX YEAR 2022
	Enlightenment Literary Arts Center &				
517125	Dog Ears Bookstore	152187	$ 28,600.00	$ 36,600.00	$ 35,000.00
518004	African American Cultural Center	112604	$ 275,450.00	$ 311,950.00	$ 200,000.00
518012	Alleyway Theatre	109340	$ 8,500.00	$ 8,500.00	$ 11,000.00
518016	American Legion Band of	100379	$ 7,500.00	$ 7,500.00	$ 45,000.00
518017	Amherst Symphony Orchestra	100473	$ 32,500.00	$ 26,750.00	$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	$ 26,050.00	$ 26,050.00	$ 30,000.00
518023	Ballet Artists Of WNY (Neglia)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	$ 38,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo Inner City Ballet Co. Inc.	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167829	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518084	El Museo Gallery	109838	$ 12,585.00	$ 8,585.00	$ 11,000.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518113	Hull House Foundation	142478	$ 15,375.00	$ 5,375.00	$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 15,500.00
518120	Just Buffalo Literacy Center	108577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518122	Locust St Neighborhood Art Classes	109985	$ 29,250.00	$ 25,250.00	$ 28,500.00
518136	Martin House Restoration	104861	$ 175,500.00	$ 175,500.00	$ 150,000.00
518139	Music is Art	139615	$ 48,000.00	$ 48,000.00	$ 39,000.00
518146	Polish Arts Club Of Buffalo Inc	106122	$ 7,000.00	$ 7,000.00	$ 3,500.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	113303	$ 30,505.00	$ 30,505.00	$ 56,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 83,000.00	$ 83,000.00	$ 57,714.00
518180	Western New York Artists Group	108295	$ 6,275.00	$ 6,275.00	$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135959	$ 4,640.00	$ 4,640.00	$ 6,000.00
518184	Young Audiences Of WNY	109818	$ 10,500.00	$ 10,500.00	$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518200	Michigan Str African Amer Heritage	152578	$ 15,000.00	$ 15,000.00	$ 32,500.00
518201	General Pulaski Association	103060	$ 10,000.00	$ 11,000.00	$ 12,500.00
518204	Brighton Place, Inc	156194	$ 10,000.00	$ 18,000.00	$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	$ 12,000.00	$ 20,000.00	$ 24,500.00
	Black Rock Historical Society (Black				
518216	Rock Riverside Alliance)	170369	$ 22,500.00	$ 7,500.00	$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	$ 25,000.00	$ 20,000.00	$ 15,000.00
518549	South Buffalo Irish Fest/Can You Dig	113041	$ 18,000.00	$ 15,000.00	$ 15,000.00
518556	Not Positive OBA The Foundry	168005	$ 5,000.00	$ -	$ 5,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20[illegible]	TAX YEAR 20[illegible]
517533	Buffalo Olmsted Parks Conservancy	140237	$ 25,910.00	$ 25,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147228	$ 58,250.00	$ 58,250.00	$ -
518025	Assembly House 150, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108743	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518052	Park	109339	$ 35,000.00	$ 35,000.00	$ 30,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	109796	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,000.00
518082	Danceability	156639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518096	Explore & More Children's Museum	102754	$ 42,000.00	$ 42,000.00	$ 78,000.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	103282	$ 98,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 83,500.00	$ 93,500.00
518124	D'Youville College Kavinsky Theater	109341	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 35,000.00
518140	Musicalfare Theatre	105309	$ 61,525.00	$ 61,525.00	$ 66,000.00
518141	New Phoenix Theatre	109342	$ 7,500.00	$ 7,500.00	$ -
518144	Road Less Traveled Productions	121043	$ 63,500.00	$ 63,500.00	$ 67,000.00
518152	Roycroft Campus Corporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518156	Shakespeare In The Park	109675	$ 95,000.00	$ 95,000.00	$ 95,000.00
518168	Theatre Of Youth	109888	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Tom Space Theatre	143673	$ 20,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media 'ANED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518207	Newstead Historical Society	105518	$ 3,500.00	$ 3,500.00	$ 5,000.00
518213	O'Connell & Company Productions	159162	$ 23,100.00	$ 23,100.00	$ 31,500.00
	Amherst Male Glee Club dba Red Blazer				
518219	Men's Chorus	162045	$ 3,000.00	$ 3,000.00	$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	$ 3,000.00	$ 3,000.00	$ 7,500.00
518226	Cheektowaga Historical Association	163121	$ 3,250.00	$ 6,250.00	$ 6,100.00
518229	Second Generation Theatre Company	164957	$ 2,020.00	$ 2,020.00	$ 5,000.00
518230	Steel Plant Museum of Western New York	167740	$ 2,020.00	$ 2,020.00	$ 5,000.00
518503	Alden Christian Theater Society	114358	$ 10,000.00	$ -	$ 3,000.00
518514	Clarence Concert Association	101711	$ 3,300.00	$ -	$ 3,000.00
	Clarence Museum (Historical Soc. of the				
518515	Town of Clarence)	113057	$ 5,500.00	$ -	$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

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Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications.

Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

BUFFALO CENTER FOR ART AND TECHNOLOGY

BACKGROUND

Buffalo Arts and Technology Center, Inc. (BCAT) is a 501(c)(3) non-profit organization founded in 2013 with the mission of addressing barriers to employment caused by poverty, trauma, and educational disparities. BCAT aims to create career opportunities through programs in technology, the arts, and workforce development.

BCAT received $3,000 in Cultural Grant Funding (CGF) for each of the years 2020 and 2021 and was awarded $7,500 in 2022. In addition to these funds, BCAT received payments from the County's Department of Social Services - Youth Services for programming outside the scope of this review.

AUDITOR'S OBSERVATIONS

BCAT was established to break the cycle of generational poverty by offering wraparound services that help participants complete workforce training programs. These programs are provided at no cost and include adult workforce training as well as after-school arts education for underserved populations. Adult participants receive career counseling, mentoring, employment certifications, and training in healthcare and IT fields. High school students engage in project-based arts and technology programs along with college readiness support.

BCAT's training programs prepare students to become IT Support Professionals, Pharmacy Technicians, Medical Assistants, Phlebotomists, and Landscaping Technicians. Most courses are held four days per week and last between three to six months. After program completion, BCAT supports job placement efforts by offering resume assistance, interview preparation, and connections to local employers. Youth-focused programming includes courses in 3D printing, digital media, fine arts, music production, and public/mural art training.

During the years under review, grants along with direct contributions and donations accounted for at least 95% of BCAT's total revenue, primarily from philanthropic and corporate sources. The organization also received additional revenue from other unspecified sources, with fundraising representing a minor portion of the income. BCAT does not charge tuition, so it generates no program-related revenue.

The COVID-19 pandemic disrupted operations, prompting a shift from in-person to virtual learning for several months, followed by a hybrid instruction model. While technology-related programming continued, performing arts programs were suspended due to social distancing requirements. Some staff were furloughed, and others worked remotely. BCAT received federal COVID-19 relief through the Paycheck Protection Program (PPP) and the Employee Retention Credit.

Primary expenses included salaries, employee compensation, benefits, and payroll-related costs. Per the contract with Erie County, CGF funds were eligible to be used to offset the costs of salaries, programming, and supplies.

AUDITOR'S CONCLUSIONS

During the grant monitoring review, BCAT provided documentation to support its use of CGF funds, including IRS Forms 990, payroll records, information returns, bank and credit card statements, and other financial records. For each year under review, CGF funds were designated for salaries and wages, programming, and supply expenses. Based on the documentation provided, the Auditor verified that total expenses incurred by the organization exceeded the amount of CGF awarded by the County in each of the years reviewed.

In reviewing the organization's tax returns, the Auditor determined that executive compensation decreased by 3.5% from 2020 to 2022, well below the national average of a 3%-5% increase annually. While executive compensation was identified as slightly higher than other local organizations, it is indicated in the organization's federal return that the compensation package was established during the time of hiring by the officers of the Board.

During the course of the review, the Auditor identified a series of payments made out to members of the finance staff for program incentives. Based on the organization's fiscal policy, in order to pay program incentives to the participating students, a check is written for the full amount to a staff member who will subsequently cash the check and distribute payments. The organization indicated that a completed form W9 is also required from program participants prior to the disbursement of stipend payment. Although practices and procedures are outlined in the organization's Fiscal Policies, the Auditor recommends that stipends be issued directly to participants, as this provides a clearer audit trail, improves accountability, reduces the risk of error, and provides for a more direct method of record keeping.

The Board of Directors for BCAT currently consists of 16 members. The organization affirmed that the Board is actively involved in the internal control processes, which was supported by information found in the Board meeting minutes. Internal policies, compensation packages, and conflicts of interest are reviewed and acted upon by the Board. The Board's Audit Committee reviews the draft IRS Form 990 and submits it to the full Board, which then approves or amends the form prior to filing. Board members are required to complete individual conflict of interest disclosures annually. When conflicts arise, members must document them and recuse themselves from any related votes. Executive compensation is reviewed and approved annually by the Board.

At the close of the review, the Auditor confirmed that BCAT met its filing requirements for IRS Form 990 and New York State CHAR500 for fiscal years 2020 through 2022 as well as other related federal and state obligations.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-10	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Buffalo Science Museum

Attachments

25COMM. 16E-10

EC LEG AUG 22 '25 P12:00

August 2025

Erie County Cultural Funding Grant Monitoring Program
Buffalo Science Museum
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

August 22, 2025

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

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective
The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology
Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of $5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving $5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2025.

2023 Program
During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. If an organization fails to respond to the Auditor's request for records, they will be deemed non-responsive. If an organization refuses to provide some or all requested documentation, it will be deemed non-compliant. Either designation will be reported to the Department of Environment and Planning. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 20	TAX YEAR 2021	TAX YEAR 2022
	Enlightenment Literary Arts Center &				
517125	Dog Ears Bookstore	152188	$ 28,600.00	$ 36,600.00	$ 55,000.00
518004	African American Cultural Center	112604	$ 275,450.00	$ 311,950.00	$ 200,000.00
518012	Alleyway Theatre	109361	$ 8,500.00	$ 8,500.00	$ 11,000.00
518016	American Legion Band of	100379	$ 7,500.00	$ 7,500.00	$ 45,000.00
518017	Amherst Symphony Orchestra	100475	$ 32,500.00	$ 25,750.00	$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	$ 26,050.00	$ 26,050.00	$ 30,000.00
518028	Ballet Artists Of WNY (Negilia)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	$ 38,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo inner City Ballet Co, Inc	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167829	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518084	El Museo Gallery	109836	$ 12,585.00	$ 8,585.00	$ 11,500.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518113	Hull House Foundation	143473	$ 15,375.00	$ 5,375.00	$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 13,500.00
518120	Just Buffalo Literacy Center	108577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518132	Locust St Neighborhood Art Classes	109985	$ 29,250.00	$ 25,250.00	$ 28,500.00
518134	Martin House Restoration	104863	$ 175,500.00	$ 175,500.00	$ 190,000.00
518139	Music Is Art	139615	$ 48,000.00	$ 48,000.00	$ 70,000.00
518146	Polish Arts Club Of Buffalo Inc	106132	$ 7,000.00	$ 7,000.00	$ 3,800.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	113308	$ 30,505.00	$ 20,305.00	$ 36,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 83,000.00	$ 83,000.00	$ 57,714.00
518180	Western New York Artists Group	108295	$ 6,275.00	$ 6,275.00	$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135959	$ 4,640.00	$ 4,640.00	$ 6,000.00
518184	Young Audiences Of WNY	109818	$ 10,500.00	$ 10,500.00	$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518200	Michigan Str African Amer Heritage	112578	$ 15,000.00	$ 15,000.00	$ 32,500.00
518201	General Pulaski Association	103060	$ 10,000.00	$ 11,000.00	$ 12,500.00
518204	Brighton Place, Inc	156194	$ 10,000.00	$ 16,000.00	$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	$ 12,000.00	$ 20,000.00	$ 24,500.00
	Black Rock Historial Society (Black				
518216	Rock-Riverside Alliance)	170369	$ 22,500.00	$ 7,300.00	$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	$ 25,000.00	$ 20,000.00	$ 15,000.00
518549	South Buffalo Irish Fels/Can You Dig	113041	$ 18,000.00	$ 15,000.00	$ 15,000.00
518596	Net Positive DBA The Foundry	168005	$ 5,000.00	$ -	$ 5,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20	TAX YEAR 20
517533	Buffalo Olmsted Parks Conservancy	140237	$ 29,910.00	$ 29,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147228	$ 68,250.00	$ 68,250.00	$ -
518025	Assembly House 130, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108743	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518052	Park	109334	$ 35,000.00	$ 35,000.00	$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	106796	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,000.00
518082	Danceability	155639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518094	Explore & More Children's Museum	102759	$ 42,000.00	$ 42,000.00	$ 78,000.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	103281	$ 96,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 63,500.00	$ 93,500.00
518124	D'Youville College Kavinsky Theater	109343	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 35,000.00
518140	Musicalfare Theatre	105308	$ 61,525.00	$ 61,525.00	$ 66,000.00
518141	New Phoenix Theatre	109342	$ 7,500.00	$ 7,500.00	$ -
518148	Road Less Traveled Productions	121045	$ 53,500.00	$ 53,500.00	$ 67,000.00
518152	Roycroft Campus Corporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518154	Shakespeare In The Park	109675	$ 35,000.00	$ 35,000.00	$ 95,000.00
518168	Theatre Of Youth	109588	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Torn Space Theatre	143623	$ 29,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147741	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	159973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media WNED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518209	Newstead Historical Society	105514	$ 3,300.00	$ 3,300.00	$ 5,000.00
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Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

BUFFALO SOCIETY OF NATURAL SCIENCE

Also known as Buffalo Science Museum

BACKGROUND

The Buffalo Society of Natural Sciences, known as the Buffalo Science Museum (BSM), is a 501(c)(3) non-profit organization formally incorporated in 1935 to serve the people of Western New York as a leading cultural and scientific institution. The stated mission of BSM is to promote the joyful exploration of science and nature through engaging experiences, unique resources, and exceptional staff.

BSM received $955,000 in Cultural Grant Funding (CGF) for the years 2020, 2021, and 2022. It was also the recipient of a County Cultural Capital Improvement grant of $1,100,000 for the construction of an accessible trail at Tifft Nature Preserve. The capital grant received falls outside the scope of this review.

AUDITOR'S OBSERVATIONS

BSM was founded in 1836 by a precursor to the local YMCA as part of a broader initiative to promote arts, science, and culture in the City of Buffalo. As interest in natural science expanded, the group organized the Natural History Society in 1861, with leadership including former U.S. President Millard Fillmore and the son of New York Governor George Clinton. By 1929, the organization opened the Buffalo Science Museum on Humboldt Parkway, where it remains today.

Educational partnerships over the years include collaborations with Tifft Nature Preserve and Charles Drew Science Magnet School. The museum has curated an extensive collection of scientific specimens, including 700,000 specifically tied to the Western New York region.

For the years under review, grants, contributions, and donations comprised the organization's largest source of revenue, accounting for over 50% of total income. The second-largest revenue stream was generated from programming services, including education and admissions fees. Additionally, BSM also generated significant operating revenue from investment income, which was primarily used to support educational and curatorial programs. Donor-restricted endowment funds were also received and allocated for investment purposes.

The COVID-19 pandemic prompted the cancellation of in-person programming and a temporary museum closure. During this time, BSM launched virtual exhibits and remote programming to maintain community engagement. Front-line staff were furloughed, while administrative staff worked remotely. BSM subsequently reopened at reduced capacity and applied for and received federal Paycheck Protection Program (PPP) loans in both 2020 and 2021, along with funding from private foundations and local entities to mitigate financial losses.

For each of the years under review, the primary operating expenses for BSM included salaries and wages, promotional expenses, occupancy costs, and cost of contracted services. Based on the contract executed between BSM and Erie County, CGF received for years under review was to be allocated towards the costs

of programming with the intent to reduce admissions costs for guests. BSM did not specify which programming costs CGF was allocated, but despite the size of the awards, the Museum's programming costs substantially exceeded those amounts.

AUDITOR'S CONCLUSIONS

During the grant monitoring review, BSM provided adequate documentation to support its use of the CGF award for each year under review, including IRS Form 990s, bank statements, general ledgers, credit card statements, and electronic financial records. For each year, operating expenses exceeded the amount of CGF awarded by the County.

A review of executive compensation showed salaries increased approximately 5.3% between 2020 and 2022, consistent with the national average of 3–5% annually. A new CEO assumed leadership in June 2023, and compensation for the departing CEO was pro-rated to include corresponding fringe benefits.

No unusual or questionable operational expenses were identified. However, several receipts for meals and entertainment lacked full documentation as required under Section 274 of the Internal Revenue Code, which mandates documentation of the business purpose, attendees, and topics discussed.

BSM's governance structure included a 27-member Board of Directors at the time of review, with the City of Buffalo and Erie County each holding one ex-officio seat, and the Board also includes Lifetime Members. The organization confirmed, and the Auditor verified, that the Board is fully integrated into its internal controls. Responsibilities include reviewing and approving internal policies, compensation packages, membership structures, and financial disclosures. Board members, officers, key employees, and those with delegated authority sign annual conflict-of-interest disclosures. Compensation recommendations are submitted to the Board for final approval, and draft IRS Form 990s are reviewed and approved by the Board prior to submission. Board members are elected at the annual meeting and actively participate in program development and fund allocation. The Auditor confirmed these practices through a review of Board minutes.

At the conclusion of the grant review, the Auditor determined that BSM complied with IRS Form 990 and New York State Form CHAR500 filing requirements for 2020, 2021, and 2022, as well as other relevant federal and state obligations for the years under review.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-11	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Center for Exploratory & Perceptual Art Inc.

Attachments

25COMM. 16E-11

August 2025

EC LEG AUG 22 '25 PM 2:01

Erie County Cultural Funding Grant Monitoring Program
Center for Exploratory & Perceptual Art Inc.
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
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August 22, 2025

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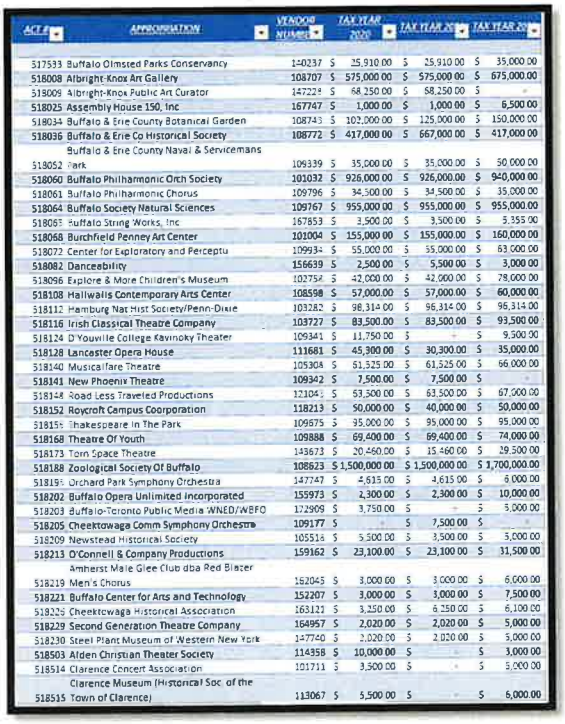
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518023	Ballet Artists Of WNY (fkg/dba)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	$ 58,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo Inner City Ballet Co, Inc	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167829	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518082	El Museo Gallery	109836	$ 12,585.00	$ 8,585.00	$ 11,000.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518113	Hull House Foundation	143473	$ 15,375.00	$ 5,375.00	$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 13,500.00
518120	Just Buffalo Literacy Center	103577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518132	Locust St Neighborhood Art Classes	109685	$ 29,250.00	$ 25,250.00	$ 28,500.00
518135	Martin House Restoration	104461	$ 175,500.00	$ 175,500.00	$ 190,000.00
518139	Music is Art	139615	$ 48,000.00	$ 48,000.00	$ 99,000.00
518146	Polish Arts Club Of Buffalo Inc	106132	$ 7,000.00	$ 7,000.00	$ 3,800.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	113308	$ 30,505.00	$ 20,505.00	$ 36,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106332	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 83,000.00	$ 83,000.00	$ 57,714.00
518180	Western New York Artists Group	108296	$ 6,275.00	$ 6,275.00	$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135959	$ 4,640.00	$ 4,640.00	$ 6,000.00
518184	Young Audiences Of WNY	109818	$ 10,500.00	$ 10,500.00	$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518200	Michigan Str African Amer Heritage	152578	$ 15,000.00	$ 15,000.00	$ 32,500.00
518201	General Pulaski Association	103060	$ 10,000.00	$ 11,000.00	$ 12,500.00
518204	Brighton Place, Inc	156194	$ 10,000.00	$ 16,000.00	$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	$ 12,000.00	$ 20,000.00	$ 24,500.00
	Black Rock Historial Society (Black				
518216	Rock-Riverside Alliance)	170369	$ 22,500.00	$ 7,500.00	$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	$ 25,000.00	$ 20,000.00	$ 15,000.00
518549	South Buffalo Irish Fest/Can You Dig	113041	$ 18,000.00	$ 15,000.00	$ 15,000.00
518596	Net Positive DBA The Foundry	168005	$ 5,000.00	$ -	$ 5,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20[illegible]	TAX YEAR 20[illegible]
517533	Buffalo Olmsted Parks Conservancy	140237	$ 25,910.00	$ 25,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147224	$ 68,250.00	$ 68,250.00	$ -
518025	Assembly House 150, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108743	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518052	Park	109339	$ 35,000.00	$ 35,000.00	$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	109796	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,500.00
518082	Danceability	156639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518096	Explore & More Children's Museum	102752	$ 42,000.00	$ 42,000.00	$ 78,600.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	103282	$ 98,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 83,500.00	$ 93,500.00
518124	D'Youville College Kavinoky Theater	109341	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 35,000.00
518140	Musicalfare Theatre	105308	$ 61,525.00	$ 61,525.00	$ 66,000.00
518141	New Phoenix Theatre	109342	$ 7,500.00	$ 7,500.00	$ -
518144	Road Less Traveled Productions	121041	$ 53,500.00	$ 63,500.00	$ 67,000.00
518152	Roycroft Campus Coorporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518155	Shakespeare In The Park	109575	$ 95,000.00	$ 95,000.00	$ 95,000.00
518168	Theatre Of Youth	109888	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Torn Space Theatre	143673	$ 20,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media WNED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518209	Newstead Historical Society	105516	$ 5,500.00	$ 3,500.00	$ 5,000.00
518213	O'Connell & Company Productions	159162	$ 23,100.00	$ 23,100.00	$ 31,500.00
	Amherst Male Glee Club dba Red Blazer				
518219	Men's Chorus	162045	$ 3,000.00	$ 3,000.00	$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	$ 3,000.00	$ 3,000.00	$ 7,500.00
518225	Cheektowaga Historical Association	163121	$ 3,250.00	$ 6,250.00	$ 6,100.00
518229	Second Generation Theatre Company	164957	$ 2,020.00	$ 2,020.00	$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	$ 2,020.00	$ 2,020.00	$ 5,000.00
518503	Alden Christian Theater Society	114358	$ 10,000.00	$ -	$ 3,000.00
518514	Clarence Concert Association	101711	$ 3,500.00	$ -	$ 5,000.00
	Clarence Museum (Historical Soc of the				
518515	Town of Clarence)	113067	$ 5,500.00	$ -	$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

Debit Cards

Credit cards, particularly with smaller organizations, can provide a critical layer of expense control. The Division of Audit found a large quantity of small-dollar expenses appearing personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be paid and approved by the organization's board of directors.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications.

Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

CENTER FOR EXPLORATORY AND PERCEPTUAL ARTS

BACKGROUND

The Center for Exploratory & Perceptual Arts, Inc. (CEPA) is a 501(c)(3) non-profit organization founded in 1974. CEPA serves as a photography and visual arts center, community darkroom, and exhibition space with both local and national reach. The organization's stated mission is to foster the exploration of photography and contemporary visual art, nurture creativity, and encourage active learning.

CEPA was awarded $55,000 in Cultural Grant Funding (CGF) for the years 2020 and 2021 and was awarded $63,000 for the year 2022.

AUDITOR'S OBSERVATIONS

CEPA was established during the era of the Alternative Space Movement, which repurposed abandoned or under-utilized spaces for artistic use. Initially founded as a community darkroom and exhibition space, CEPA has since evolved into a nationally recognized arts center and is one of the oldest non-profit photography-based arts organizations in the United States.

CEPA directs its programming toward urban youth and working artists, offering services and programs such as workshops, classes, extracurricular and summer initiatives, exhibitions, and public access to image-making resources. These are available to artists, schools, and nonprofits. Photography exhibits are free and open to the public. CEPA also provides photographic learning programs and mentorship workshops for individuals with disabilities.

During the years under review, grants, contributions, and donations represented the organization's largest source of revenue, comprising more than 80% of total revenue. Program revenue served as the organization's second-largest revenue stream. Additional operating income was generated through art-related fundraising auctions and mission-related activities such as facility rentals, membership sales, and ticketed events. The organization also sold merchandise aligned with its mission.

The COVID-19 pandemic significantly impacted CEPA's operations, requiring the temporary closure of part of its facilities. Workshops, classes, and other educational initiatives were either canceled or rescheduled, and in-person activities were restricted. In response, CEPA developed virtual exhibits and public art projects. The organization was able to retain all full-time staff. However, instructors employed as subcontractors were not retained during periods when instructional programming was not conducted. CEPA applied for and received Paycheck Protection Program (PPP) funding during both rounds of federal distribution.

Primary operating expenses incurred by the organization during the review period included salaries and wages, occupancy costs, office supplies, advertising, and insurance. Per the contract between CEPA and Erie County, CGF received during the years under review was to be allocated toward personnel expenses, specifically, 25% of the salaries of the Executive Director, Development Director, and Director of Education.

AUDITOR'S CONCLUSIONS

During the grant monitoring review, CEPA provided the Auditor with sufficient documentation to substantiate its use of the CGF award for each year under review. Documentation included IRS Form 990s, payroll records, invoices, and electronic financial statements. The organization's operating expenses, including wages and salaries, exceeded the CGF amount awarded by the County for each year under review.

As part of the grant review process, an analysis of the organization's operating expenses was conducted. However, an accurate analysis of CEPA's executive compensation could not be completed due to frequent changes in executive leadership during the review period, which led to fluctuating salary payments. A historical review of executive salaries prior to the review period indicated that salary increases remained consistent with national averages. A review of additional operating expenses revealed no atypical or excessive expenditures.

CEPA currently has a Board of Directors consisting of 14 members. Board members are limited to three consecutive three-year terms. The organization affirmed that the Board is integrated into its internal control system. The Board reviews and approves internal policies, compensation packages, membership rates, and potential conflicts of interest. A draft of Form 990 is reviewed and approved by the Board prior to filing. The Board also elects new members at each annual meeting to fill expiring or vacant positions. Additionally, the Board oversees the allocation and use of funds and plays an active role in the development of new programming.

During the review, CEPA submitted its internal control, cash management, and disbursement policy, which outlines step-by-step procedures to ensure financial security and accountability. The organization maintains segregation of duties, dual-signature requirements, and audit trail protocols. These policies appear to be reviewed and updated annually by the Board.

At the conclusion of the grant review, the Auditor determined that CEPA complied with filing requirements for IRS Form 990 and New York State Form CHAR500 for the years 2020, 2021, and 2022. CEPA was also found to be in compliance with all other relevant federal and state obligations during the review period.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-12	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Enlightenment Bookstore & Literary Center Inc.

Attachments

25COMM. 16E-12

August 2025

EC LEG AUG 22 '25 PM2:01

Erie County Cultural Funding Grant Monitoring Program
Enlightenment Bookstore and Literary Center Inc.
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

August 22, 2025

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

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective
The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology
Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of $5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving $5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2025.

2023 Program
During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. If an organization does not respond to the Auditor's request for documentation, they will be deemed non-responsive. If an organization refuses to provide some or all requested documentation, it will be deemed non-compliant. Either designation will be considered when CGF is allocated in future years. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20	TAX YEAR 20
517533	Buffalo Olmsted Parks Conservancy	140237	$ 25,910.00	$ 25,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147228	$ 68,250.00	$ 68,250.00	$ -
518025	Assembly House 150, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108745	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
518052	Buffalo & Erie County Naval & Servicemans Park	109339	$ 35,000.00	$ 35,000.00	$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	109794	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,000.00
518082	Danceability	156639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518096	Explore & More Children's Museum	102758	$ 42,000.00	$ 42,000.00	$ 78,000.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	103282	$ 98,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 83,500.00	$ 93,500.00
518124	D'Youville College Kavinoky Theater	109941	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 55,000.00
518140	Musicalfare Theatre	105308	$ 61,525.00	$ 61,525.00	$ 66,000.00
518141	New Phoenix Theatre	109342	$ 7,500.00	$ 7,500.00	$ -
518148	Road Less Traveled Productions	121043	$ 63,500.00	$ 63,500.00	$ 67,000.00
518152	Roycroft Campus Corporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518156	Shakespeare In The Park	109675	$ 95,000.00	$ 95,000.00	$ 95,000.00
518168	Theatre Of Youth	109888	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Tom Space Theatre	143673	$ 20,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media WNED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518209	Newstead Historical Society	105518	$ 5,500.00	$ 3,500.00	$ 5,000.00
518213	O Connell & Company Productions	159162	$ 23,100.00	$ 23,100.00	$ 31,500.00
518219	Amherst Male Glee Club dba Red Blazer Men's Chorus	162045	$ 3,000.00	$ 3,000.00	$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	$ 3,000.00	$ 3,000.00	$ 7,500.00
518226	Cheektowaga Historical Association	183121	$ 3,250.00	$ 6,250.00	$ 6,100.00
518229	Second Generation Theatre Company	164957	$ 2,020.00	$ 2,020.00	$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	$ 2,020.00	$ 2,020.00	$ 5,000.00
518503	Alden Christian Theater Society	114358	$ 10,000.00	$ -	$ 3,000.00
518514	Clarence Concert Association	101711	$ 3,500.00	$ -	$ 5,000.00
518515	Clarence Museum (Historical Soc. of the Town of Clarence)	113067	$ 5,500.00	$ -	$ 6,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 20	TAX YEAR 2021	TAX YEAR 2022
517125	Enlightenment Literary Arts Center & Dog Ears Bookstore	152183	$ 28,600.00	$ 36,600.00	$ 55,000.00
518004	African American Cultural Center	112604	$ 275,450.00	$ 311,950.00	$ 200,000.00
518013	Alleyway Theatre	109340	$ 8,500.00	$ 8,500.00	$ 11,000.00
518016	American Legion Band of	100329	$ 7,500.00	$ 7,500.00	$ 45,000.00
518017	Amherst Symphony Orchestra	100475	$ 32,500.00	$ 26,750.00	$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	$ 26,050.00	$ 26,050.00	$ 30,000.00
518024	Ballet Artists Of WNY (Neglia)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
518040	Buffalo Arts Studio (Arts Studio of Western New York, Inc)	101244	$ 38,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo Inner City Ballet Co, Inc	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167829	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518084	El Museo Gallery	109836	$ 12,585.00	$ 8,585.00	$ 11,000.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518113	Hull House Foundation	143471	$ 15,375.00	$ 5,375.00	$ 7,500.00
518119	Jewish Community Center Cultural (Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 13,500.00
518120	Just Buffalo Literacy Center	108577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518132	Locust St Neighborhood Art Classes	109965	$ 29,250.00	$ 25,250.00	$ 28,500.00
518136	Martin House Restoration	104868	$ 175,500.00	$ 175,500.00	$ 190,000.00
518139	Music is Art	139615	$ 48,000.00	$ 48,000.00	$ 99,000.00
518146	Polish Arts Club Of Buffalo Inc	106132	$ 7,000.00	$ 7,000.00	$ 3,800.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	113308	$ 20,505.00	$ 20,505.00	$ 36,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518173	Theodore Roosevelt Inaugural Site	106552	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 63,000.00	$ 63,000.00	$ 57,714.00
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518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518206	Michigan St African Amer Heritage	152578	$ 15,000.00	$ 15,000.00	$ 32,500.00
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518204	Brighton Place, Inc	156184	$ 10,000.00	$ 19,000.00	$ 20,000.00
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Debit Cards

Credit cards, particularly with smaller organizations, can provide a critical layer of expense control. The Division of Audit found a large quantity of small-dollar expenses appearing personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be paid and approved by the organization's board of directors.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications.

Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

ENLIGHTENMENT LITERACY
dba Dog Ears Bookstore

BACKGROUND

Enlightenment Bookstore and Literary Arts Center, Inc. (ELA), known as the Dog Ears Bookstore, is a 501(c)(3) non-profit organization established in 2002 for the stated purpose of providing an atmosphere which promotes quiet reading time, group discussions, writing workshops, and children's literacy programs. The stated mission of ELA is to establish programs dedicated to developing skills through reading, encouragement, facilitation, and education while offering a bookstore to cultivate and support the reading and writing process.

Between 2020 and 2022, ELA received Cultural Grant Funding (CGF) as follows:

- $28,600 in 2020 (including $22,000 over the executive recommendation)
- $6,600 in 2021
- $55,000 in 2022 (including $45,000 over the executive recommendation)

In addition to these funds, ELA received payments from the County's Department of Social Services - Youth Services for programming outside the scope of this review.

AUDITOR'S OBSERVATIONS

ELA serves dual purposes as a literary arts center and a community bookstore. The organization aims to "maximize the impact of literature throughout South Buffalo and Western New York by working in conjunction with schools, community centers, and publishing companies". The bookstore operates at a brick-and-mortar location, where it offers a range of titles for a range of audiences, and proceeds are funneled back into the programs promoting children's creativity and literacy throughout Western New York. As part of its programming, ELA offers free literacy summer camps for students, adult writing workshops, and book author hosting events.

In addition to the bookstore and literary arts center, ELA also operates the Dog Ears Café. The Café is a neighborhood business established to support the mission of ELA. The Dog Ears Cafe is not a separate legal entity, and it is operated as part of the non-profit organization. The organization indicates the revenue generated from Dog Ears Café is considered unrelated business income, and proceeds are used to support the mission.

For the years under review, grants, contributions, and donations served as the organization's largest source of revenue, comprising more than half of total income. ELA generated approximately 30% of its revenue from programming and sales revenue, which amounted to its second largest source. ELA also generates additional operating revenue from mission related activities including fundraising events such as the Lucky Dog Gala and tiered sponsorship levels.

The COVID-19 pandemic impacted ELA's operations, requiring the temporary closure of part of its facilities. Workshops, classes, literacy camps, and other educational initiatives were either canceled or rescheduled,

and in-person activities were restricted. The Covid-19 pandemic also affected the operations of the Dog Ears Café and resulted in a decrease in revenue. The organization was able to retain administrative staff, but instructors were not retained during periods when instructional programming was not conducted. ELA applied for and received Paycheck Protection Program (PPP) funding during both rounds of federal distribution. Funding received by the organization allowed the organization to help offset pandemic related revenue losses.

The primary operating expenses incurred by the organization during the review period included salaries and wages, occupancy costs, supplies, insurance cost and expenses for contracted instructors. Per the contract executed between ELA and the County of Erie, Cultural Grant Funding (CGF) received for the years under review was to be allocated towards the cost of books for its literacy programs.

AUDITOR'S CONCLUSIONS

During the grant monitoring review, ELA provided partial substantiation for its use of CGF for each year under review. Supporting documentation included IRS Form 990s, bank statements, credit card statements, ledgers, and payroll reports. However, requested invoices were not furnished as of the issuance of this report. While documentation substantiates the purchase of books, the Auditor could not determine which purchases were directly related to literacy programming versus bookstore inventory.

A review of ELA's executive compensation found that the average salary increase for the years under review was approximately 3.2%, which is within the national average of 3% to 5% for nonprofit executives. The Auditor was not able to conduct an accurate salary expense analysis in relation to the different operations of the non-profit as the amount of wages reported as paid on the organization's tax return showed large fluctuations for each of the years under review.

ELA is currently governed by a Board of Directors consisting of nine members. According to the organization, the Board plays an active role in governance and oversight. Once IRS Form 990 is completed and reviewed by the Executive Director, it is submitted to the full Board for final review and approval prior to filing. The Board also reviews and approves key employee compensation packages and monitors member activity in accordance with the organization's conflict of interest policy. However, the Auditor was not provided with Board meeting minutes for the period under review which limited the ability to independently verify the organization's internal controls and oversight practices as described.

During the grant review, the Auditor identified that Dog Ears Café, a self-sustained, for-profit operation is managed by ELA as part of its broader mission. While the Café generates unrelated business income (UBI), which is appropriately reported on IRS Form 990 and 990-T, expenses associated with its operation were not consistently reported across the years under review. Instead, Café related costs appear to be commingled with general nonprofit expenditures, including staffing and supplies tied to literacy programming. Financial documentation and historical records indicate that the Café operated at a net loss during the review period, as well as in prior and subsequent years. No clear financial separation or accounting safeguards were in place to ensure that unrelated business activities were not subsidized by nonprofit program funds,

Of particular concern, ELA's original grant scope submitted to the County included the purchase of furniture for Dog Ears Café, which constitutes a capital expense and is therefore not eligible under the terms of the County's Cultural Grant Funding (CGF) program. While the organization did not provide receipts or documentation confirming such a purchase took place, the inclusion of ineligible items in the proposed scope reflects a failure in both organizational compliance and County grant oversight. The grant agreement prohibits

the use of CGF for capital expenditures, and the County's internal vetting process should have identified the inclusion of café furniture as a disallowed expense and required a revision to the scope of work prior to approval.

This lack of financial delineation, combined with the proposed use of public funds for a self-sustained for-profit operation historically operating at a loss, raises concerns about whether Dog Ears Café is providing financial support or whether the bookstore is supporting the café which could lead to noncompliance with IRS regulations governing UBI.

Additionally, while ELA reported UBI on IRS Form 990 and 990-T, it did not provide financial documentation to reflect café related expense allocations. As such, the Auditor was unable to confirm full compliance with federal reporting obligations related to unrelated business income, particularly in years when losses were incurred and carried forward, resulting in a negative unrelated business taxable income.

The Auditor was also unable to verify compliance with IRS requirements regarding the issuance of information returns for non-employee compensation. Based on a review of the organization's records, ELA made payments in excess of $600 to individuals qualifying as independent contractors during each of the years under review, but IRS Forms 1099-NEC and/or 1099-MISC were not issued. Per §6041 of the Internal Revenue Code (IRC), any person or entity engaged in a trade or business that makes payments of $600 or more in a calendar year for services, including compensation, fees, or other income to a nonemployee must file an information return with the IRS. These forms must be filed by January 31 of the year following the payment year under IRC §6071.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-13	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - MusicalFare Theatre

Attachments

25COMM. 16E-13

August 2025

EC LEG AUG 22 '25 PM 2:01

Erie County Cultural Funding Grant Monitoring Program
MusicalFare Theatre
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

August 22, 2025

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

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

Objective
The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

Scope and Methodology
Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of $5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving $5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2025.

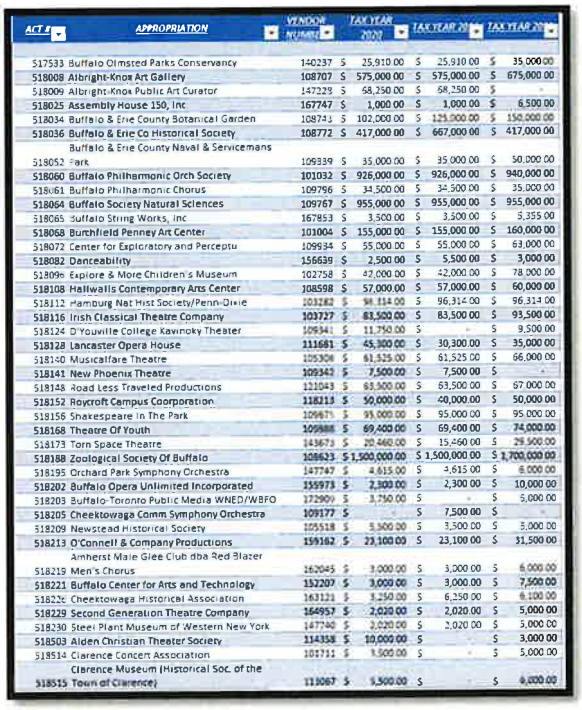
2023 Program
During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. If an organization fails to respond to the Auditor's request for records, they will be deemed non-responsive. If an organization refuses to provide some or all requested documentation, it will be deemed non-compliant. Either designation will be reported to the Department of Environment and Planning. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
	Enlightenment Literary Arts Center &				
517125	Dog Ears Bookstore	152183	$ 28,600.00	$ 36,600.00	$ 55,000.00
518004	African American Cultural Center	112604	$ 275,450.00	$ 311,950.00	$ 200,000.00
518012	Alleyway Theatre	109340	$ 8,500.00	$ 8,500.00	$ 11,000.00
518016	American Legion Band of	100379	$ 7,500.00	$ 7,500.00	$ 45,000.00
518017	Amherst Symphony Orchestra	100475	$ 32,500.00	$ 26,750.00	$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	$ 26,050.00	$ 26,050.00	$ 30,000.00
518023	Ballet Artists Of WNY (Neglia)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	$ 38,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo Inner City Ballet Co, Inc.	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167329	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518084	El Museo Gallery	109836	$ 12,585.00	$ 8,585.00	$ 11,000.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518113	Hull House Foundation	143473	$ 15,375.00	$ 5,375.00	$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 13,500.00
518120	Just Buffalo Literacy Center	108577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518132	Locust St Neighborhood Art Classes	109985	$ 29,250.00	$ 25,250.00	$ 28,500.00
518136	Martin House Restoration	104362	$ 175,500.00	$ 175,500.00	$ 190,000.00
518139	Music Is Art	139615	$ 48,000.00	$ 48,000.00	$ 99,000.00
518146	Polish Arts Club Of Buffalo Inc	106137	$ 7,000.00	$ 7,000.00	$ 3,800.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	111308	$ 30,305.00	$ 20,305.00	$ 36,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	106552	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 83,000.00	$ 83,000.00	$ 57,714.00
518180	Western New York Artists Group	108299	$ 9,275.00	$ 9,275.00	$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135959	$ 4,640.00	$ 4,640.00	$ 6,000.00
518184	Young Audiences Of WNY	109818	$ 10,500.00	$ 10,500.00	$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518200	Michigan St African Amer Heritage	132578	$ 15,000.00	$ 15,000.00	$ 32,500.00
518201	General Pulaski Association	103060	$ 10,000.00	$ 11,000.00	$ 12,500.00
518204	Brighton Place, Inc	15619-	$ 10,000.00	$ 16,000.00	$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	$ 12,000.00	$ 20,000.00	$ 24,500.00
	Black Rock Historical Society (Black				
518216	Rock-Riverside Alliance)	170369	$ 22,500.00	$ 7,500.00	$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	$ 25,000.00	$ 20,000.00	$ 15,000.00
518549	South Buffalo Irish Fest/Can You Dig	113041	$ 18,000.00	$ 15,000.00	$ 15,000.00
518596	Net Positive DBA The Foundry	168005	$ 5,000.00	$ -	$ 5,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20	TAX YEAR 20
517533	Buffalo Olmsted Parks Conservancy	140237	$ 25,910.00	$ 25,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147229	$ 58,250.00	$ 58,250.00	$ -
518025	Assembly House 150, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108741	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518052	Park	109339	$ 35,000.00	$ 35,000.00	$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	109796	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,000.00
518082	Danceability	156639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518096	Explore & More Children's Museum	102758	$ 42,000.00	$ 42,000.00	$ 78,000.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	101282	$ 98,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 83,500.00	$ 93,500.00
518124	D'Youville College Kavinoky Theater	109941	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 35,000.00
518140	Musicalfare Theatre	105306	$ 61,525.00	$ 61,525.00	$ 66,000.00
518141	New Phoenix Theatre	109343	$ 7,500.00	$ 7,500.00	$ -
518148	Road Less Traveled Productions	121043	$ 63,500.00	$ 63,500.00	$ 67,000.00
518152	Roycroft Campus Coorporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518156	Shakespeare In The Park	109671	$ 95,000.00	$ 95,000.00	$ 95,000.00
518168	Theatre Of Youth	109888	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Torn Space Theatre	143673	$ 20,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media WNED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518209	Newstead Historical Society	105518	$ 3,500.00	$ 3,500.00	$ 3,000.00
518213	O'Connell & Company Productions	159162	$ 23,100.00	$ 23,100.00	$ 31,500.00
	Amherst Male Glee Club dba Red Blazer				
518219	Men's Chorus	162045	$ 3,000.00	$ 3,000.00	$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	$ 3,000.00	$ 3,000.00	$ 7,500.00
518226	Cheektowaga Historical Association	163121	$ 3,250.00	$ 6,250.00	$ 6,100.00
518229	Second Generation Theatre Company	164957	$ 2,020.00	$ 2,020.00	$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	$ 2,020.00	$ 2,020.00	$ 5,000.00
518503	Alden Christian Theater Society	114358	$ 10,000.00	$ -	$ 3,000.00
518514	Clarence Concert Association	101711	$ 3,500.00	$ -	$ 5,000.00
	Clarence Museum (Historical Soc. of the				
518515	Town of Clarence)	113067	$ 3,500.00	$ -	$ 4,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

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Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications.

Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

MUSICALFARE THEATRE COMPANY

BACKGROUND

MusicalFare Theatre Company, Inc. (MFT), known as MusicalFare, is a 501(c)(3) non-profit organization established in 1990 with the goal of becoming a significant regional theater with national prominence by developing and presenting world premiere musicals, re-imagined classics, and regional premieres. The stated mission of MFT is to establish a professional theater group capable of bringing top-quality musical productions to Western New York.

Between 2020 and 2022, MFT received Cultural Grant Funding (CGF) as follows:

- $61,525 in 2020 (including $8,500 over the executive recommendation)
- $61,525 in 2021 (including $8,500 over the executive recommendation)
- $66,000 in 2022 (including $9,000 over the executive recommendation)

AUDITOR'S OBSERVATIONS

MFT has been a cultural staple in the Town of Amherst for more than three decades. Currently in its 34th season, MFT has put on over 200 theatrical productions and employed over 3,000 local actors, musicians, and designers while entertaining over 750,000 people. The Theater has won 121 Artie Awards, which is more than any other company in Western New York. MFT has collaborated with several different theater companies over the years and presents annual shows at Shea's. MFT engages more intimate audiences with its cabaret and provides internship opportunities to students at the University of Buffalo, Daemen College, and Niagara University.

After 35 years at Daemen College, MFT was fundraising to relocate to a new state-of-the-art theater as part of the "Amherst Central Park" initiative. However, those plans were canceled when the venue portion of the project was subjected to a public referendum following a successful petition by Amherst residents. Upon the expiration of MFT's lease with Daemen College in May 2025, the organization will begin its 2025–2026 season at Shea's 710 with which a long-term partnership has been established.

For the years under review, grants, contributions, and donations represented the organization's largest source of revenue, comprising more than 50% of total revenue. MFT generated approximately 10% to 30% of its revenue from programming, admissions, memberships, and guest services, making this its second-largest revenue stream. Additional revenue was derived from mission-related activities, including concession sales, galas, and at least one signature fundraising event annually. In prior years, programming activities served as the primary revenue source; however, this shifted due to the COVID-19 pandemic.

The pandemic significantly disrupted MFT's operations, requiring the cancellation of scheduled programming. In response, the organization produced livestreamed events and maintained administrative functions remotely, while actors and production staff were laid off until in-person programming resumed. Financial losses were offset by pandemic-related assistance, including foundation grants, two rounds of Paycheck Protection Program (PPP) funding, Employee Retention Credit, and approximately $670,000 from the federal Shuttered Venue Operators Grant. Collectively, these relief sources resulted in an operating revenue surplus.

For the years under review, MFT's primary operating expenses included salaries and wages, compensation, occupancy, production costs, and office expenses. CGF received during the review period was allocated toward personnel and space rental expenses.

AUDITOR'S CONCLUSIONS

During the grant monitoring review process, MFT provided adequate documentation to substantiate its use of the CGF awards for each year under review. Documentation included IRS Form 990s, payroll return documents and records, external audit reports, and electronic financial records. The organization's operating expenses exceeded the CGF amounts awarded by the County in each of the years under review.

A review of executive compensation revealed that, during the years under review, total compensation increased by an average of approximately 11% annually, which is well above the national average of 3% to 5%. For the fiscal year ending August 31, 2022, compensation included a bonus payment; however, salary and other compensation did not decrease in subsequent years, but instead increased by 6% and 5%, respectively.

During the course of the review, the Auditor also identified an expense related to a private club membership for an executive team member. Such expenses are atypical for local non-profit organizations. Furthermore, there was no disclosure in the organization's annual tax return or board minutes indicating that this membership was either part of the individual's compensation package or an ordinary and necessary business expense.

MFT is governed by a Board of Directors consisting of 19 individuals. Officers are limited to three consecutive 3-year terms and must step down for at least one year before returning. The organization affirmed that the Board is integral to its system of internal controls. The Board is responsible for reviewing and approving IRS Form 990 before it is filed and participates in financial oversight, including decisions on grant and loan applications and conflict-of-interest monitoring. A review of Board meeting minutes from 2022 showed that a committee was directed to review executive compensation packages, though it remains unclear whether these packages are reviewed and approved on an annual basis.

At the conclusion of the grant review, the Auditor was able to determine that MFT is in compliance with filing requirements for IRS Form 990 and New York State Form CHAR500. MFT was in compliance with other relevant federal and state obligations for the years under review.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-14	COMPTROLLER	EC Cultural Funding Grant Monitoring Program - Ujima Company, Inc.

Attachments

25COMM. 16E-14

August 2025

EC LEG AUG 22 '25 PM2:02

Erie County Cultural Funding Grant Monitoring Program
Ujima Company, Inc.
January 1, 2020 through December 31, 2022

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
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August 22, 2025

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Scope and Methodology
Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of $5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving $5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, and a second batch was sent in early October 2023. The review of all agencies is expected to be completed by December 31, 2025.

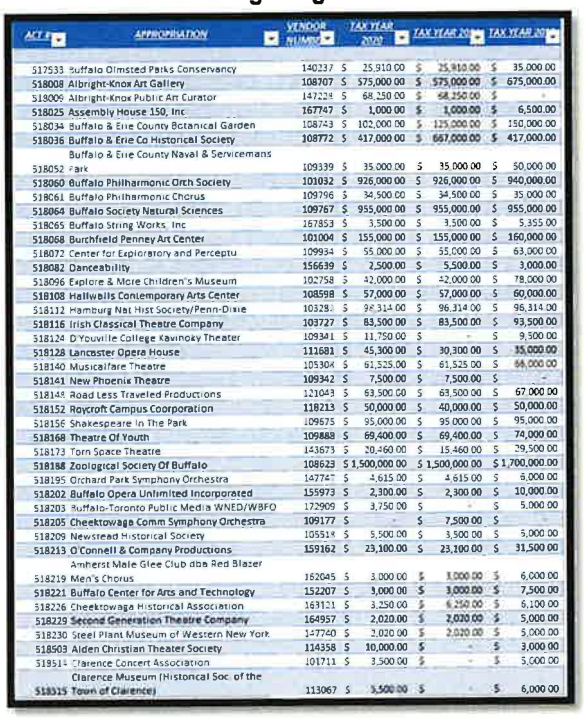
2023 – 2024 Program
During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

Monitoring Program – Phase I



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 20	TAX YEAR 2021	TAX YEAR 2022
	Enlightenment Literary Arts Center &				
517125	Dog Ears Bookstore	152183	$ 28,600.00	$ 36,600.00	$ 55,000.00
518004	African American Cultural Center	112604	$ 275,450.00	$ 311,950.00	$ 200,000.00
518012	Alleyway Theatre	109340	$ 8,500.00	$ 8,500.00	$ 11,000.00
518016	American Legion Band of	100579	$ 7,500.00	$ 7,500.00	$ 45,000.00
518017	Amherst Symphony Orchestra	100475	$ 32,500.00	$ 26,750.00	$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	$ 26,050.00	$ 26,050.00	$ 30,000.00
518025	Ballet Artists Of WNY (Neglia)	100794	$ 24,000.00	$ 24,000.00	$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc)	101244	$ 38,000.00	$ 45,500.00	$ 53,000.00
518044	Buffalo Inner City Ballet Co, Inc	108597	$ 27,000.00	$ 27,000.00	$ 27,000.00
518050	Buffalo Music Hall of Fame	113142	$ 4,500.00	$ -	$ 5,500.00
518051	Buffalo Heritage Carousel	167829	$ 30,000.00	$ 30,000.00	$ 35,000.00
518074	Colored Musicians Club	130377	$ 5,000.00	$ -	$ 12,500.00
518084	El Museo Gallery	109836	$ 12,585.00	$ 8,585.00	$ 11,000.00
518104	Graycliff Conservancy	103197	$ 59,200.00	$ 59,200.00	$ 60,000.00
518111	Hull House Foundation	143478	$ 15,375.00	$ 5,375.00	$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	111239	$ 13,500.00	$ 8,750.00	$ 13,500.00
518120	Just Buffalo Literacy Center	108577	$ 78,100.00	$ 78,100.00	$ 83,500.00
518132	Locust St Neighborhood Art Classes	109985	$ 29,250.00	$ 25,250.00	$ 28,500.00
518136	Martin House Restoration	104863	$ 175,500.00	$ 175,500.00	$ 190,000.00
518139	Music is Art	139615	$ 48,000.00	$ 46,000.00	$ 39,000.00
518145	Polish Arts Club Of Buffalo Inc	106132	$ 7,000.00	$ 7,000.00	$ 3,500.00
518147	Preservation Buffalo Niagara	147509	$ 4,615.00	$ 4,615.00	$ 6,000.00
518160	Springville Center For The Arts	113368	$ 30,305.00	$ 20,505.00	$ 36,000.00
518164	Squeaky Wheel	101268	$ 20,920.00	$ 20,920.00	$ 27,000.00
518171	Theodore Roosevelt Inaugural Site	106552	$ 32,320.00	$ 32,320.00	$ 37,000.00
518176	Ujima Company	101047	$ 83,000.00	$ 83,000.00	$ 57,714.00
518180	Western New York Artists Group	108295	$ 6,275.00	$ 6,275.00	$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135959	$ 4,640.00	$ 4,640.00	$ 6,000.00
518184	Young Audiences Of WNY	109818	$ 10,500.00	$ 10,500.00	$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	$ 18,500.00	$ 18,500.00	$ 24,500.00
518200	Michigan Str African Amer Heritage	152578	$ 15,000.00	$ 15,000.00	$ 32,500.00
518201	General Pulaski Association	103060	$ 10,000.00	$ 11,000.00	$ 12,500.00
518204	Brighton Place, Inc	155194	$ 10,000.00	$ 16,000.00	$ 20,000.00
518211	Hispanic Heritage Council of WNY	159305	$ 12,000.00	$ 20,000.00	$ 24,500.00
	Black Rock Historial Society (Black				
518216	Rock-Riverside Alliance)	170369	$ 22,500.00	$ 7,500.00	$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	$ 25,000.00	$ 20,000.00	$ 15,000.00
518549	South Buffalo Irish Fest/Can You Dig	112041	$ 18,000.00	$ 15,000.00	$ 15,000.00
518586	Net Positive DBA The Foundry	168005	$ 5,000.00	$ -	$ 5,000.00

Monitoring Program – Phase II



ACT #	APPROPRIATION	VENDOR NUMBER	TAX YEAR 2020	TAX YEAR 20	TAX YEAR 20
517533	Buffalo Olmsted Parks Conservancy	140237	$ 25,910.00	$ 25,910.00	$ 35,000.00
518008	Albright-Knox Art Gallery	108707	$ 575,000.00	$ 575,000.00	$ 675,000.00
518009	Albright-Knox Public Art Curator	147228	$ 68,250.00	$ 68,250.00	$ -
518025	Assembly House 150, Inc	167747	$ 1,000.00	$ 1,000.00	$ 6,500.00
518034	Buffalo & Erie County Botanical Garden	108743	$ 102,000.00	$ 125,000.00	$ 150,000.00
518036	Buffalo & Erie Co Historical Society	108772	$ 417,000.00	$ 667,000.00	$ 417,000.00
	Buffalo & Erie County Naval & Servicemans				
518052	Park	109339	$ 35,000.00	$ 35,000.00	$ 50,000.00
518060	Buffalo Philharmonic Orch Society	101032	$ 926,000.00	$ 926,000.00	$ 940,000.00
518061	Buffalo Philharmonic Chorus	109796	$ 34,500.00	$ 34,500.00	$ 35,000.00
518064	Buffalo Society Natural Sciences	109767	$ 955,000.00	$ 955,000.00	$ 955,000.00
518065	Buffalo String Works, Inc	167853	$ 3,500.00	$ 3,500.00	$ 5,355.00
518068	Burchfield Penney Art Center	101004	$ 155,000.00	$ 155,000.00	$ 160,000.00
518072	Center for Exploratory and Perceptu	109934	$ 55,000.00	$ 55,000.00	$ 63,000.00
518082	Danceability	156639	$ 2,500.00	$ 5,500.00	$ 3,000.00
518096	Explore & More Children's Museum	102758	$ 42,000.00	$ 42,000.00	$ 78,000.00
518108	Hallwalls Contemporary Arts Center	108598	$ 57,000.00	$ 57,000.00	$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Dixie	103283	$ 96,314.00	$ 96,314.00	$ 96,314.00
518116	Irish Classical Theatre Company	103727	$ 83,500.00	$ 83,500.00	$ 93,500.00
518124	D'Youville College Kavinoky Theater	109341	$ 11,750.00	$ -	$ 9,500.00
518128	Lancaster Opera House	111681	$ 45,300.00	$ 30,300.00	$ 35,000.00
518140	Musicalfare Theatre	105304	$ 61,525.00	$ 61,525.00	$ 64,000.00
518141	New Phoenix Theatre	109342	$ 7,500.00	$ 7,500.00	$ -
518148	Road Less Traveled Productions	121043	$ 63,500.00	$ 63,500.00	$ 67,000.00
518152	Roycroft Campus Corporation	118213	$ 50,000.00	$ 40,000.00	$ 50,000.00
518156	Shakespeare In The Park	109675	$ 95,000.00	$ 95,000.00	$ 95,000.00
518168	Theatre Of Youth	109888	$ 69,400.00	$ 69,400.00	$ 74,000.00
518173	Torn Space Theatre	143673	$ 20,460.00	$ 15,460.00	$ 29,500.00
518188	Zoological Society Of Buffalo	108623	$ 1,500,000.00	$ 1,500,000.00	$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	$ 4,615.00	$ 4,615.00	$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155973	$ 2,300.00	$ 2,300.00	$ 10,000.00
518203	Buffalo-Toronto Public Media WNED/WBFO	172909	$ 3,750.00	$ -	$ 5,000.00
518205	Cheektowaga Comm Symphony Orchestra	109177	$ -	$ 7,500.00	$ -
518209	Newstead Historical Society	105514	$ 5,500.00	$ 3,500.00	$ 5,000.00
518213	O'Connell & Company Productions	159162	$ 23,100.00	$ 23,100.00	$ 31,500.00
	Amherst Male Glee Club dba Red Blazer				
518219	Men's Chorus	162045	$ 3,000.00	$ 3,000.00	$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	$ 3,000.00	$ 3,000.00	$ 7,500.00
518226	Cheektowaga Historical Association	163121	$ 3,250.00	$ 6,250.00	$ 6,100.00
518229	Second Generation Theatre Company	164957	$ 2,020.00	$ 2,020.00	$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	$ 2,020.00	$ 2,020.00	$ 5,000.00
518503	Alden Christian Theater Society	114358	$ 10,000.00	$ -	$ 3,000.00
518514	Clarence Concert Association	101711	$ 3,500.00	$ -	$ 5,000.00
	Clarence Museum (Historical Soc. of the				
518515	Town of Clarence)	113067	$ 3,500.00	$ -	$ 6,000.00

BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

Debit Cards

Credit cards, particularly with smaller organizations, can provide a critical layer of expense control. The Division of Audit found a large quantity of small-dollar expenses appearing personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be paid and approved by the organization's board of directors.

Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications.

Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

UJIMA COMPANY, INC.

BACKGROUND

Ujima Company, Inc. (UCI) is a 501(c)(3) nonprofit organization founded in 1983. UCI is a multi-ethnic, multicultural professional theatre with a stated mission to preserve, promote, and perform African American theatre. The organization aims to provide employment opportunities for established artists and training opportunities for emerging artists.

UCI received $83,000 in Cultural Grant Funding (CGF) for the years 2020 and 2021 and was awarded $57,714 in 2022.

AUDITOR'S OBSERVATION

UCI operates as a collective membership organization composed of actors, theater technicians, arts administrators, choreographers, playwrights, teachers, musicians, and vocalists. The organization's vision focuses on community building through the production of quality theater that elevates the voices of underrepresented and underserved populations within the local community.

In addition to theatrical productions, UCI uses theater to increase access to the arts, raise awareness of social issues, provide training and employment opportunities, and collaborate with other institutions through educational programming. One of UCI's flagship initiatives is the Dunbar Project, an arts training program for students ages 12 to 18. This program offers interdisciplinary instruction in acting, music, dance, technical theater, and professional development.

During the review period, grants and contributions represented the organization's primary source of revenue, comprising approximately 75% of total income. Programming income was the second-largest source of revenue. Additional revenue was generated through fundraising initiatives, space rentals, and ticketed events. UCI's annual appeal is one of its principal fundraising campaigns.

The COVID-19 pandemic impacted operations, resulting in a temporary shutdown. In-person programming resumed in September 2021. During the closure, UCI transitioned to digital programming, including virtual performances and remote instruction for initiatives such as the Dunbar Project. Staff continued to operate remotely. UCI also received pandemic related financial assistance, including Payroll Protection Program (PPP) funding, an Economic Injury Disaster Loan (EIDL), and support from various foundations, which helped offset program losses.

Primary expenses during the review period included salaries, occupancy costs, production-related costs, and accounting fees. In accordance with its contract with Erie County, CGF was allocated toward personnel, occupancy, and production-related expenses.

AUDITOR'S CONCLUSION

During the monitoring process, UCI provided sufficient documentation to substantiate its use of Cultural Grant Funding for each year under review. Documentation included federal tax returns, information returns, bank and credit card statements, and electronic financial records. For all years reviewed, total expenses incurred and paid exceeded the amount of CGF awarded. The auditor confirmed that grant funding was fully utilized.

An analysis of operating expenses showed that personnel costs were limited to UCI's leadership team. However, a comprehensive assessment of executive compensation was not possible due to frequent changes in leadership during the review period, which resulted in inconsistent salary figures. Additionally, a detailed breakdown of compensation for officers and key employees was not reported under Section VII of the organization's federal return. A review of prior years indicated that salary increases were consistent with national averages. Board meeting minutes showed that compensation packages were established at the time of hiring by Board officers. No atypical or excessive operating expenses were identified.

The Board of Directors consists of 11 members. Board terms are limited to two consecutive three-year terms, after which members must step down for at least one year. The organization confirmed active Board involvement in internal controls, which was supported by Board meeting documentation. Internal policies, compensation packages, and financial decisions are reviewed and approved by the Board. The Finance Committee reviews the draft IRS Form 990 and submits it to the full Board for approval or amendment. Board members are required to complete annual conflict of interest disclosures.

As part of the records review, the auditor identified compensatory payments made to Board members and executive staff for additional artistic and technical services rendered to the organization. Although UCI has a conflict of interest policy in place, the auditor was unable to verify that Board members recused themselves from decisions where a financial conflict existed. Board meeting minutes did not provide sufficient evidence of recusals during the review period.

At the conclusion of the grant review, the auditor determined that UCI was in compliance with IRS Form 990 and New York State CHAR500 filing requirements. The organization was also found to be in compliance with all other federal and state obligations during the review period.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-15	SHERIFF	Local Incarceration of State-Ready Individuals

Attachments

25COMM. 16E-15

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

LEG AUG 25 '25 PM1:24

August 25, 2025

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

Re: Local Incarceration of State-Ready Individuals

Honorable Members:

I am writing to share an update with you regarding our incarceration of state-ready individuals. As you'll recall, I addressed this issue during mid-year budget hearings on July 16. I informed you that I was dubious of the New York State Department of Corrections and Community Supervision (DOCCS) Superintendent's prediction that they would be able to eliminate the backlog of state-ready incarcerated individuals by mid-September. As we now approach the beginning of September, it is clear that the skepticism was warranted.

As you know, when DOCCS correction officers went on strike in February, the state suspended its intake of new incarcerated individuals. This meant that local facilities, such as the Erie County Holding Center and Erie County Correctional Facility, that would typically transfer incarcerated individuals into state custody shortly after they are sentenced or they violate parole were forced to keep such individuals in custody. While DOCCS resumed intake on a limited basis a few months later, the pace at which we are transferring state-ready individuals out of our custody does not yet outweigh the pace at which they are coming into our custody.

When I spoke to you during mid-year budget hearings last month, we had 150 state-ready individuals in our custody. After we transferred 10 incarcerated individuals into state custody this morning, we once again have exactly 150 state-ready individuals in custody. This problem obviously isn't going away by mid-September. The backlog has caused our overall census to skyrocket this year. Earlier this month, our count of incarcerated individuals briefly exceeded 900 for the first time since November 2019. Making matters worse, 68 of our cells are currently inoperable and require service. The inflated jail census requires us to cover more medical, transportation and food costs and staff more housing units. It has been a tremendous burden on my Jail Management Division employees, particularly over the summer months. I know that this

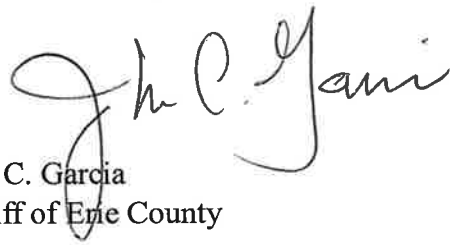
Honorable Body joins me in expressing appreciation for their professionalism, patience, work ethic and service to the citizens of Erie County.

As I have previously shared with you, this is not an issue that could have been anticipated as we developed our 2025 budget; it goes without saying that this is not a problem that was caused by anyone in Erie County government. It is not right that our local taxpayers should be on the hook. While we do plan to bill the state for all costs we've incurred as a result of this, it remains to be seen exactly what they will agree to cover.

Unlike New York State, we cannot call in the National Guard. We cannot pay our staff an overtime rate of 2.5 times their regular pay. We cannot release incarcerated individuals early to alleviate the stress on our local correctional operations. We are stuck waiting for DOCCS to decide that they are ready to accept transfers in a timely manner once again.

Should you have any questions about this matter, please reach out to my office.

Very Truly Yours,



John C. Garcia
Sheriff of Erie County

cc: Mark Poloncarz, Erie County Executive
Mark Cornell, Director of Budget and Management

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-16	COMPTROLLER	Request for Referral to AG in the Daniel J. Granville Matter

Attachments

25COMM. 16E-16

EC LEG AUG 26 '25 PM 2:14

Erie County Comptroller
Kevin R. Hardwick

August 26, 2025

Hon. Kathleen C. Hochul
Governor
State of New York
NY State Capitol Building
Albany, New York 12224

Re: Request for Referral to Attorney General in the Daniel J. Granville Matter

Dear Governor Hochul:

I am writing to respectfully ask that pursuant to New York State law, you request that the New York State Attorney General commence an investigation into the matter involving Erie County Sheriff's Office Senior Detective Daniel J. Granville's motor vehicle accident on April 11, 2024.

It is my position that the case is not closed simply because Granville pled guilty to a pair of charges in connection with the incident, as I believe a coverup of the incident needs to be addressed. For eleven months from the date of the accident on April 11, 2024 until March 11, 2025 when several Buffalo area media outlets reported on the event, people within the Buffalo Police Department and Erie County Sheriff's Office had to know of the incident and were quite willing to allow Erie County taxpayers to cover the damages resulting from the accident. As the Chief Financial Officer of Erie County, I am offended by this lack of respect shown by public employees toward the people paying their salaries.

I have no knowledge how high up in the chains of command the suspected coverup extended, but I think the Attorney General should find out what City and County officials knew and when they knew it.

Under New York State Executive Law, Section 63, subsection 3 concerning the duties of the attorney general, "upon request of the governor," the attorney general shall "investigate the alleged commission of any indictable offense or offenses...and to prosecute the person or persons believed to have committed the same and any crime or offense arising out of such investigation or prosecution or both, including but not limited to appearing before and presenting all such matters to a grand jury."

95 Franklin Street • Room 1100 • Buffalo, N.Y. • 14202
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Furthermore, under subsection 8, "whenever in his judgment the public interest requires it, the attorney-general may, with the approval of the governor, and when directed by the governor, shall, inquire into matters concerning the public peace, public safety and public justice."

Public confidence in the Sheriff's Office and the Buffalo Police Department has been lost due to this scandal and how it was handled. I believe that the findings of an investigation by the Attorney General could serve as the basis for beginning to rebuild that trust.

Thank you in advance for your consideration of this request.

Sincerely,



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

cc: Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-17	GREENE	Absence Letter for Session No. 15

Attachments

25COMM. 16E-17

CLERK'S OFFICE AUG 28 '25 PM 2:54

ERIE COUNTY LEGISLATURE

HON. CHRISTOPHER D. GREENE
LEGISLATOR

August 28, 2025

Olivia Owens
Clerk of the Erie County Legislature
92 Franklin St – 4th Floor
Buffalo, NY 14202

Re: Absence

Dear Clerk Owens,

Pursuant to the Rules of the Legislature, I am writing to explain my absence from the special session of the Legislature that was called for Thursday, August 28th at noon. I was out of town with my son at an event that I could not reschedule.

As you are aware, this session was called with limited notice to members during a scheduled recess of the Legislature. The notice described the matter before the Legislature as "pressing," despite the fact that it was presented to us before recess began. We considered it at two meetings of the Legislature and deliberately chose not to act on it.

Please enter the aforementioned in the Legislature's official record. I appreciate your attention to this matter.

Sincerely,

Christopher D. Greene
District 6
Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-18	TODARO	Absence Letter for Session No. 15

Attachments

25COMM. 16E-18

EC LEG AUG 28 '25 PM12:54

ERIE COUNTY LEGISLATURE

HON. FRANK J. TODARO
8TH DISTRICT LEGISLATOR

August 28, 2025

Olivia Owens
Clerk of the Erie County Legislature
92 Franklin St – 4th Floor
Buffalo, NY 14202

Re: Absence

Dear Clerk Owens,

Pursuant to the Rules of the Legislature, I am writing to explain my absence from the special session of the Legislature that was called for Thursday, August 28th at noon. I was on a family vacation that I had booked in June, based on the calendar provided to us in January. I departed before the aforementioned special session was called; therefore, could not attend.

As you are aware, this session was called with limited notice to members during a scheduled recess of the Legislature. The notice described the matter before the Legislature as "pressing," despite the fact that it was presented to us before recess began. We considered it at two meetings of the Legislature and deliberately chose not to act on it.

Please enter the aforementioned in the Legislature's official record. I appreciate your attention to this matter.

Sincerely,

Frank J Todaro

Frank J. Todaro
District 8
Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-19	MILLS	Absence Letter for Session No. 15

Attachments

25COMM. 16E-19

EC LEG AUG 28 '25 PM 12:54

ERIE COUNTY LEGISLATURE

HON. JOHN J. MILLS
11TH DISTRICT LEGISLATOR
MINORITY LEADER

August 28, 2025

Olivia Owens
Clerk of the Erie County Legislature
92 Franklin St – 4th Floor
Buffalo, NY 14202

Re: Absence

Dear Clerk Owens,

Pursuant to the Rules of the Legislature, I am writing to explain my absence from the special session of the Legislature that was called for Thursday, August 28th at noon. My wife and I were out of town for a family engagement.

Please enter the aforementioned in the Legislature's official record. I appreciate your attention to this matter.

Sincerely,

John J. Mills
District 11
Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-20	COMPTROLLER	Audit of the ECSO Jail Management Division - Inmate Commissary Fund

Attachments

25COMM. 16E-20

EC LEG SEP 2'25 PM3:27

September 2025

Audit of the Erie County Office of the Sheriff
Jail Management Division
Inmate Commissary Fund
January 1, 2021 through December 31, 2023

KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

September 2, 2025

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

Dear Honorable Members:

The Erie County Comptroller's Office has completed a comprehensive performance audit of the Inmate Commissary Fund, administered by the Jail Management Division (JMD) within the Erie County Office of the Sheriff. The period covered by this review spanned from January 1, 2021 through December 31, 2023.

The objectives of this audit were to determine whether an adequate level of internal controls existed relating to the management of financial transactions by the JMD during the audit period; whether documentation was consistent and accurate; whether recordkeeping practices were adequate, compliant with applicable legal authority and policy, and substantiated financial activity; whether contracts with external vendors were adhered to; and whether expenses made from the commissary account were appropriate.

The Auditor believes that the evidence obtained provides a reasonable basis for the findings and conclusions described herein based on audit objectives.

The audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), issued by the U.S. Government Accountability Office. These standards require the audit to be planned and performed in a way that obtains sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the stated objectives. The Division of Audit believes that the evidence obtained meets that requirement.

The auditors assigned to this engagement were independent of the Erie County Sheriff's Office, both organizationally and personally, as required by GAGAS. In addition, the audit team exercised appropriate professional judgment throughout the engagement and followed internal quality assurance protocols.

AUDITOR'S OPINION
Based on the procedures performed and the evidence obtained, we conclude that the Erie County Sheriff's Office (ECSO) did not consistently maintain effective internal controls over the inmate commissary fund during the audit period.

The audit identified deficiencies in key control areas, particularly in segregation of duties, reconciliation practices, and the use of the County's accounting software (SAP) for financial reporting. These weaknesses negatively impacted the transparency, accuracy, and reliability of financial transactions and increased the

risk of errors or misappropriation. For example, responsibilities related to initiating payments, recording deposits, and reconciling accounts were often held by a single individual, which conflicts with the County's internal control policy.

Furthermore, transaction-level data was not posted in SAP, and ECSO instead relied on editable spreadsheets based on bank statements, with no formal review or approval process. These practices undermined the integrity of financial management.

It is important to note that a new administrative team assumed responsibility for the commissary fund in mid-2024 and has indicated that improvements have been implemented, including the segregation of duties for check processing and bank reconciliations and enhancements in financial oversight.

However, the audit scope did not extend beyond December 31, 2023, and therefore, the Auditor was unable to observe or verify the implementation or effectiveness of these reported changes. Because of the inherent limitations in any system of internal control, errors or fraud may occur and not be detected.

Accordingly, this audit cannot guarantee the absence of all deficiencies or irregularities. Nevertheless, in our professional judgment, the internal control weaknesses identified during the audit period represent significant deficiencies that require immediate corrective action.

We encourage the current administration to fully implement the recommendations contained in this report and ensure that any improvements are sustained, documented, and subject to verification in future audits.

BACKGROUND

On July 16, 2024, the Erie County Comptroller's Office, Division of Audit, issued an engagement letter to the Erie County Sheriff's Office (ECSO), notifying them of an audit of the Jail Management Division's commissary and inmate trust funds. After a preliminary meeting, the audit scope was defined to include an evaluation of internal controls and the accuracy, documentation, and recordkeeping of financial transactions related to the inmate commissary fund.

Each New York county is required to operate a jail. Commissary funds, though optional, may be established by Sheriffs or jail superintendents to allow inmates to purchase approved items such as hygiene products, snacks, and writing supplies. Once established, these funds must comply with state regulations governing their use and oversight.

Managing the commissary fund is part of broader jail administration responsibilities, which include daily reporting, inmate supervision, and ensuring food and healthcare services. In Erie County, this applies to both the Holding Center (ECHC) and the Correctional Facility (ECCF).

Financially, facility superintendents must maintain detailed records of all receipts and disbursements. Although commissary funds are county-held, they fall under the control of the Sheriff's Office rather than the County Legislature yet are still subject to standard financial controls.

State regulations impose two key rules: commissary prices must support self-sufficiency with modest profit, and profits must be used solely for inmate welfare and rehabilitation through a separate account. These rules limit the Sheriff's discretionary use of commissary revenues and ensure accountability.

The ECHC and ECCF originally had separate accounts, which were consolidated in 2001. In 2012, ECSO contracted Keefe Commissary Network (KCN) to operate commissary services. That agreement, most recently updated in 2022, also includes inmate access to account features via kiosks or tablets.

Since 2007, five audits have reviewed the commissary fund. Audits in 2007 and 2012 were part of broader operational reviews, while 2019 and 2020 audits focused on commissary operations. Several audits under former Sheriff Timothy Howard revealed serious misuse of funds, including over $1 million in improper charges, uncollected vendor rent, and subsidization of general operations with commissary funds.

The 2007 audit noted ECSO used commissary funds to cover general expenses during the 2005 budget crisis. However, the 2012 audit found this practice continued well beyond that period, including purchases unrelated to inmate welfare. Audits from 2015 to 2020 found persistent issues with accounting practices, excess fund balances, low commissions, and weak internal controls.

While state regulations mandate periodic audits of commissary funds, they do not specify timing. Erie County has conducted audits roughly every two years. This audit continues that practice and aims to determine whether commissary and trust fund transactions are properly recorded, supported, and compliant with laws, regulations, and County policy.

Objective
The primary objective of the audit was to evaluate internal controls related to the management of the inmate commissary fund, including a review of the policies and procedures governing its administration. The audit also included testing and evaluation of revenue and expenditure transactions associated with the fund, with a focus on assessing the accuracy, appropriateness, and timeliness of financial transactions, and determining compliance with applicable county policies as well as federal, state, and local laws.

Methodology
To satisfy the objectives within the audit scope, the Auditor obtained the Internal and System Control Questionnaires (ISCQ) from the Erie County Sheriff's Office (ECSO) to establish a baseline for testing. To determine the population and sample size for each test related to the inmate commissary fund, the Auditor conducted various procedures, including reconciling the M&T Inmate Commissary Bank Account and the commissary reimbursement revenue recorded in SAP.

The Auditor also verified the accuracy and completeness of checks issued from the inmate commissary bank account, as well as compliance with contract terms and procurement policies for invoices paid from the commissary account that were associated with contracts, bids, or proposals.

Additionally, the Auditor reconciled receipts and deposits in the inmate commissary bank account, commissions collected on inmate commissary sales and inmate direct vending sales, and commissions paid to the Sheriff's Office for Access Securepak sales. Throughout these procedures, internal controls were reviewed to assess their design and effectiveness.

1. Reconciliation of the M&T Inmate Commissary Bank Account: To complete this testing, the Auditor determined that full population testing was necessary to mitigate the risk of undetected errors and to ensure the completeness and accuracy of ECSO's monthly reconciliation procedures. Due to elevated audit risks, including prior concerns regarding segregation of duties and recurring issues noted in external auditors' management letters, the Auditor reconciled all 12 months of each year over a 36-month period without

sampling. This comprehensive approach focused on reconciling the M&T Inmate Commissary Bank Account by comparing Keefe reporting with SAP data, addressing identified weaknesses and providing greater assurance of the reconciliation process's effectiveness.

2. Reconciliation of Commissary Reimbursements revenue in SAP: Full population testing was also applied to the reconciliation of Commissary Reimbursements revenue in SAP. All relevant documentation across specified types was reviewed for the entire 36-month period without sampling, ensuring a complete and accurate reconciliation of Commissary Reimbursements revenue within SAP.

3. Verify the Accuracy and Completeness of Checks Issued from the Inmate Commissary Bank Account: The Auditor reviewed all 135 checks and 189 corresponding invoices issued from the Inmate Commissary Bank Account between January 1, 2021, and December 31, 2022, to verify accuracy and completeness. For 2023, testing focused on new vendors not found in prior records and on exceptions such as missing documentation or transactions flagged during contract testing. This targeted sample included 39 checks issued in 2023 and one check from 2024, along with 44 related invoices. The objective of this test was to assess the validity, documentation, and consistency of disbursements from the Inmate Commissary Bank Account.

4. Verify the accuracy of compliance with contract terms and procurement policies for invoices paid from the Inmate Commissary Bank Account that were associated with a contract, bid, or proposal: Full population testing was also conducted to verify compliance with contract terms and procurement policies for invoices paid from the Inmate Commissary Bank Account associated with contracts, bids, or proposals. All 41 invoice payments were reviewed to confirm their accuracy and adherence to applicable contracts, bids, proposals, and Erie County's procurement policies, ensuring all payments met procurement standards.

5. Reconciliation of receipts/deposits in M&T Inmate Commissary Bank Account: Similarly, full population testing was applied to the reconciliation of receipts and deposits in the M&T Inmate Commissary Bank Account. The Auditor reviewed all relevant documentation for the entire 36-month audit period without sampling, supporting accurate reconciliation of the bank account.

6. Reconciliation of commissions collected on inmate commissary sales: This was a full population review of all relevant documentation for the 36-month audit period; no sampling methodology was applied for the reconciliation of commissions collected on inmate commissary sales.

7. Reconciliation of commissions collected from inmate direct vending sales: Documentation for the full 36-month period was reviewed, with no sampling applied in reconciling commissions collected from inmate direct vending sales.

8. Reconciliation of commissions paid to the Sheriff's Office for Access Securepak Sales: All relevant records covering the 36-month period from January 2021 through December 2023 were reviewed. No sampling was used in the reconciliation of commissions paid to the Sheriff's Office for Access Securepak sales.

FINDINGS

BANK RECONCILIATION & CONTROLS

Significant Finding #1 – Weaknesses in Bank Reconciliation Controls and Oversight:

The audit identified several internal control deficiencies related to the bank reconciliation process for the M&T Inmate Commissary account. Reconciliations were performed by the same individual responsible for processing invoice payments, transferring funds, and recording deposits, indicating a lack of segregation of duties. This lack of segregation of duties contradicts fundamental internal control principles and County policy, increasing the risk that errors or irregularities could occur without detection.

Additionally, the monthly ledger used for reconciliations was reportedly derived directly from the bank statement, with no evidence that an independent reconciliation was performed. Although the auditor could not fully verify this due to the departure of the employee responsible prior to fieldwork, the County's external auditor also noted this issue during their prior review.

Further, reconciliation records were maintained in manually editable Excel spreadsheets that lacked audit trails or access controls. There was no evidence of documented approvals or signoffs, suggesting that reconciliations were not subject to supervisory verification. These conditions increase the risk of fraud or irregularities going undetected and undermine the reliability of financial reporting.

Recommendation:
The Sheriff's Office should consider implementing stronger internal controls over the reconciliation process. Responsibilities for preparing deposits, reconciling bank accounts, and processing payments should be assigned to different individuals to the extent possible. Where full segregation of duties is not feasible, compensating controls such as documented supervisory review and approval of reconciliations should be introduced.

Additionally, reconciliation records should be maintained in a secure system with audit trails and access restrictions to prevent unauthorized modifications and enhance oversight. The ECSO should consider utilizing the County's accounting system (SAP) to track and maintain the activity in the Inmate Commissary Account.

Finding #2 – Lack of Timely Follow-Up on Outstanding Checks:

During the reconciliation process the audit identified three checks, totaling $878.11, that were nearing the 180-day threshold without any documented follow up action. According to Erie County's Accounting Policy – Accounts Payable Overview, checks outstanding for more than 180 days are generally not honored. Although such checks may remain legally valid for up to three years, the absence of timely monitoring increases the risk of checks becoming stale, delays payments to vendors, and complicates financial reconciliation. This reflects a weakness in internal controls over disbursements.

Check No.	Payee	Amount	Check Date
Check #1365:	Ferry Inc.	$452.86	dated 7/31/23
Check #1366:	Green Valley Supplies	$330.65	dated 7/31/23
Check #1375:	Green Valley Supplies	$ 94.60	dated 9/22/23

Recommendation:
The Sheriff's Office should establish formal procedures integrated into the monthly reconciliation process for regularly reviewing outstanding checks, with particular attention to those approaching the 180-day threshold. These procedures should include:

- Timely outreach to payees to determine the status of uncashed checks
- Documentation of follow up efforts
- Initiating stop payments or re-issuing checks when appropriate, in accordance with County policy

In addition, the auditor recommends implementing Positive Pay services through M&T Bank. This would automate the monitoring of issued checks, streamline the identification of stale items, and reduce reliance on manual tracking. Leveraging this service would also enhance the efficiency of stop payment processing and improve the overall security of disbursement operations.

Finding #3 – Inadequate SAP Posting Practices for Commissary Transactions:

SAP is the County's official accounting system and should accurately reflect the financial activity related to the M&T Inmate Commissary Account. To ensure proper financial reporting and oversight, SAP records should be updated monthly and reconciled to the adjusted bank balance.

However, reconciliation testing identified deficiencies in how the ECSO records commissary-related activity in SAP (General Ledger #106950). Rather than posting detailed, month-by-month entries, ECSO frequently entered lump-sum amounts that combined multiple months of financial activity into a single transaction. This practice significantly reduces the transparency and traceability of financial data, making it difficult to verify individual transactions or assess the accuracy of posted amounts.

Audit testing confirmed that commissary activity occurred every month during the audit period; however, SAP entries were made only six times in 2021, eight times in 2022, and six times in 2023. These gaps were not due to a lack of financial transactions but resulted from ECSO's practice of consolidating several months of activity into a single entry. This approach impairs management's ability to reconcile SAP records with monthly bank statements and increases the risk of posting errors, omissions, and undetected discrepancies. It also limits the effectiveness of internal monitoring and weakens financial oversight.

Recommendation:
The Sheriff's Office should record detailed, transaction-level commissary activity in SAP on a monthly basis, aligned with the timing of actual financial transactions. Avoiding the consolidation of multiple months into lump-sum entries will improve transparency, traceability, and the accuracy of commissary fund reporting.

Consistent, detailed posting will also facilitate timely reconciliation to the M&T bank account and reduce reliance on separate manual Excel records minimizing the risk of data entry errors and enhancing the efficiency, security, and integrity of financial recordkeeping.

HANDLING OF INCOMING FUNDS

Significant Finding #4 – Weaknesses in Check Handling: Untimely Deposits and Inadequate Segregation of Duties:

The audit identified significant weaknesses in the handling of incoming checks deposited into the Inmate Commissary Fund bank account, specifically related to delayed deposits and a lack of segregation of duties both of which expose the Sheriff's Office to heightened risk of loss, error, or fraud within the Inmate Commissary Account.

1. Untimely Deposits of Incoming Checks
Of the 26 deposits reviewed, 13 included checks that were not deposited until more than 30 days after the check date, exceeding the timeframe of approximately two weeks described by Sheriff's Office staff as standard practice. Holding checks for extended periods increases the risk of theft, loss, or stale dating and delay revenue recognition.

2. Lack of Segregation of Duties in the Deposit Process
During the walkthrough of the Inmate Commissary Fund processes, it was confirmed that the Assistant Chief of Administrative Services is solely responsible for preparing deposit slips, making physical bank deposits, and reconciling the bank account. This concentration of duties represents a significant internal control weakness, as it eliminates independent oversight over key financial functions and increases the risk of undetected errors or misappropriation.

Recommendation:
To address these weaknesses, the Sheriff's Office should consider implementing a formal policy requiring all incoming checks to be deposited within 1 to 3 business days of receipt. A deposit log should be maintained to record both the date checks are received and the date they are deposited, supporting timely reconciliation and enabling effective oversight.

In addition, the Office should strengthen internal controls by ensuring that key functions in the deposit process, such as preparing deposit slips, making physical deposits, and reconciling the bank account are performed by different individuals. Where staffing limitations make full segregation impractical, compensating controls should be established, including documented supervisory review of deposit activity and independent reconciliation of bank statements.

To further reduce delays and minimize risk, the Sheriff's Office should consider implementing Remote Deposit Capture (RDC) technology, which would allow checks to be scanned and deposited electronically, eliminating the need for physical transport and improving the efficiency and security of the deposit process.

COMMISSARY EXPENSE REIMBURSEMENT

Significant Finding #5 – Weak Controls Over Commissary Reimbursements: Deposits, Recording Practices, and Budget Management:

Under 9 NYCRR Part 7016.3(b) and guidance from the New York State Commission of Correction (SCOC), counties are permitted to reimburse themselves from inmate commissary funds for reasonable administrative

costs directly related to the operation of the commissary program. Allowable expenses include staff salaries (with fringe) and occupancy costs, provided they are necessary and properly documented. To ensure compliance, such reimbursements must be accurately calculated, timely deposited, and transparently recorded.

The audit identified several weaknesses in the Sheriff's Office administration of these commissary reimbursements, specifically relating to outdated budgeting, delayed deposits, grouped financial entries, and a lack of segregation of duties, all of which undermine compliance, transparency, and effective financial oversight.

1) Inadequate Segregation of Duties
   Erie County Bank Deposit Transmittals prepared by the Sheriff's Office to notify the Comptroller's Office of a deposit and identify the appropriate general ledger account showed that the same individual served as both the Depositor and the Approver. This lack of segregation of duties increases the risk of undetected errors or irregularities in deposit activity.

2) Grouped and Untimely SAP Entries
   Deposits credited to GL #415620 (Commissary Reimbursements) were often entered into SAP as grouped transactions covering multiple months, rather than as individual entries. This reduces transparency, impedes reconciliation, and complicates financial oversight.

3) Delayed Deposit of Reimbursement Checks
   On 11 occasions during the audit period, reimbursement checks issued by the Sheriff's Office to Erie County for commissary-related expenses were not deposited within 30 days of issuance. Rather than remitting the check promptly, the Sheriff's Office typically holds the check until it can be deposited in person. Once deposited the deposit receipt and transmittal are sent via email to the Comptroller's Office for posting. This delays revenue recognition and complicates reconciliation of the Inmate Commissary Account.

4) Commissary Reimbursement Budget Not Updated Timely – GL #415620
   Although the County is permitted to recover reasonable administrative costs, including salaries and fringe benefits related to commissary operations, the budgeted reimbursement amount remained unchanged from 2014 through 2022, despite multiple salary increases during that period. The budget was not adjusted to reflect these changes until 2023. As a result, the County may not have fully recovered eligible administrative costs from commissary funds, potentially undermining fiscal accuracy and compliance with applicable financial guidance.

Recommendation:
The Sheriff's Office should review commissary expenses annually to reflect actual eligible salary and occupancy expenses (if applicable), in accordance with County procedures. Reimbursement deposits should be recorded in SAP as individual transactions and completed on a monthly basis to ensure transparency and facilitate reconciliation.

To strengthen internal controls, duties related to the preparation, approval, and entry of deposits should be segregated whenever possible. If staffing limitations make this impractical, compensating controls such as supervisory review of deposit records and independent reconciliation should be implemented.

Additionally, the Sheriff's Office should establish a defined timeframe for reimbursement check deposits, such as within 1 to 3 business days of issuance and consider replacing physical checks with Automated Clearing House (ACH) transfers to improve efficiency and reduce the risk of delay or loss.

WEAKNESSESS IN INVOICE REVIEW, APPROVAL AND PAYMENT

Significant Finding #6 - Inadequate Approval and Segregation of Duties in Invoice Processing:

The auditor assessed the Sheriff's Office internal controls over invoice approval and segregation of duties for payments made from the inmate commissary bank account. This included a review of compliance with Erie County's Accounting Policy – Accounts Payable Overview, which requires all payments to be authorized by the Sheriff or an approved designee with budgetary responsibility.

The auditor also examined whether procurement responsibilities, such as purchasing, receiving, and payment authorization were appropriately segregated among different staff members. Proper segregation is essential to minimize the risk of fraud, errors, and financial mismanagement.

The audit revealed that 195 invoices were paid without a documented approval signature. Although some of these payments were recurring in nature (e.g., USA Today and Spectrum), County policy and sound financial practices still require that invoices and statements be reviewed for accuracy and approved by someone other than the individual processing the payment. In one case, a sales tax was inappropriately paid, an error that could have been avoided through proper invoice review.

The lack of documented approval and insufficient segregation of duties significantly weakens internal controls and increases the risk of unauthorized, inaccurate, or fraudulent disbursements. These risks are further heightened because the Sheriff's Office does not utilize the County's centralized accounting system, which includes built-in controls for invoice approval and workflow authorization.

Recommendation:
The Sheriff's Office should consider establishing and enforcing a formal procedure requiring that all invoices and payment requests be reviewed and approved in writing by the Sheriff or an authorized designee prior to payment. This approval should be documented on the invoice or supporting documentation.

To strengthen internal controls and reduce the risk of fraud or error, the Office should ensure proper segregation of duties by assigning purchasing, receiving, and payment approval responsibilities to different individuals. Additionally, recurring invoices and monthly service payments should not be exempt from review, each should be verified for accuracy and legitimacy before approval.

The Sheriff's Office should also consider utilizing the County's centralized accounting system (SAP), which includes built-in workflow controls that enforce segregation of duties and electronic approval tracking.

Finding #7 - Invoice Billing Discrepancies:

A review of all invoices revealed that 16 invoices from three vendors contained discrepancies between billed amounts and the pricing, quantities, or terms specified in the applicable contracts, bids, or proposals. These

inconsistencies resulted in overbilling, unauthorized purchases, and noncompliance with established procurement agreements. Notable examples include:

- Record 1 (1 invoice): Towing services were billed at $250 per hour, despite the bid rate being $118 per hour, resulting in an overpayment of $132.00.

- Record 22 (2 invoices): The Sheriff's Office purchased 45 microwaves under two invoices referencing Bid #220336-004. The bid authorized the purchase of only 34 units at $215 each (totaling $7,310.00). The invoices totaled $9,675.00, resulting in an overpayment of $2,365.00.

- Records 26–39 (13 invoices): Staffing reimbursements for eight Transition Coordinator positions exceeded contractual limits in Schedule A of the amended agreement (September 2023) by $41,762.86. Additionally, reimbursement for 20% of the Director of Community Program's salary exceeded the agreed amount by $9,739.46. This resulted in a total overpayment to this vendor of $51,502.32. While total contract disbursements remained within legislative approval, payments exceeded specific terms outlined in the governing agreement.

According to County procurement policies and standard contract management practices, vendor payments need to conform to the approved contract or bid specifications including unit costs, service rates, and authorized quantities. Deviations from these parameters are unauthorized and may represent a breakdown in fiscal oversight.

The audit found no formal process in place to reconcile invoices against contract or bid terms prior to payment. Furthermore, responsibilities for invoice review were not clearly segregated or monitored, increasing the risk that discrepancies would go undetected.

These control weaknesses resulted in documented overpayments totaling $53,999.32. Without proper invoice reconciliation procedures, the Inmate Fund remains vulnerable to further financial loss, contractual noncompliance, and audit risk.

Recommendation:
The Sheriff's Office should conduct a comprehensive review of all vendor invoices to identify and address discrepancies between billed amounts and the pricing, quantities, or services specified in original contracts, bids, or proposals. All related procurement documentation should be consistently stored in OnBase, the county's document management and invoice processing system, to support transparency, auditability, and efficient review.

Since the Sheriff's Office does not utilize the County's centralized accounting system, where procurement duties are typically segregated, a formal reconciliation process should be implemented. This process should verify that all invoices align with agreed upon terms before payment is issued. It should also include timely correction of errors, adjustment of payments as needed, and documented supervisory approval.

Establishing these controls will reduce the risk of overpayments, ensure compliance with County procurement policies, and strengthen overall fiscal accountability.

Finding #8 - Invoices Paid Without Purchase Orders:

During testing of 233 invoices processed by the Sheriff's Office, 145 invoices representing approximately 62% were found to lack corresponding Purchase Orders (POs). This practice is not in compliance with the County of Erie's Accounting Policy – Payables Matching Requirement, which states that all payments must be supported by a valid PO. This policy ensures proper authorization, accurate expenditure tracking, maintenance of budgetary controls, and an appropriate audit trail.

The absence of POs limits the Sheriff's Office's ability to monitor and control spending and significantly increases the risk of unauthorized purchases and improper payments. This issue weakens internal financial controls and undermines both transparency and accountability in the procurement process.

Recommendation:
It is recommended that all invoices be matched to a valid Purchase Order (PO) prior to processing payment whenever feasibly possible. The Sheriff's Office should implement procedures to verify that POs are in place before any purchase is made. Additionally, individuals responsible for authorizing payments should ensure compliance with the County's Accounts Payable Matching Requirement by confirming that all invoices are properly supported by approved POs before payment is issued.

Finding # 9 - Lack of Documentation Confirming Receipt of Goods and Services:

During invoice testing, the auditor identified 128 invoices that lacked either a signed packing slip or documentation confirming the receipt of goods and services prior to payment. This practice is not in compliance with the Erie County Purchasing Policy under the "Receipt of Goods and Services" guidelines.

County policy requires departments to confirm that purchased goods and services have been received in full, in acceptable condition, and in sound operating order. This confirmation should be documented using signed packing slips, annotated invoices, or delivery receipts to support the payment process.

This issue is particularly significant because the Sheriff's Office does not utilize the County's centralized accounting system, which enforces segregation of duties by requiring receipt confirmation from someone other than the individual making the payment. Without the internal controls embedded in the County's system, the lack of independent verification further compromises financial oversight and increases the risk of payments for items unauthorized, not received, incomplete, or defective.

Failure to document the receipt of goods and services weakens accountability and exposes the inmate commissary funds to potential financial loss, erroneous payments, or disputes with vendors especially in an environment where compensating controls are not present.

Recommendation:
To ensure compliance with County policy, the Sheriff's Office should verify receipt of all goods and services prior to processing invoices for payment. A documented process should be established for inspecting shipments upon arrival, including obtaining signed packing slips and documenting confirmations of receipt.

Additionally, the Sheriff's Office should consider utilizing SAP to benefit from its built-in internal controls, including segregation of duties and automated receipt verification, thereby strengthening oversight and reducing the risk of payment errors.

Finding #10 - Untimely Payment of Invoices:

Multiple invoices from different vendors were found to have been paid after their respective due dates. While most of these delayed payments did not incur penalties, a total of $2,331.09 in late fees were paid to Spectrum. According to the County's Internal Controls Policy, transactions should be processed in a timely manner to prevent misdirection of funds and avoid unnecessary costs. The late fees incurred indicate a breakdown in payment processing controls, suggesting that these controls may not be functioning as intended and result in avoidable financial losses.

Recommendation:
To prevent future late fees and strengthen internal controls, the Sheriff's Office should assign a dedicated staff member to monitor invoice due dates and establish a formal process to prioritize timely payments. Payment processing timelines should be reviewed and streamlined to ensure all invoices are paid before their due dates.

In addition, the Sheriff's Office should evaluate whether more favorable payment terms can be negotiated with vendors to allow greater flexibility in meeting due dates. The use of Automated Clearing House (ACH) payments is also strongly recommended. Transitioning from physical checks to ACH would improve efficiency, reduce the risk of delays and errors, enhance payment security, and lessen the administrative burden associated with manual check processing.

PROCUREMENT POLICY NONCOMPLIANCE AND CONTRACT OVERSIGHT DEFICIENCIES

Finding #11 - Non-Compliant with County Procurement Policies:

A review of all invoices found that 7 invoices identified discrepancies within the procurement system and procedures that impacted the effectiveness of these processes. Specifically, the invoiced goods and pricing did not consistently match the terms specified in the original contracts, bids, or proposals, resulting in instances of non-compliance.

- Invoice #CSB-9260 from CS Business Systems included billed items that were not listed on the referenced New York State (NYS) contract PM20860 or Bid #221006-005; however, the invoice was paid without verification. In addition, it was noted that the shipping cost of $286.60 was crossed out and "No" was indicated as not to pay; however, it was included in the invoice total and the amount was paid in full.

Six out of the seven invoices were identified without a contract, proposal, or bid documentation attached or referenced, in violation of County procurement requirements.

- Four invoices were found to be missing proposals either attached to the invoices or within OnBase, the county's document management and invoice processing system. According to the Erie County Division of Purchase Policies and Procedures Overview for Professional Services, all contracts for professional, technical, and consulting services, including those below the $10,000 RFP threshold, must be submitted to the County Legislature for approval, as outlined in Section 2602 of the Erie County Charter.

- Two invoices from the same vendor, issued in 2022, had an aggregate total of $9,615.00 which violated the Informal Bid Process according to the Erie County Division of Purchase procedures as required pursuant to General Municipal Law Section 104-B which was revised in 2021. Any vendor payments with an annual aggregate between $5,001 and $19,999 require an informal bid process.

According to County procurement policies and applicable procurement laws, all vendor invoices must be accompanied by documentation that verifies compliance with established procurement procedures. These requirements help ensure accountability, proper authorization, and prevent unauthorized or non-competitive purchases.

The lack of documentation and use of the County's accounting system (SAP) impairs management's ability to verify that goods and services were procured in accordance with legal and policy requirements. This condition increases the risk of unapproved purchases, improper payments, and audit exceptions due to insufficient supporting records.

Recommendation:
Due to the fact that the Sheriff's Office does not utilize the County's accounting system, the Sheriff's Office should verify that all invoices are accompanied by the appropriate procurement documentation or NYS contract number prior to submission for payment.

All procurement records should be properly filed in OnBase to ensure traceability and compliance with County recordkeeping standards.

A system of accountability should be established to identify and correct non-compliant submissions, including assigning responsibility for monitoring documentation and implementing corrective actions as needed.

Finding #12 - Informal Agreement of Reduced Commission Rate Without Contract:

The Sheriff's Office does not currently have a formal contract in place specifically outlining the commission rates and terms for Access Securepak online commissary sales. In practice, a reduced 25% commission rate is being applied, which differs from the 40% rate specified in the existing Keefe Commissary Network agreement. This deficiency was initially identified in a December 2021 audit and, according to the Sheriff's Office, is expected to be addressed during the Keefe contract renewal in 2026.

In the interim, the absence of a formal agreement presents potential challenges in demonstrating compliance with New York State Correction Law §186, which requires appropriate contractual arrangements and oversight for inmate commissary operations. The lack of documentation also limits transparency and consistency in the administration of commissary revenues.

The Sheriff's Office has indicated that the reduced 25% commission rate is based on the nature of the items being purchased and the fact that orders are placed online by friends and family through Access Securepak. While this rationale may be reasonable, formalizing the current arrangement in writing with Keefe Commissary Network would help clarify the basis for the reduced rate and support oversight and financial accountability until a new contract is executed.

Recommendation:
The Sheriff's Office should obtain written confirmation from Keefe Commissary Network that outlines the current commission structure for Access Securepak online sales. Additionally, the Office should consider conducting due diligence to determine whether other correctional facilities receive a similar 25% commission rate for comparable online purchases. This would provide context on industry norms and establish a documented basis for the current rate.

Clarifying and documenting the rationale for the reduced commission rate will help demonstrate compliance with New York State Correction Law §186 and reinforce the integrity and transparency of commissary revenue practices in the absence of a formal agreement.

COMMISSION REVENUE OVERSIGHT AND COMPLIANCE

As part of its commissary operations, the Erie County Sheriff's Office (ECSO) receives commission payments from Keefe Commissary Network (KCN) based on inmate purchases of goods and services. These commissions represent a significant source of revenue for the Inmate Commissary Fund and include income from both traditional commissary sales and ancillary services such as tablet rentals and direct vending machine purchases.

Per the governing agreement with KCN, commission payments are to be calculated based on established rates (e.g., a percentage of gross or net sales, depending on the category) and remitted within 30 days following the invoice date. These payments are typically made by check from the Inmate Escrow Account and are deposited into the Inmate Commissary Account in a timely manner. Supporting documentation such as KCN Monthly Activity Reports and invoices is used to validate the accuracy of commission amounts and payment timing.

The auditor assessed the timeliness, accuracy, and reconciliation of the various commission payments and deposits for the audit period. The following findings detail issues related to delayed payments, inconsistencies in reported amounts, and weaknesses in deposit practices.

Finding #13 - Untimely Deposit of Commission Payments on Commissary Sales and Tablet Rentals:

The auditor evaluated whether the Erie County Sheriff's Office accurately and timely deposited commission payments into the Inmate Commissary Account during the audit period. Commission rates were generally applied in accordance with the contract, and detailed reports from Keefe Commissary Network (KCN) supported the accuracy of most commission calculations.

However, of the 37 payments reviewed, 26 exceeded the 30-day contractual payment term, indicating a consistent pattern of delayed deposits therefore impacting the timeliness of the reconciliation process.

While commission amounts were generally accurate, the lack of timely payments suggests a need for improved oversight.

Recommendation:
The Sheriff's Office should enhance oversight of commissary contract compliance by regularly tracking the timeliness of commission payments and promptly addressing any delays. Strengthening these controls will

support more effective reconciliation of both the Inmate Commissary Account and the Inmate Escrow Account, while also ensuring timely revenue collection and adherence to contractual obligations.

Finding #14 - Variance in Reported vs. Invoiced Direct Vending Commissions:

The auditor identified consistent variances between the direct vending commission amounts invoiced and those reported on the Keefe Commissary Network (KCN) Monthly Activity Reports for all 32 months. To verify accuracy, the auditor recalculated the expected commission by applying the 40% rate to commissioned sales and compared this figure to the "Discount" amount shown on each KCN Monthly Activity Report. The recalculated commission matched the reported Discount amount for all months reviewed.

However, when the Discount amounts from the 32 reports were compared to the commission amounts on the 33 invoices, a variance was identified in every month tested. Over the three-year period, the total variance amounted to $5,665.36, with invoiced commissions exceeding the reported Discount amounts. Auditor did review the yearly totals to confirm the variance.

The cause of these variances could not be determined from the documentation provided. A key limitation was that the activity reports were dated only by month rather than by specific day, and the invoice numbers were generated based on the date sales were collected, which did not align with the Keefe Vending Summary Invoice numbers.

	Invoiced Payment	Keefe Report	Variance
2021	46,182.82	41,245.59	4,937.22
2022	31,372.64	21,426.46	9,946.18
2023	59,229.22	68,447.27	(9,218.04)
Total:	136,784.68	131,119.32	5,665.36

Recommendation:
The Sheriff's Office should coordinate with Keefe Commissary Network to reconcile discrepancies between invoiced and reported commission amounts by requesting more detailed, day-specific reports and consistent invoice references. Periodic internal reviews should be conducted to ensure contract compliance.

Finding #15 - Untimely Payment and Deposit of Direct Vending Commission Payments:

The auditor reviewed 32 checks issued for direct vending commission payments to the Sheriff's Office Jail Management Division (JMD), which collectively covered 33 reporting periods. This included a consolidated payment for June and July 2023 via check #8551.

To evaluate compliance with the Keefe Agreement which stipulates that commission payments must be remitted within 30 days (Net 30) of the invoice date from the Inmate Trust Account, the auditor compared each check's issuance date to its corresponding invoice date. The analysis revealed that 8 of the 33 payments (24%) were issued beyond the 30-day threshold, with delays averaging 79 days.

The same set of 32 checks was also examined to assess the timeliness of deposit into the M&T Commissary Account. According to the auditee, deposits are generally made on a biweekly schedule. The auditor therefore

assessed whether each check was deposited within 14 calendar days of issuance. Seventeen checks (53%) did not meet this benchmark, with an average delay of 36 days.

These delays in both payment issuance and deposit processing indicate weaknesses in controls over the timely management of commissary commission revenues. Such lapses may reduce transparency and affect accountability in the administration of commissary funds.

Recommendation:
To ensure the prompt and accurate handling of direct vending commission payments, the Sheriff's Office should consider developing and implementing formal, written procedures for reconciling vending reports and processing related payments. These procedures should establish clear timelines, including a requirement that deposits be made within one to three business days of receipt. They should also define staff roles and responsibilities for reconciliation, approval, and deposit activities, and include mechanisms to identify, escalate, and resolve missing or delayed payments.

In addition, the Sheriff's Office should consider transitioning to Automated Clearing House (ACH) transfers for receiving commission payments. Utilizing ACH would streamline fund processing, reduce reliance on paper checks, and improve the timeliness, security, and reliability of transactions. Strengthening these internal controls and adopting more efficient payment methods will improve the accountability, transparency, and oversight of commissary revenue management.

Finding #16 - Commission Payment Variance and Deposit Timeliness Issues – Access Securepak:

The auditor confirmed that the Sheriff's Office received the appropriate 25% commission on Access Securepak sales from January 1, 2021, through December 31, 2023. However, two key issues were identified during the review:

1) Commission Accuracy – Variance Identified:
A variance was noted between actual commissions received and total sales reported on Keefe's commission reports. This resulted in a net overpayment of $1,237.58 to the Inmate Commissary Account over the three-year period. While the variance favored the inmate commissary funds, reconciliation is warranted to confirm its source and ensure overall accuracy in commission processing. Identifying the reason for the discrepancy is important, as it could indicate broader calculation or reporting issues that may result in underpayments in other contexts.

	Amount
Paid by Check by Keefe	$58,209.86
Keefe Sales Reports	$56,972.28
Variance	$ 1,237.58 (2%)

2) Timeliness of Commission Deposits:
Commission payments from Access Securepak were not consistently deposited in a timely manner. In 4 out of 12 quarters, payments were received and deposited more than 30 days after the end of the quarter, indicating untimely remittance of funds to the Inmate Commissary Account. This inconsistency may affect the accuracy and timeliness of financial reporting and account reconciliation.

Recommendation:
The Sheriff's Office should perform a reconciliation of commission payments and sales records related to Access Securepak to determine the source of the identified variance. Although the variance resulted in overpayment to the Inmate Commissary Account, conducting a reconciliation would also help identify any potential underpayments, ensuring the accuracy of all future transactions. The overpayment should be formally addressed, either through correction or reimbursement, as appropriate.

Additionally, the Sheriff's Office should consider implementing procedures to improve the timeliness and accuracy of commission deposits. This includes adopting Remote Deposit Capture (RDC) technology, which allows checks to be scanned and deposited electronically without requiring physical transport to the bank. Establishing clear procedures for the use of RDC such as designated staff responsibilities, deposit schedules, and internal documentation will help ensure that payments are deposited promptly and securely. Together, these measures will strengthen contract oversight, improve cash management, and enhance financial accountability.

AUDITOR'S COMMENTS:

Comment #1 - Incorrect Return Address on Check:

During testing of checks issued from the M&T Inmate Commissary bank account (account number ending in 6378), the auditor observed that the return address printed on the Erie County Sheriff's Inmate Commissary checks incorrectly listed the state abbreviation as "PA" instead of "NY." This discrepancy should be corrected to ensure the return address accurately reflects the Sheriff's Office location in New York State.

Recommendation:
The Erie County Sheriff's Office should review the check layout and address details prior to reordering to ensure all printed information is accurate and up to date. Additionally, the Office should confirm with M&T Bank that internal records reflect the correct return address.

To improve documentation and payment tracking, the Office should consider transitioning from end-stub checks to duplicate checks, which provide a clearer record of each payment. Furthermore, the Office may wish to explore more efficient alternatives such as electronic bill pay or Automated Clearing House (ACH) payments, which could enhance payment accuracy, reduce processing time, and strengthen internal controls.

Comment #2 - Unsigned Duplicate Deposit Slips:

During the review of deposit transactions, it was noted that duplicate deposit slips were not consistently signed or initialed by the preparer. The absence of such signatures reduces accountability, weakens internal controls, and impairs the audit trail, making it difficult to verify who prepared or authorized the deposit. Signatures on deposit slips provide protection for both the preparer and the individual responsible for the deposit by preventing unauthorized substitution or alteration of deposit tickets and amounts.

Recommendation:
The Sheriff's Office should consider establishing a policy requiring all duplicate deposit slips to be signed or initialed by the person preparing and/or transporting the deposit. Furthermore, the Office should review

segregation of duties within the deposit and reconciliation processes to ensure that no single individual has complete control over these financial transactions. In cases where staffing constraints exist, compensating controls such as periodic independent reviews should be implemented.

Additionally, the Sheriff's Office should consider utilizing the County's accounting software, which enforces approval workflows and tracks deposit activities to strengthen compliance and oversight.

Comment #3 - Inconsistent Use of Restrictive Endorsements on Checks:

The auditor found that 3 out of 26 deposits reviewed included checks that were not properly endorsed with a restrictive endorsement (e.g., "For Deposit Only to the account of the Sheriff's Commissary account"). Restrictive endorsements are a key internal control that helps prevent misappropriation, loss, or improper deposit of funds. The absence of such endorsements increases the risk of checks being diverted, misused, or deposited into unauthorized accounts. Additionally, this practice does not align with the County of Erie's Cash Management Policy, which requires appropriate safeguards over check receipts.

Recommendation:
The Sheriff's Office should consider implementing and enforcing a policy requiring all checks to be restrictively endorsed immediately upon receipt. This can be achieved through the use of an endorsement stamp or a clearly written notation "For Deposit Only – Erie County Sheriff's Commissary Account". Ensuring consistent application of restrictive endorsements will strengthen internal controls, reduce the risk of errors or fraud, and improve compliance with County policy.

Comment #4 - Minor Unexplained Variances in Commissary and Tablet Commission Revenues:

The auditor assessed whether the Erie County Sheriff's Office received accurate commission payments on inmate commissary sales and tablet rentals from January 1, 2021, through December 31, 2023. Overall, commission rates were applied in accordance with contract terms, and supporting documentation from Keefe Commissary Network (KCN) substantiated the accuracy of most payments.

Although minor variances were identified in all months tested, 33 of the 37 variances were the result of commission amounts being carried over and paid in the following month. A small, unexplained aggregate variance of $63.34 remained at the end of the audit period. This was primarily due to limited invoice details that hindered full reconciliation.

Recommendation:
The Sheriff's Office should request more detailed commission reports from Keefe Commissary Network to enable complete monthly reconciliations and improve transparency. Additionally, the Office should consider implementing a standard reconciliation process to track carried-over commission amounts and promptly investigate any unexplained discrepancies, regardless of materiality, to ensure accuracy and accountability.

Comment #5 - Limitations in Invoice Detail and Transparency from Keefe Commissary Network:

The auditor identified limitations in the level of detail provided in daily invoice summaries from the commissary vendor. Specifically, invoices grouped sales by inmate but did not include item-level detail, making it difficult to distinguish between different commissionable items or to verify the application of varying commission rates.

Additionally, prior to August 2023, commission revenue from commissary purchases and tablet rentals was combined in a single reporting category even though commission rates were different. This lack of separation further complicated reconciliation efforts, particularly when verifying whether appropriate commission rates were applied to distinct services.

These reporting limitations reduce transparency and hinder the Sheriff's Office's ability to independently verify commission accuracy, especially when multiple commission rates apply or when new revenue streams (e.g., tablet rentals) are introduced.

Recommendation:
The Sheriff's Office should require the vendor to provide itemized invoice reports that clearly distinguish between all categories of commissionable items, including separate subtotals for services with different commission and tax rates. Additionally, when changes are made to commission structures or new services are added, contract amendments should be executed promptly and effective dates clearly documented. This will ensure proper tracking, transparency, and accountability in commission revenue reporting.

Results of Exit Conference

An exit conference was offered to the Sheriff's Office; however, one was not held in person due to scheduling conflicts. Instead, the Audit Division and Sheriff's Office staff communicated by email and telephone to address questions on the draft report.

During the discussions, the Sheriff's Office provided additional documentation addressing Finding #12 in the draft report concerning the eligibility of ACTS Software expenses under the Commissary Fund. This included a legal opinion from the New York State Commission of Correction, which confirmed that the associated software maintenance fees are an allowable use of commissary funds when used for reentry services. After reviewing this information, the auditor removed this Finding from the final report.

No other concerns were raised by the Sheriff's Office regarding the remaining findings or comments.

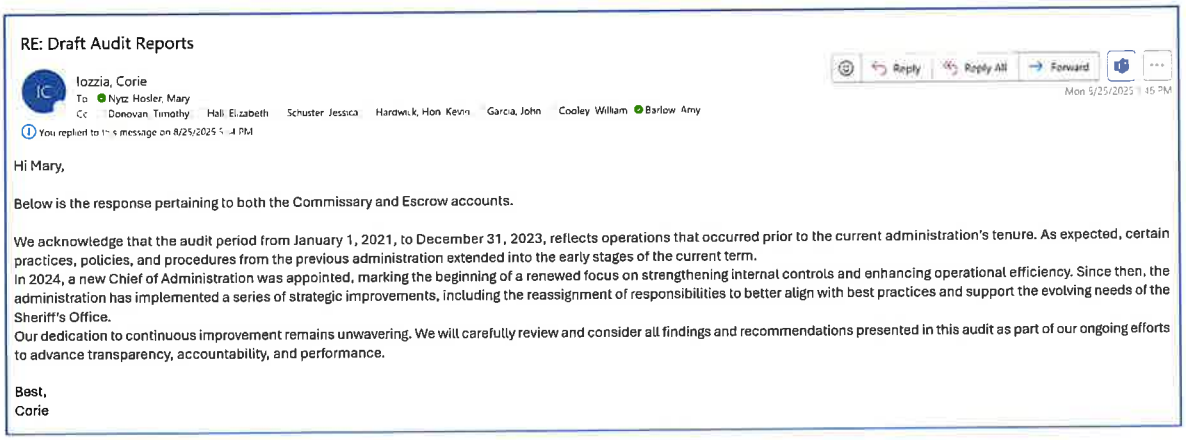
The Erie County Comptroller's Office thanks the Erie County Sheriff's Office and its staff for the cooperation and courtesy extended to the Division of Audit during the course of the audit.

ERIE COUNTY COMPTROLLER'S OFFICE

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Sheriff John C. Garcia, Erie County Sheriff
Hon. Kevin R. Hardwick, Ph.D., Erie County Comptroller
Erie County Fiscal Stability Authority
Mark Cornell, Director of Budget and Management

APPENDIX A

AUDITEE'S RESPONSE TO AUDIT REPORT



RE: Draft Audit Reports

Reply | Reply All | Forward

Iozzia, Corie

To: Nytz Hosler, Mary

Cc: Donovan, Timothy; Hall, Elizabeth; Schuster, Jessica; Hardwick, Hon. Kevin; Garcia, John; Cooley, William; Barlow, Amy

Mon 9/25/2025 1:45 PM

You replied to this message on 8/25/2025 3:41 PM

Hi Mary,

Below is the response pertaining to both the Commissary and Escrow accounts.

We acknowledge that the audit period from January 1, 2021, to December 31, 2023, reflects operations that occurred prior to the current administration's tenure. As expected, certain practices, policies, and procedures from the previous administration extended into the early stages of the current term.
In 2024, a new Chief of Administration was appointed, marking the beginning of a renewed focus on strengthening internal controls and enhancing operational efficiency. Since then, the administration has implemented a series of strategic improvements, including the reassignment of responsibilities to better align with best practices and support the evolving needs of the Sheriff's Office.
Our dedication to continuous improvement remains unwavering. We will carefully review and consider all findings and recommendations presented in this audit as part of our ongoing efforts to advance transparency, accountability, and performance.

Best,
Corie

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-21	COMPTROLLER	Audit of the ECSO Jail Management Division - Inmate Escrow Fund

Attachments

25COMM. 16E-21

EC LEG SEP 2 '25 PM 3:30

September 2025

Audit of the Erie County Office of the Sheriff
Jail Management Division
Inmate Escrow Fund
January 1, 2021 through December 31, 2023

KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER

HON. KEVIN R. HARDWICK
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202

September 2, 2025

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

Dear Honorable Members:

The Erie County Comptroller's Office has completed a performance audit of financial transactions in the Inmate Escrow bank account under the administrative control of the Erie County Sheriff's Office (ECSO). The audit reviewed activity from January 1, 2021, through December 31, 2023.

This audit focused on evaluating internal controls and accountability related to the account's establishment and operation, including the recording of receipts and disbursements and the reconciliation of all cash and cash equivalents (e.g., currency, checks, money orders, credit cards, and electronic transfers). The audit also assessed the efficiency and effectiveness of account management, the accuracy and completeness of supporting documentation, and compliance with County policies and applicable federal, state, and local regulations.

The Auditor believes the evidence obtained provides a reasonable basis for the findings and conclusions presented in this report.

The audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), issued by the U.S. Government Accountability Office. These standards require the audit to be planned and performed in a way that obtains sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the stated objectives.

The auditors assigned to this engagement were independent of the Erie County Sheriff's Office, both organizationally and personally, as required by GAGAS. In addition, the audit team exercised appropriate professional judgment throughout the engagement and followed internal quality assurance protocols.

AUDITOR'S OPINION

Based on the procedures performed and the evidence obtained, we conclude that the Erie County Sheriff's Office did not consistently maintain effective internal controls over the Inmate Escrow Account during the audit period. Significant deficiencies were identified in key areas, particularly in segregation of duties, reconciliation practices, financial reporting, and compliance with timeliness standards and County policies.

Throughout the audit period, critical functions such as initiating payments, recording deposits, and reconciling bank statements were frequently performed by a single individual, in violation of fundamental internal control principles. Reconciliations relied primarily on bank statements rather than independently maintained ledgers, and transaction level details were not consistently entered into SAP.

Moreover, ECSO's reliance on manually editable spreadsheets weakened oversight and increased the risk of error or manipulation. These spreadsheets lacked audit trails and built-in validation controls, making it difficult to detect inaccuracies. Additionally, the Keefe Commissary Network (KCN) system, which tracks inmate financial activity, was not reconciled with the Inmate Escrow bank account, undermining the accuracy and reliability of financial records.

These control weaknesses increase the risk of inaccurate or unreliable financial information or misappropriation of funds and necessitate corrective action. While ECSO reported implementing changes in 2024 to enhance oversight and segregation of duties, these improvements occurred after the audit period and could not be independently verified.

We recommend that ECSO continue to strengthen internal controls by ensuring all financial activity related to the Inmate Escrow Account is fully reconciled using system generated records from the Keefe Commissary Network and properly recorded in SAP. Doing so will enhance transparency, accountability, and compliance.

BACKGROUND

The ECSO administers the Inmate Escrow bank account to manage funds held in trust for individuals incarcerated at the Erie County Holding Center (ECHC) and the Erie County Correctional Facility (ECCF). These funds represent personal property and are not considered county funds. The account functions as a fiduciary account, used to receive, hold, and disburse inmate monies in accordance with applicable laws and policies.

Upon admission, any money in an inmate's possession is deposited into the account. Additional deposits may come from family or friends, inmate work program earnings, or other sources. Inmates may use their funds to purchase commissary items, pay for medical co-payments, fulfill court-ordered obligations, or receive the remaining balance upon release via check or cash.

The account is governed by Section 500-c of the New York State Correction Law, which requires sheriffs to safeguard inmate property, including money. Additionally, Title 9 NYCRR Part 7016 establishes minimum standards for the management of inmate funds, including maintaining individual accounts, detailed transaction records, and providing receipts and account statements to inmates.

As a fiduciary account, it is subject to governmental accounting standards, including guidance from the New York State Office of the State Comptroller (OSC), and must comply with internal control policies established by Erie County.

ECSO uses the Keefe Commissary Network system to track inmate financial transactions, including deposits, withdrawals, purchases, transfers, and abandoned funds.

The escrow account is held at M&T Bank, and ECSO personnel are responsible for ensuring that all deposits, disbursements, and balances are accurately recorded and reconciled in the County's financial system (SAP). Maintaining the integrity of this process is essential for transparency, fiduciary compliance, and the prevention of misappropriation.

OBJECTIVE

The primary objective of this audit was to evaluate the internal controls and accountability measures governing the Inmate Escrow Account. This included reviewing procedures for recording receipts and disbursements and reconciling all forms of cash and equivalents (currency, checks, money orders, credit cards, and electronic fund transfers).

We also assessed the efficiency of account management, the completeness and accuracy of supporting documentation, and compliance with applicable laws, regulations, and County policies. Our audit was made for the purpose previously discussed and would not necessarily disclose all instances of noncompliance with respect to areas of operations not audited.

METHODOLOGY

To satisfy the objectives within the audit scope, the Auditor obtained Internal and System Control Questionnaires (ISCQ) from the Erie County Sheriff's Office to establish a baseline for testing. The Auditor then identified the population and determined appropriate sample sizes for testing procedures related to the reconciliation of the M&T Inmate Escrow bank account, reconciliation of the Escrow account to the Keefe Commissary Network (KCN) General Ledger, reconciliation of receipts and deposits recorded in the Inmate Escrow account, reconciliation of inmate charges recorded in KCN to corresponding activity in the Inmate Escrow account, and the review of internal controls.

The audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States. The audit team remained independent throughout and adhered to the Comptroller's quality control system.

To complete this testing, the Auditor performed the following specific actions:

1. Reconciliation of the M&T Inmate Escrow Bank Account: A full population review was conducted. All relevant documentation for the 36-month audit period (January 1, 2021 – December 31, 2023) was reviewed to reconcile the account. No sampling was applied.

2. Reconciliation of the Inmate Escrow Bank Account to the Keefe General Ledger: Due to the frequency and format of available documentation; specifically, monthly bank statements, Keefe GL reports, and SAP entries, the auditor reviewed all 12 months for each year, totaling 36 months of data from January 2021 through December 2023.

3. Reconciliation of Receipts/Deposits in the M&T Inmate Escrow Bank Account: The auditor performed a full review of all 324 deposits made in 2021 from both ECHC and ECCF. As 2021 had been fully reconciled, the 2022 sample included 208 deposits, consisting of all ECCF deposits and ECHC deposits from January, August, November, and December. For 2023, 303 deposits were reviewed, which included all ECCF deposits and ECHC deposits from July, August, September, October, and December. In total, 835 deposits were tested across the three-year period. The corresponding deposit testing spreadsheet is linked in the Source section.

4. Reconciliation of Inmate Charges in Keefe to the Inmate Escrow Bank Account and SAP: The auditor reviewed all months from 2021 to 2023 due to the lower dollar value of these charges compared to other Escrow components. Additionally, transactions related to Legal Financial Obligations (LFOs) and Restitution dating back to 2013 and 2014 were included, as the associated payments were processed during 2023 and therefore fell within the scope of the audit.

FINDINGS

ACCOUNT RECONCILIATION

The audit identified significant internal control weaknesses over the Inmate Escrow bank account at the Erie County Sheriff's Office (ECSO) during the period from January 1, 2021, through December 31, 2023. These deficiencies related primarily to segregation of duties, reconciliation practices, check management, and handling of unexplained variances. Collectively, these weaknesses increase the risk of error, unreliable financial information, and misappropriation.

Significant Finding #1 – Inadequate Segregation of Duties:

During the audit period, the Assistant Chief of Administration performed several critical functions involving the Inmate Escrow bank account, including preparing monthly reconciliations, issuing payments through the Keefe Commissary Network (KCN), signing or stamping checks, and participating in related purchasing.

This concentration of responsibilities represents a fundamental breakdown in internal controls, significantly increasing the risk of undetected errors or fraud. Segregation of duties is a key internal control designed to prevent misuse and ensure independent oversight of financial activities.

Improvements Following Administrative Transition

In mid-2024, administrative changes resulted in a reassignment of duties. The individual now reconciling the escrow account no longer handles check issuance or purchasing. This realignment strengthens internal controls and better reflects best practices. This change fell outside the audit period; therefore, no evaluation of these controls was verified.

Significant Finding #2 – Ineffective Reconciliation Due to Lack of Independent Ledger:

The auditor compared adjusted bank balances to ECSO's internal reconciliations and check ledger across all 36 months of the audit period. Each month showed consistent variances.

These discrepancies stemmed from ECSO's use of a check ledger derived directly from bank statements, rather than an independently maintained ledger. Without an internal ledger that separately tracks checks and deposits, the reconciliation process lacked the essential comparison between two independent sources of financial data.

This practice undermines the effectiveness of reconciliations, reduces the ability to detect errors or irregularities, and contributed to persistent, unresolved variances throughout the audit period.

Significant Finding #3 – Inadequate Oversight and Use of Keefe General Ledger:

ECSO uses the Keefe Commissary Network (KCN) to manage inmate financial activity. The system generates a general ledger (GL) that reflects total inmate balances and transaction history. However, ECSO does not reconcile this ledger to the Inmate Escrow bank account.

Instead, the Office relies on a check ledger compiled from bank statements, an approach lacking independence and proper structure. As noted earlier, this creates a major internal control weakness.

The absence of formal reconciliation between the Keefe GL (the system of record) and the bank account impairs financial oversight. Discrepancies may go undetected, increasing the risk of error, unreliable financial information, or misuse.

Inconsistent Balances Across Financial Records

The auditor performed monthly reconciliations using the Keefe GL, ECSO's check ledger, and M&T Bank statements. Recurring variances were found across all sources. Despite relying on the Keefe system for financial management, ECSO failed to formally reconcile it to the bank undermining accuracy and reliability.

Unexplained Adjustment to Keefe General Ledger

An undocumented $1,632.57 adjustment to the Keefe GL was made during ECSO's transition from the legacy Keefe system to the cloud platform. The auditee stated this was intended to reconcile the ledger to the bank account. However, no supporting documentation or justification was provided. The absence of explanation or approval limits transparency, weakens accountability, and increases financial risk. This adjustment has not been resolved.

Lack of Documentation for Manual Keefe GL Adjustments

A review of beginning and ending balances in Keefe's general ledger identified two manual adjustments, $61.27 and $84.90 made in June and July 2023, creating a cumulative variance of $146.17.

According to ECSO, these adjustments were reimbursements for inmate grievances processed through petty cash. However, they were not supported by documentation or incorporated into formal reconciliation procedures, thereby weakening the audit trail and reducing transparency.

Recommendation:

The Erie County Sheriff's Office should maintain the improved segregation of duties by ensuring that responsibilities for financial reconciliation, check issuance, signing authority, and purchasing remain separated. To reinforce this structure, the Office should maintain clear documentation outlining the roles and responsibilities of all staff involved in financial processes and conduct periodic internal and managerial reviews to confirm compliance and prevent circumvention of internal controls. Regular oversight will help reduce risk, support fraud prevention efforts, and reinforce financial accountability across operations.

In addition, the Sheriff's Office should adopt the general ledger within the Keefe Commissary Network (KCN) system as the official record of inmate financial activity. This system generated ledger includes all relevant transactions, issued checks, deposits, voids, and adjustments and should serve as the primary source used during monthly bank reconciliations. Utilizing the Keefe ledger as the independent source will improve reconciliation accuracy, enhance the integrity of financial data, and align with best practices for fiduciary fund management. Periodic managerial reviews should also be incorporated to ensure the reconciliation process is functioning as intended and that discrepancies are identified and resolved promptly.

To strengthen financial oversight, the Sheriff's Office should implement formal reconciliation procedures that directly compare the Keefe general ledger with the Inmate Escrow bank account on a monthly basis. Financial records including the Keefe GL, check ledger, and bank statements should be kept aligned, with any discrepancies thoroughly investigated, documented, and resolved in a timely manner. Adjustments to financial records must be supported by clear explanations, approved by appropriate personnel, and accompanied by all necessary documentation. Regular managerial reviews should verify that reconciliation procedures are complete, consistent, and in accordance with policy.

Lastly, the Office should develop and enforce formal procedures for all manual adjustments made within the Keefe system. Each manual entry, such as petty cash reimbursements or grievance settlements, should be clearly documented, approved by designated personnel, and traceable through the system audit trail. Standardized documentation and oversight of these adjustments will help preserve the integrity of inmate records, improve transparency, and enhance internal controls. Periodic managerial reviews should be conducted to ensure that manual adjustments are appropriately recorded, justified, and properly authorized.

Finding #4 – Incomplete and Irregular Use of SAP; Reconciliation Weaknesses:

The Erie County Sheriff's Office (ECSO) maintains an Inmate Escrow Account at M&T Bank to manage inmate related financial activity. This account is mirrored in the County's SAP financial system through a Cash Control Account maintained by the Treasury Group under General Ledger (GL) #106900. This GL account is intended to track escrow related deposits and disbursements, enabling centralized reconciliation between bank activity, inmate ledger records (via the Keefe Commissary Network system), and the County's official financial records.

During the audit period, ECSO did not enter individual daily transactions into SAP. Instead, only net monthly totals were posted, and even those entries were inconsistent, some months showed no entries, while others contained combined totals spanning multiple months. This approach limits SAP's utility as a reliable tool for financial tracking and reconciliation.

Additionally, reconciliation discrepancies were identified between SAP, Keefe system records, and M&T Bank statements. In 8 of the 36 months reviewed, the amounts recorded in SAP did not align with the Keefe ledger data. In some instances, prior year charges, including charges dating back as far as 2013 were grouped with current year activity. This practice made it difficult to determine when charges were actually incurred and whether they were properly recorded in the correct fiscal period. These reconciliation gaps undermine the reliability of financial reporting and increase the risk of inaccurate or incomplete information.

Recommendation:
The Sheriff's Office should implement clear procedures to ensure that all inmate escrow related transactions are entered into SAP on a timely and consistent manner. SAP entries should reflect individual transactions or clearly itemized summaries that match the corresponding activity from the Keefe system and bank transmittals.

A formal monthly reconciliation process should be established to compare entries across SAP (GL #106900), the Keefe ledger, and M&T Bank statements. All discrepancies should be promptly investigated and resolved. Periodic managerial reviews should be conducted to verify that reconciliations are complete, accurate, and properly documented.

Significant Finding #5 – Inadequate Oversight of Outstanding Checks:

The auditor evaluated the Erie County Sheriff's Office's (ECSO) procedures for managing outstanding checks and reconciling the Inmate Escrow account. The review identified long standing variances and control deficiencies that undermined the accuracy and completeness of ECSO's financial records.

Outstanding Check Variance of $68.79 Not Properly Resolved
A $68.79 discrepancy was identified between the bank balance, Keefe general ledger (GL), and SAP records. This variance was traced to Check #6680, issued on October 21, 2020, which remained on the Outstanding Check Register through December 2021.

In January 2022, the check was removed from the outstanding check register without being voided in ECSO's records or the Keefe GL, and no stop payment was issued through the bank. As a result, the $68.79 remained reflected in the bank and Keefe balances, but not in SAP, contributing to a persistent reconciliation variance that was carried forward through December 2023.

Failure to Void Stale-Dated Checks and Issue Stop Payments
During reconciliation testing, the auditor identified 46 checks still listed as outstanding as of December 31, 2023. The list included two checks from 2019, twenty-five from 2020, eighteen from 2021, and one from 2022. In two instances, checks were removed from the Outstanding Check Register without appropriate supporting documentation or system entries.

The failure to manage stale-dated checks in accordance with Erie County policy compromised the accuracy of ECSO's financial records and may have resulted in overstated available cash balances.

List of Stale Dated Checks

No.	Check No.	Date	Amt.	ECSO's Outstanding Check Register				
1	5504	4/19/2019	$45.95	21-Jan	21-Dec	22-Jan	23-Feb	Removed but not voided in check ledger
2	5731	7/10/2019	$16.31	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
3	6322	4/3/2020	$10.82	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
4	6329	4/7/2020	$7.96	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
5	6331	4/7/2020	$9.77	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
6	6333	4/7/2020	$31.92	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
7	6340	4/10/2020	$49.06	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
8	6363	4/23/2020	$30.05	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
9	6381	5/5/2020	$78.88	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
10	6382	5/7/2020	$31.72	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
11	6409	5/29/2020	$24.86	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
12	6415	6/3/2020	$34.66	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
13	6435	6/12/2020	$60.00	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
14	6436	6/12/2020	$88.52	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
15	6484	7/16/2020	$24.30	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
16	6509	7/24/2020	$11.60	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
17	6588	9/10/2020	$27.34	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
18	6617	9/18/2020	$21.31	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
19	6620	9/22/2020	$27.90	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
20	6641	9/29/2020	$45.58	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
21	6642	9/29/2020	$33.00	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
22	6675	10/16/2020	$20.07	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
23	6680	10/21/2020	$68.79	21-Jan	21-Dec	Removed but not voided in check ledger		
24	6693	10/23/2020	$11.35	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
25	6704	11/5/2020	$30.00	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
26	6715	11/17/2020	$19.57	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
27	6735	12/15/2020	$64.69	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
28	6763	1/11/2021	$18.83	21-Jan	21-Dec	22-Jan	23-Feb	23-Oct
29	6827	2/17/2021	$14.38		21-Dec	22-Jan	23-Feb	23-Oct
30	6835	2/26/2021	$68.79		21-Dec	22-Jan	23-Feb	23-Oct
31	6862	3/16/2021	$45.00		21-Dec	22-Jan	23-Feb	23-Oct
32	6870	3/18/2021	$20.55		21-Dec	22-Jan	23-Feb	23-Oct
33	6874	3/18/2021	$80.14		21-Dec	22-Jan	23-Feb	23-Oct
34	6887	3/25/2021	$44.00		21-Dec	22-Jan	23-Feb	23-Oct
35	6913	4/2/2021	$14.33		21-Dec	22-Jan	23-Feb	23-Oct
36	7000	4/22/2021	$75.68		21-Dec	22-Jan	23-Feb	23-Oct
37	7009	5/3/2021	$122.57		21-Dec	22-Jan	23-Feb	23-Oct
38	7031	5/4/2021	$15.50		21-Dec	22-Jan	23-Feb	23-Oct
39	7060	5/14/2021	$40.59		21-Dec	22-Jan	23-Feb	23-Oct
40	7067	5/20/2021	$18.34		21-Dec	22-Jan	23-Feb	23-Oct
41	7076	5/25/2021	$12.16		21-Dec	22-Jan	23-Feb	23-Oct
42	7106	6/2/2021	$26.98		21-Dec	22-Jan	23-Feb	23-Oct
43	7185	6/25/2021	$77.26		21-Dec	22-Jan	23-Feb	23-Oct
44	7277	7/21/2021	$63.71		21-Dec	22-Jan	23-Feb	23-Oct
45	7302	8/4/2021	$42.18		21-Dec	22-Jan	23-Feb	23-Oct
46	7616	2/8/2022	$380.64				23-Feb	23-Oct

Recommendation:

The auditor recommends that the Sheriff's Office strengthen its check management process and reconciliation controls to improve financial accuracy and ensure compliance with County policy.

As a first step, ECSO should take immediate action to resolve the current outstanding check variance by properly voiding Check #6680 in all financial records. ECSO should confirm with the bank that the check has not been presented for payment and, if necessary, issue a stop payment. A correcting entry should then be made in SAP to align the system with both the bank and the Keefe general ledger.

In addition, ECSO should conduct a full review of all currently outstanding stale-dated checks, including the 46 checks identified during the audit, and take corrective action as appropriate. Any checks that remain uncashed beyond a reasonable timeframe, typically six months should be promptly investigated. If appropriate, these checks should be

voided in all systems, with stop payments initiated as needed. All actions taken should be supported by appropriate documentation.

ECSO should implement a formal, standardized procedure for the ongoing review and management of outstanding checks. These procedures should align with Erie County's policy on stale-dated vendor checks, which states that uncashed County issued checks older than 180 days remain valid but must be addressed before they are subject to escheatment to the New York State Comptroller's Office after three years.

Lastly, all check related adjustments should be clearly documented, including written justification, and receive approval from an individual with appropriate authority. These adjustments should also be reviewed by a supervisor independent of the preparer to ensure proper segregation of duties.

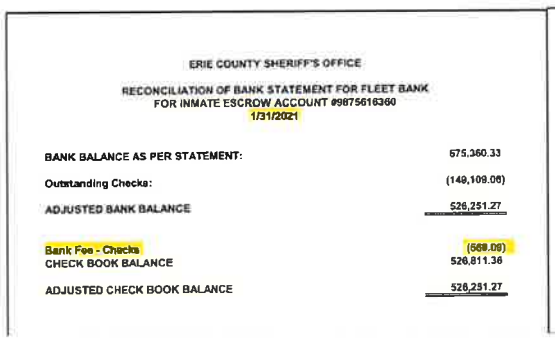
By adopting these improvements and addressing both existing and future stale-dated checks, the Sheriff's Office will enhance the accuracy of its financial records, reduce the risk of error or loss, and strengthen accountability over inmate funds.

Finding #6 - Unexplained Bank Fee Carried Forward:

During the auditor's review of ECSO's reconciliation process, a $560.09 unexplained item, labeled as a "bank fee" was identified and found to have been repeatedly carried forward in the Inmate Escrow account reconciliations from January 2021 through May 2023. No supporting documentation was available in either the M&T Bank statements or the Keefe Commissary Network (KCN) system to justify the fee. The item remained unresolved for over two years.

To address the discrepancy, ECSO issued a check for $560.09 from the Inmate Commissary Account to the Inmate Escrow Account, reportedly to cover the cost of checks. However, no corresponding fee or charge for this amount was located in the bank records to validate the reimbursement.

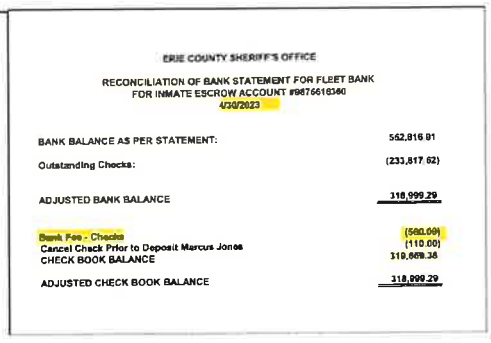
The transfer lacked formal justification, documentation, and proper approval. When questioned, ECSO staff attributed the lack of information to leadership turnover and incomplete historical records. The auditor confirmed that no bank fees matching the amount were assessed at any point during the audit period. This shortage remains unresolved.



ERIE COUNTY SHERIFF'S OFFICE

RECONCILIATION OF BANK STATEMENT FOR FLEET BANK
FOR INMATE ESCROW ACCOUNT #9875616360
1/31/2021

BANK BALANCE AS PER STATEMENT:	675,360.33
Outstanding Checks:	(149,109.06)
ADJUSTED BANK BALANCE	526,251.27
Bank Fee - Checks	(560.09)
CHECK BOOK BALANCE	526,811.36
ADJUSTED CHECK BOOK BALANCE	526,251.27



ERIE COUNTY SHERIFF'S OFFICE

RECONCILIATION OF BANK STATEMENT FOR FLEET BANK
FOR INMATE ESCROW ACCOUNT #9875616360
4/30/2023

BANK BALANCE AS PER STATEMENT:	562,816.91
Outstanding Checks:	(233,817.62)
ADJUSTED BANK BALANCE	318,999.29
Bank Fee - Checks	(560.09)
Cancel Check Prior to Deposit Marcus Jones	(110.00)
CHECK BOOK BALANCE	319,669.38
ADJUSTED CHECK BOOK BALANCE	318,999.29

Recommendation:
The Sheriff's Office should consider establishing and implementing a formal procedure for managing overages and shortages related to inmate funds. This procedure should ensure that all unexplained charges, variances, or reconciling items identified during the monthly reconciliation process are promptly investigated, clearly documented, and appropriately resolved. Any inter-account transfers, especially those made to clear discrepancies, must be supported by documentation that outlines the reason for the transfer, the source of the variance, authorization by appropriate personnel, and evidence that the transaction complies with County financial policies.

Unresolved items should not be carried forward for extended periods, nor should they be offset using funds from unrelated accounts without written justification and oversight. Instituting these safeguards will enhance accountability, improve the reliability of financial records, and protect the integrity of both the Inmate Escrow and Inmate Commissary accounts.

DEPOSIT HANDLING

Significant Finding #7– Untimely Bank Deposits and Resulting Financial Risk:

The Erie County Sheriff's Office (ECSO) maintains an Inmate Escrow bank account to manage inmate funds, including cash and checks received from various sources. ECSO's internal procedures allow for deposits to be made within 14 days of receipt. However, in practice, inmates are frequently credited immediately upon receipt of checks prior to deposit or bank clearance.

This practice exposes ECSO to financial risk. Delays in depositing funds, especially cash, increase the potential for loss, theft, or misappropriation. Additionally, holding checks for extended periods raises the likelihood of returned items due to insufficient funds, closed accounts, or stop payment orders. These delays undermine reconciliation efforts, weaken internal controls, and can result in unrecoverable losses or overdrawn inmate accounts.

Such issues were most notable at the Erie County Correctional Facility (ECCF) in Alden, where deposit delays were more frequently observed.

Deposit Delays and Documentation Gaps

A review of 835 deposits made between January 1, 2021, and December 31, 2023, revealed that 83 deposits (10%) occurred 15 to 43 days after receipt, exceeding ECSO's own 14-day policy. While most remaining deposits were within the allowable window, many took place 6 to 10 days after receipt, raising concerns about the security of funds held during that period, particularly cash.

Financial Loss Due to Delay

In one instance, a $110 check dated May 31, 2022, was credited to an inmate's escrow account on August 3, 2022, and disbursed before the check cleared the bank. However, the issuer had placed a stop payment on the check on July 12, 2022, and the check was ultimately returned unpaid on August 4, 2022.

By that time, the inmate had been released, and the remaining balance in their account had already been paid out. As a result, the inmate escrow bank account incurred a loss of $110, which remained unrecovered as of December 31, 2023.

This incident highlights the operational risk of crediting inmate accounts based on unverified or uncleared funds, as well as the financial impact of delays in deposit processing. Such practices can result in unrecoverable losses and undermine the integrity of account management procedures

Lack of Transparency in Deposit Processing

The audit also identified a postal money order dated September 5, 2022, which was received on October 25th, but not deposited until December 7th, more than six weeks later. Insufficient documentation made it impossible to determine the cause of the delay or evaluate the appropriateness of the handling. The auditee could provide no reason for the delay, as the employee who would have handle the transaction no longer worked at the Sheriff's Office.

Recommendation:

The auditor recommends that the Sheriff's Office conduct a thorough review of its deposit procedures, with particular attention to practices at the Erie County Correctional Facility (ECCF), where delays were more frequent. Oversight and accountability should be strengthened to ensure that all inmate funds, especially cash and checks are securely handled

and deposited without unnecessary delay. Staff involved in the intake, handling, and deposit of funds should be properly trained and supervised to ensure adherence to established protocols.

While current ECSO procedures allow for deposits to be made within 14 days of receipt, the Erie County Internal Control Policy requires that deposits be made within one to three business days and recommends same day or next day deposits when possible. Continued reliance on the more lenient internal standard increases the risk of funds being lost, stolen, or returned, particularly when inmate accounts are credited before the checks have cleared.

To reduce financial and operational risk, the Sheriff's Office should align its deposit practices with County policy and ensure that checks are not credited to inmate accounts until they are actually deposited and cleared through the bank. All transactions should be thoroughly documented, including the date received, the date deposited, and the name of the staff member responsible. By improving timeliness and accuracy in deposit handling, ECSO can enhance financial controls, promote transparency, and better protect the assets entrusted to its care.

Finding #8– Inadequate Documentation and Control Over Inmate Cash Payouts:

The auditor reviewed daily Cashier Cash Logs and related records at both the Erie County Holding Center and ECCF. These logs are intended to track beginning and ending cash balances, record disbursements, and retain supporting payout slips signed by inmates.

However, significant documentation deficiencies were identified. A total of 215 payout receipts were missing inmate signatures, and 25 payout slips were entirely missing and could not be located. ECSO policy requires each "Paid Out" entry to be supported by a signed receipt from the inmate. The absence of these signatures and missing slips compromises accountability, weakens internal controls, and increases the risk of unauthorized or disputed transactions. It also exposes the Office to potential grievances over alleged non-receipt of funds.

The Erie County Sheriff's Office should strengthen oversight of cash disbursement practices by ensuring all payouts are documented with a receipt signed by the inmate and that payout slips are properly retained in accordance with recordkeeping policies. Staff should receive training and supervision to reinforce compliance. These controls are essential to maintaining accurate records and protecting both the Office and inmates from potential disputes.

Recommendation:
The Sheriff's Office should require a signed receipt from the inmate for every cash payout and ensure proper retention of payout slips in accordance with internal procedures and Erie County Internal Control Policy. The absence of inmate signatures or missing payout slips creates gaps in the documentation process, making it difficult to verify that funds were properly disbursed and recorded.

By reinforcing these requirements through staff training and supervision, and by performing periodic managerial reviews, the Sheriff's Office can enhance accountability, reduce the risk of error, and ensure compliance with county policies related to cash handling.

Posting Revenue from Inmate Escrow Account

The Erie County Sheriff's Office (ECSO) is responsible for collecting various charges from inmate accounts, including postage, copies, disciplinary hearing fees, RCV restitution, and court file collection fees and remitting those funds to Erie County as revenue in the Sheriff's general fund budget. These transactions are tracked using the Keefe Commissary Network (KCN) system, with corresponding payments issued from the Inmate Escrow bank account and recorded in the County's SAP financial system.

The auditor reconciled charges recorded in Keefe with County Bank Deposit Transmittals, SAP entries, and bank activity to verify that collections and transfers were recorded accurately and in a timely manner."

The reconciliation identified several deficiencies in internal controls, documentation, and the timing of payments that weakened the transparency and reliability of financial reporting and timely reconciliation. While some discrepancies may have been affected by the transition to a Keefe's cloud platform, similar issues were identified throughout the audit period (2021–2023), indicating broader systemic weaknesses.

Finding #9 – Inadequate Segregation of Duties in Bank Deposit Transmittals:

For all deposit periods reviewed from 2021 through 2023, the same staff member both prepared and approved bank deposit transmittals from the Inmate Escrow account. This practice violates Erie County's Internal Control Policy, which requires separation of duties among those responsible for authorization, recordkeeping, and custody of assets. Without a secondary review, a key control intended to prevent or detect errors or misappropriation is missing.

Recommendation:
The Sheriff's Office should revise its procedures to ensure that bank deposit transmittals are subject to dual control. Specifically, one staff member should prepare the transmittal, while a second individual independently reviews and approves it. This adjustment will bring procedures into alignment with Erie County's segregation of duties policy, add an essential layer of oversight, and help safeguard against posting errors.

Finding #10 – Delayed and Nontransparent Processing of Inmate Charges:

Charges for inmate services, such as postage, copies, and disciplinary hearings, are collected from inmate accounts and posted as revenue to the Sheriff's general fund budget. The audit found that these revenues were often transferred in lump sums without sufficient breakdown by month. For example, a $14,624.55 check issued on July 11, 2023, included charges spanning a 10-year period, some dating back to 2013.

After October 2023, monthly revenue transfers stopped entirely. Multiple months of charges were instead paid in aggregated lump sums in June 2024, labeled broadly (e.g., "October 2023 through June 2024") without supporting detail.

This lack of documentation prevented the auditor from verifying the accuracy and timing of revenues. The absence of transparency reduced accountability, hindered proper reconciliations, and increased the risk of errors or unreliable financial information.

Recommendation:
The Sheriff's Office should implement procedures to ensure that all inmate related charges are transferred to Erie County on a monthly basis. These transfers should be recorded in the same accounting period in which the charges are incurred, in accordance with the County's financial policies. Establishing a routine, itemized transfer schedule will support accurate and timely financial reporting, allow for consistent reconciliation of accounts, and promote greater transparency and accountability in the management of inmate related revenues.

Finding #11 – Lack of Supporting Documentation for Payments to Erie County:

While ECSO regularly disbursed funds from the Inmate Escrow account to the Sheriff's Office general fund budget, payments lacked detailed supporting documentation. Disbursements transferred via bank deposit transmittals for general categories such as "Copies," "Postage," and "Disciplinary Hearings" did not include records sufficient to verify the amounts transmitted.

During the audit, one transmittal was identified with a fund misclassification: revenue for "Inmate Discip. Surch (Dis Hearings)" under GL#415600, totaling $2,063.83, was incorrectly posted to "Other Dept. Inc. Copies" under GL#422000 on June 9, 2021. This error has not been corrected.

Without adequate supporting documentation, the validity and accuracy of transfers cannot be independently verified, increasing the risk of misclassification or errors in financial reporting.

Recommendation:
The Sheriff's Office should ensure that all payments from the Inmate Escrow account are accompanied by detailed documentation generated from the Keefe system, specifically verifying the amounts collected for each individual general ledger account. These records should align with the specific time periods in which the charges occurred. In addition, internal reviews of disbursements should include verification of proper account coding and classification to reduce the risk of error or misstatement and to improve internal control over financial reporting.

COMMENT

Comment #1 – Missing Duplicate Deposit Tickets in Cashier Cash Logs:

During fieldwork, the audit found that duplicate deposit tickets were not attached to the daily cashier cash logs, which is considered a best practice for supporting accurate reconciliation and strong internal controls. To verify the continuity and completeness of the logs, the auditor relied on comparing the ending balance from one day's cash sheet to the beginning balance of the next day's sheet and then confirming the amount against the bank statement.

The absence of duplicate deposit tickets impeded the auditor's ability to verify the completeness and accuracy of daily deposits and to identify the individual who prepared each deposit. Without these tickets, a reviewer cannot independently confirm that the amount recorded on the cashier's log matches the amount being deposited. This lack of documentation limits accountability and weakens oversight, particularly when delays or discrepancies in deposits occur.

To strengthen internal controls, it is recommended that the individual preparing the deposit sign the deposit ticket. This signature provides a clear audit trail, reinforces personal accountability, and ensures greater transparency in cases where the person preparing the deposit is not the same as the person delivering or depositing the funds.

Although not legally required, maintaining signed duplicate deposit tickets is a widely recognized best practice. It enhances internal controls, supports timely and accurate reconciliations, and promotes the integrity of the cash handling process.

Recommendation:
Management should consider implementing a procedure requiring cashiers to consistently attach signed or initialed duplicate deposit tickets to their cash logs. Additionally, periodic reviews should be conducted to ensure staff comply with this requirement. Establishing this control will improve the accuracy and completeness of deposit records and support effective reconciliation to bank deposits.

RESULTS OF EXIT CONFERENCE

An exit conference was offered to the Sheriff's Office; however, one was not held in person due to scheduling conflicts. Instead, the Audit Division and Sheriff's Office staff communicated by email and telephone to address questions on the draft report. No concerns were raised by the Sheriff's Office regarding the findings or comments.

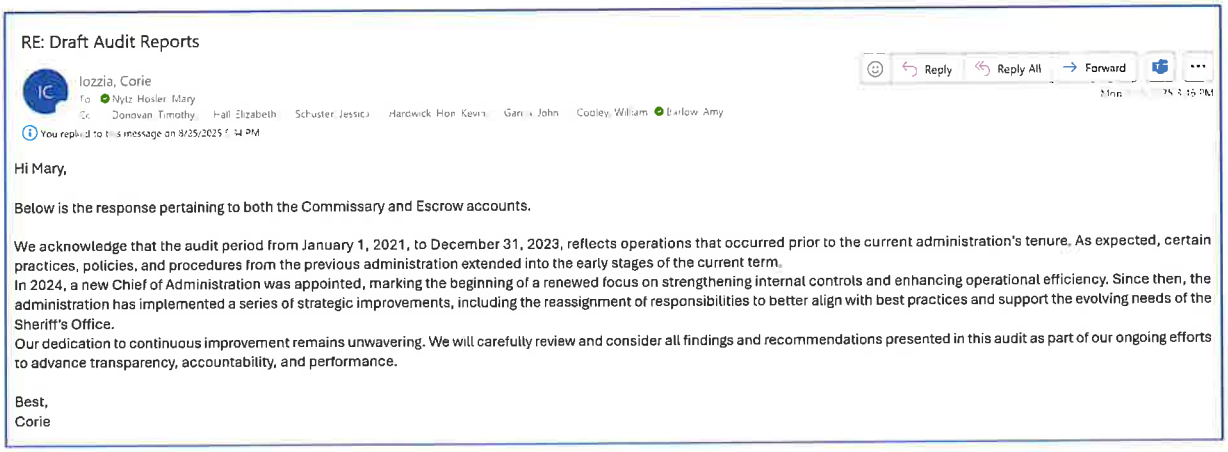
The Erie County Comptroller's Office thanks the Erie County Sheriff's Office and its staff for the cooperation and courtesy extended to the Division of Audit during the course of the audit.

ERIE COUNTY COMPTROLLER'S OFFICE

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Sheriff John C. Garcia, Erie County Sheriff
Hon. Kevin R. Hardwick, Ph.D., Erie County Comptroller
Erie County Fiscal Stability Authority
Mark Cornell, Director of Budget and Management

APPENDIX A

AUDITEE'S RESPONSE TO AUDIT REPORT



RE: Draft Audit Reports

Iozzia, Corie

To: Nytz Hosler, Mary

Cc: Donovan, Timothy; Hall, Elizabeth; Schuster, Jessica; Hardwick, Hon. Kevin; Garcia, John; Cooley, William; Barlow, Amy

Reply | Reply All | Forward

You replied to this message on 9/25/2025 [illegible] PM

Hi Mary,

Below is the response pertaining to both the Commissary and Escrow accounts.

We acknowledge that the audit period from January 1, 2021, to December 31, 2023, reflects operations that occurred prior to the current administration's tenure. As expected, certain practices, policies, and procedures from the previous administration extended into the early stages of the current term.
In 2024, a new Chief of Administration was appointed, marking the beginning of a renewed focus on strengthening internal controls and enhancing operational efficiency. Since then, the administration has implemented a series of strategic improvements, including the reassignment of responsibilities to better align with best practices and support the evolving needs of the Sheriff's Office.
Our dedication to continuous improvement remains unwavering. We will carefully review and consider all findings and recommendations presented in this audit as part of our ongoing efforts to advance transparency, accountability, and performance.

Best,
Corie

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-22	COUNTY EXECUTIVE	Amendments to Documents Regarding the Buffalo Bills & New Stadium Project

Attachments

COMM. 16E-22

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendments to the documents related to the construction of a new Stadium and the thirty-year lease to the Buffalo Bills
Date: October 1, 2025

SUMMARY

On May 4, 2023, this Honorable Body approved a series of documents negotiated between the County Executive, the Buffalo Bills and New York State. These documents included a new thirty-year lease as well as Coordinated Construction Agreement to build a new stadium. As can be expected in a project of this magnitude, the Buffalo Bills have requested several amendments to these documents to reflect updates.

THIRD AMENDMENT TO THE 2013 STADIUM LEASE & THIRD AMENDMENT TO THE 2013 MASTER LEASE: The current lease needed to be adjusted to ensure the County has no further financial obligations past July 31, 2026.

FIRST AMENDMENT TO THE STADIUM LEASE: The original plan was to demolish the old stadium and then transfer that land separately from the rest of the stadium complex. The lease amendment will allow the old stadium to be transferred before demolition. In addition, the amendment to the lease will allow the Buffalo Bills to take responsibility for salvaging assets, though all net proceeds will still be remitted to the County

FIRST AMENDMENT TO THE STADIUM DEVELOPMENT AND CONSTRUCTION COORINDATING AGREEMENT: The amendments to the CCA reflects that the old stadium will be demolished after the transfer to New York State.

RECIPROCAL EASEMENT AGREEMENT: One of the primary access points to the new stadium is a current road on land held in trust for Erie County Community College. In exchange for maintenance of the road, and mutual use of the road, the County has agreed to allow an easement.

REVOCABLE LICENSE AGREEMENT: In order to properly account for storm water run-off, the Buffalo Bills have requested space on property of Erie County Community College for drainage ponds. In exchange for a $25,000 annual fee, the County has agreed to allow these drainage ponds for as long as the County owns the property. In addition, the constructed drainage ponds will have excess capacity for use by the County.

FISCAL IMPLICATIONS

The REVOCABLE LICENSE AGREEMENT will generate $25,000 annually. In addition, the RECIPROCAL EASEMENT AGREEMENT in conjunction with the REVOCABLE LICENSE AGREEMENT will increase the value of the County owned property.

REASONS FOR RECOMMENDATION

The Buffalo Bills have requested these changes to address concerns that were not appreciated in 2023, in particular the timing of the demolition. The County is not harmed or in any way negatively impacted by any of these changes

BACKGROUND INFORMATION

In conjunction with this resolution package, the Legislature will be reviewing a SEQR update. All relevant documents are attached to that resolution.

CONSEQUENCES OF NEGATIVE ACTION

The project would continue as originally conceived. This would likely cause scheduling problems because the County would need to directly hire a salvage company and determine how the assets would be sold. The County would be significantly hampered in that effort because the intellectual property rights that attach to the salvage materials is own by the Buffalo Bills and the NFL and not the County.

STEPS FOLLOWING APPROVAL

The County Executive, along with his New York State and Buffalo Bills counterparts would execute the documents.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF LAW

Re: Amendments to the documents related to the construction of a new Stadium and the thirty-year lease to the Buffalo Bills

WHEREAS, the County of Erie, a New York municipal corporation (the "County") has leased the current stadium complex to the Erie County Stadium Corporation, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development, which subsidiary is a public benefit corporation ("ECSC") pursuant to that certain 2013 Master Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014 and as amended by that certain First Amendment to 2013 Master Lease dated as of April 7, 2017 and by that certain Second Amendment to 2013 Master Lease dated as of March 29, 2023 (as so amended, the "2013 Master Lease"); and

WHEREAS, ECSC subleases the current stadium complex to Buffalo Bills, LLC, a Delaware limited liability company (successor in interest to Buffalo Bills, Inc.) (the "Bills") pursuant to that certain 2013 Stadium Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014, and as amended by that certain First Amendment to 2013 Stadium Lease dated as of April 7, 2017, by that certain Second Amendment to 2013 Stadium Lease dated as of March 29, 2023 (as so amended, the "2013 Stadium Lease"); and

WHEREAS, ECSC, the County, and the Bills desire to further amend the 2013 Master Lease and the 2013 Stadium Lease (respectively, the "Third Amendment to 2013 Master Lease" and the "Third Amendment to 2013 Stadium Lease") to amend certain provisions thereof relative to the expiration of the term thereof; and

WHEREAS, the County, ECSC, and the Bills are constructing a new football stadium and related amenities (the "Stadium"); and

WHEREAS, Bills Stadium and Events Company, LLC, a Delaware limited liability company ("StadCo"), an affiliate of the Bills by virtue of the common ownership of StadCo and the Bills by Buffalo Bills Holdings, LLC, a Delaware limited liability company ("HoldCo"), the County and ECSC are parties to that certain Stadium Development and Construction Coordinating Agreement dated as of March 29, 2023 (the "Construction Coordinating Agreement") with respect to the development, financing and construction of the Stadium; and

WHEREAS, ECSC and StadCo are parties to that certain lease agreement dated as of March 29, 2023 (the "Stadium Lease") with respect to the leasing and operation of the Stadium on an approximately 242-acre parcel of real property owned by the County; and

WHEREAS, the parties have agreed to amend certain portions of the Construction Coordinating Agreement and the Stadium Lease (respectively, the "First Amendment to Stadium

Development and Construction Coordinating Agreement" and "First Amendment to Stadium Lease") to reflect various modifications to the relative rights and responsibilities of each party; and

WHEREAS**,** the County is the owner in fee simple of an approximately 160 acres of real property [located in the Town of Hamburg, New York known as 4041 Southwestern Blvd., Hamburg, New York], currently used to house the South Campus of Erie Community College (the "ECC Parcel"); and

WHEREAS, the County is the current owner of an approximately 57 acres of real property [located in Town of Orchard Park, New York known as 4196 Abbott Road, Orchard Park, New York] on which the Stadium is currently under construction (the "Stadium Parcel"); and

WHEREAS, upon substantial completion of the Stadium, the County will convey the Stadium, together with the Stadium Parcel, the Stadium, all other improvements thereon and certain other adjacent land, to ECSC; and

WHEREAS, the ECC Parcel and the Stadium Parcel are sometimes referred to collectively herein as the "Parcels," and sometimes individually as a "Parcel.

WHEREAS, the County and ECSC have each requested and hereby grants, pursuant a reciprocal easement agreement (the "Reciprocal Easement Agreement"), to the other a nonexclusive, perpetual access easement and right of ingress and egress in, on, over, upon, to and from the paved roads and sidewalks on the portion of the granting party's Parcel for the purposes of providing vehicular and pedestrian ingress and egress for the Parcels to and from Southwestern Boulevard and Big Tree Road;

WHEREAS, StadCo has requested, and the County has agreed, pursuant to a revocable license agreement (the "Revocable License Agreement"), to grant to StadCo, for a period concurrent with the term of Stadium Lease, the license and privilege of accessing and utilizing the portion of the ECC Parcels for the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge from the Stadium Parcel;

WHEREAS, on July I, 2022, the Erie County Legislature transmitted to all potentially Interested and Involved Agencies (as those terms are defined pursuant to SEQRA) a notice of the Legislature's intent to act as Lead Agency for the review of the Stadium Complex (together with a completed Part 1 of the Full Environmental Assessment Form), as that term is defined pursuant to SEQRA; and

WHEREAS, on January 19, 2023, under COMM. 22E-6 (2022) As Amended, the County issued a Negative Declaration and issued a Notice of Determination of Non-Significance; and

WHEREAS, because of the amendments, easements, and licenses referenced herein, the Erie County Legislature has been asked to review such amendments, easements, and licenses and, if appropriate, reaffirm the Negative Declaration and Notice of Determination of Non-Significance; and

WHEREAS, the Third Amendment to 2013 Master Lease Agreement, the Third Amendment to 2013 Stadium Lease Agreement, the First Amendment to Stadium Lease Agreement, the First Amendment to Stadium Development and Construction Coordinating Agreement, the Reciprocal Easement Agreement, and the Revocable License Agreement were filed with the Erie County Legislature, the County's approval of which shall become effective upon the passage of this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute all necessary agreements related to the matters as generally described herein and in the various documents presented to the Erie County Legislature herewith, and the Erie County Legislature does hereby approve the following project documents dated October 9, 2025 by and among the Bills, the County, and ECSC including, but not limited to the Third Amendment to 2013 Master Lease Agreement, the Third Amendment to 2013 Stadium Lease Agreement, the First Amendment to Stadium Lease Agreement, the First Amendment to Stadium Development and Construction Coordinating Agreement, the Reciprocal Easement Agreement, and the Revocable License Agreement, all in substantially the same form and with substantially the same content as contained in the documents submitted to the Erie County Legislature, with such minor changes therein as may be approved by the County Executive, his execution thereof to be conclusive evidence of his approval and the approval of this body; and be it further;

RESOLVED, that the County Executive is further authorized to take any and all additional actions necessary to execute all required documents; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Deputy County Executive, the County Attorney, the Bills and ECSC.

<u>Amendments to 2013 Stadium Lease Documents</u>

1. Third Amendment to 2013 Master Lease

2. Third Amendment to 2013 Stadium Lease

<u>Amendments to 2023 Stadium Lease Documents</u>

3. First Amendment to Stadium Lease

4. First Amendment to Stadium Development and Construction Coordinating Agreement

<u>Related Easement and License Documents</u>

5. Reciprocal Easement Agreement

6. Revocable License Agreement

THIRD AMENDMENT TO 2013 MASTER LEASE

THIS THIRD AMENDMENT TO 2013 MASTER LEASE (this "**Third Amendment**") is made as of October 9, 2025, by and between by and between **THE COUNTY OF ERIE**, a New York municipal corporation having an office and principal place of business at 95 Franklin Street, Buffalo, New York 14202 (the "**County**"), and ERIE COUNTY STADIUM CORPORATION, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development ("**ESD**"), which subsidiary is a public benefit corporation having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**"). Capitalized terms used but not defined in this Amendment shall have the meanings ascribed thereto in the 2013 Stadium Lease, as defined below.

RECITALS:

WHEREAS, the County has leased the Stadium Complex to ECSC pursuant to that certain 2013 Master Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014 and as amended by that certain First Amendment to 2013 Master Lease dated as of April 7, 2017 and by that certain Second Amendment to 2013 Master Lease dated as of March 29, 2023 (the "**Second Amendment**") (as so amended, the "**2013 Master Lease**");

WHEREAS, ECSC subleases the Stadium Complex to Buffalo Bills, LLC, a Delaware limited liability company (successor in interest to Buffalo Bills, Inc.) (the "**Bills**") pursuant to that certain 2013 Stadium Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014, and as amended by that certain First Amendment to 2013 Stadium Lease dated as of April 7, 2017, by that certain Second Amendment to 2013 Stadium Lease dated as of March 29, 2023 and by that certain Third Amendment to 2013 Stadium Lease of even date herewith (as so amended, the "**2013 Stadium Lease**");

WHEREAS, the County, ECSC and Bills Stadium and Events Company, LLC, a Delaware limited liability company ("**StadCo**"), an Affiliate of the Bills, have entered that certain Stadium Development and Construction Coordinating Agreement, dated as of March 29, 2023 and as amended by that certain First Amendment to Stadium Development and Construction Coordinating Agreement dated as of October 9, 2025 (the "**CCA**") pursuant to which StadCo is constructing a new stadium complex (the "**New Stadium Complex**") which upon completion will be leased to StadCo pursuant to that certain Stadium Lease, dated as of March 29, 2023 and as amended by that certain First Amendment to Stadium Lease dated as of October 9, 2025 (the "**New Stadium Lease**") between StadCo and ECSC; and

WHEREAS, the County and ECSC desire to amend the 2013 Master Lease to make corresponding amendments to adjust the term of the 2013 Master Lease.

NOW, THEREFORE, for one dollar ($1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, ECSC and the Bills agree as follows:

1. **Recitals.** The recitals set forth above are true and correct, form an integral part of this Third Amendment, and are hereby incorporated by reference in all respects.

2. **Stadium Lease Expiration Date.** The definition of the "**Amended Expiration Date**" set forth in Paragraph 2 of the Second Amendment is hereby deleted in its entirety and replaced with "the earlier of (A) the date on which the New Stadium Complex is conveyed by the County to ECSC in accordance with the terms and conditions of the CCA (which shall not be any earlier than July 1, 2026), or (B) the date on which the CCA is terminated pursuant to the express rights and terms therein; provided that if such date occurs within an NFL regular season or post-season or within thirty (30) days following an NFL regular season or post-season, such date shall be automatically extended to the date that is thirty (30) days following the end of such NFL regular season or post-season, as applicable."

3. **Partial Termination and Conveyance.** Paragraph 3 of the Second Amendment, Partial Termination, is hereby deleted in its entirety. Upon Substantial Completion (as such term is defined in the CCA) of the New Stadium Facility (as such term is defined in the New Stadium Lease), the County will convey the New Stadium Complex to ECSC pursuant to a deed substantially in the form attached hereto as **Exhibit A**.

4. **Exhibits.** Exhibits A and B to the Second Amendment are hereby deleted.

5. **Master Lease Financial Obligations.** If the Amended Expiration Date has not occurred by July 31, 2026, neither the County nor ECSC shall have any further obligations to pay Rent under the 2013 Master Lease, provide Working Capital Assistance, reimburse Game Day Expenses or Operating Expenses or fund the Capital Improvement Allowance for any periods subsequent to July 31, 2026.

6. **Effect of Third Amendment.** Except as otherwise modified by this Third Amendment, the 2013 Master Lease is hereby ratified and confirmed by the parties in all respects.

7. **Authority.** Each of ECSC and the County represents and warrants that (i) it has full power and authority to enter into this Third Amendment and to perform and carry out all obligations, covenants and provisions hereof; and (ii) this Third Amendment, and the 2013 Master Lease, as amended by this Third Amendment, constitutes the legal, valid and binding obligations of said party in accordance with the terms hereof and has been duly authorized by all necessary board, director, shareholder, manager, legislative, executive, committee and/or agency action, as the case may be, of such party.

8. **Governing Law; Venue.** Each Party hereby consents to the jurisdiction of the courts of the State of New York and/or the United States District Court for the Western District of New York in any action or proceeding arising under or relating to this Third Amendment (with Buffalo, Erie County, New York, as the venue for any action or proceeding). Each Party agrees not to institute suit against the others in a court in any jurisdiction, except as stated above, without the

other Parties' consent. Each such Party waives any claim that Erie County, New York or the Western District of New York is an inconvenient forum or an improper forum based on improper venue. Each such Party agrees to service of process in any form or manner permitted by law, addressed to it as set forth in Section 1.2 of the 2013 Stadium Lease. The Parties further agree that all matters with respect to the validity, construction or interpretation of this Third Amendment shall be governed by and interpreted in accordance with the internal law of the State of New York, without reference to any conflict of laws provisions except for Sections 5-1401 and 5-1402 of the New York General Obligations Law. Each Party agrees that a true, correct and complete copy of this Third Amendment kept in a Party's course of business may be admitted into evidence as an original.

9. **Recording.** Upon the execution and acknowledgment hereof, this Third Amendment or a memorandum hereof shall be recorded in the real property records of Erie County, New York.

10. **Counterparts.** This Third Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument. Copies of signatures to this Third Amendment are effective as original signatures, including electronic signatures executed via Docusign, PDF, or scans transmitted via email.

11. **NFL Approval**. The Parties acknowledge and agree that the terms and conditions of this Third Amendment are subject to final review and approval of the NFL.

[Signature Pages Follow]

IN WITNESS WHEREOF, the County and ECSC have executed this Third Amendment as of the day and year first above written.

LESSOR:

THE COUNTY OF ERIE,
a New York municipal corporation

By:_____
Mark C. Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth
County Attorney

Approved as to Content

_____
Lisa Chimera, Deputy County Executive

LESSEE

ERIE COUNTY STADIUM CORPORATION

By:_____
Name: Steven Ranalli
Title: President

EXHIBIT A

Record and Return to:

BARGAIN AND SALE DEED

THIS BARGAIN AND SALE DEED, made this _____day of _____, 20__, between **THE COUNTY OF ERIE,** a New York municipal corporation having an address of 95 Franklin Street, Buffalo, New York 14202 (the "**Grantor**") and **ERIE COUNTY STADIUM CORPORATION,** a New York business corporation having an address of 633 Third Avenue, New York, New York 10017-6754 (the "**Grantee**").

W I T N E S S E T H :

That the Grantor, in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby grant and release unto the Grantee, its successors and assigns forever, all right title and interest of the Grantor in and to the following:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Orchard Park, County of Erie, and State of New York, and being further described on the attached **Schedule A** (the "**Premises**"), subject to all easements, covenants and restrictions of record.

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to the Premises.

TO HAVE AND TO HOLD the Premises herein granted unto the Grantee, its successors and assigns forever.

AND THE GRANTOR COVENANTS that it has not done or suffered anything whereby the said Premises have been encumbered in any way whatever. The Grantor covenants further that, in compliance with Section 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

GRANTOR HEREBY RESERVES a permanent, perpetual and non-exclusive easement on, over, through and across the Premises for the purposes of conducting security, monitoring and compliance related activities at the Premises, including, but not limited to, providing security at the Premises and monitoring the compliance of Grantee and its lessees with applicable laws. The easement reserved herein shall run with the Premises and inure to the benefit of Grantor, its successors and assigns. The easement reserved herein shall not render Grantor liable for any repair, maintenance, or upkeep of the Premises, or impose any other liability or obligation upon Grantor, except as may be defined by further, separate agreement between Grantor and Grantee.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the day and year first above written.

THE COUNTY OF ERIE

By: _____
Name:
Title:

STATE OF NEW YORK)
:ss.
COUNTY OF ERIE)

On the _____day of _____, in the year 20___, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

SCHEDULE A

Being all that tract or parcel of land located on the east side of Abbott Road in the Town of Orchard Park, County of Erie, State of New York and being part of Lots 39 and 40, Township 9, Range 7 of the Holland Land Company's survey and further bounded and described as follows:

Beginning at a point on the centerline of Abbott Road, said point being Two Hundred Fifty- Five and Fifty-Three hundredths feet (255.53') south of the centerline of Southwestern Boulevard as measured along the centerline of Abbott Road and said point of beginning being on the extension southwesterly of the southerly line of lands conveyed to Penn Mutual Life Insurance Company by Liber 6132 of Deeds at Page 195;

thence northeasterly at an angle with the centerline of Abbott Road measured from the south to the east of 115°47'49" and parallel with Southwestern Boulevard a distance of Two Hundred Thirty-Six and Sixty-Five hundredths feet (236.65') to the southeast corner of Liber 6132 of Deeds at Page 195;

thence north along the east line of Liber 6132 of Deeds at Page 195 and its extension north and being parallel with Abbott Road a distance of Two Hundred Fifty-Five and Fifty-Three hundredths feet (255.53') feet to the centerline of Southwestern Boulevard;

thence northeast along the centerline of Southwestern Boulevard at an included angle with the last described line of 115°47'49" a distance of Two Hundred Fifty-Four and Twenty-Six hundredths feet (254.26') to a point on the south line of lands conveyed to Charles Druse by Liber 471 of Deeds at Page 317;

thence continuing along the centerline of Southwestern Boulevard a distance of Three Hundred Sixty-One and Thirty-One hundredths feet (361.31');

thence south at right angles to the south line of Charles Druse by Liber 471 of Deeds at Page 317 a distance of One Hundred Ninety-One and Thirty-Five hundredths feet (191.35') to said south line;

thence east at right angles with the last described line and along the said south line a distance of One Thousand Seventy-Eight and Seventy-Seven hundredths feet (1,078.77') to the east line of Lot 40, Township 9, Range 7;

thence south along the east line of Lot 40, Township 9, Range 7 and at an included angle with the last described line of 90°50'18" a distance of Two Thousand Seven Hundred Thirty-Five and Twenty-Four hundredths feet (2,735.24') to the southeast corner of Lot 40, Township 9, Range 7;

thence continuing in a straight line a distance of Sixty-Six and Four hundredths feet (66.04') to the northeast corner of Lot 39, Township 9, Range 7;

thence west at an included angle with the last described line of 88°00'47" and along the north line of Lot 39, Township 9, Range 7 a distance of ninety-six and ninety-seven hundredths feet (96.97') to the northeast corner of lands conveyed to the Town of Orchard Park by Liber 8087 of Deeds at Page 67;

thence southwest at a deflection to the left of 77°41'52" and along an easterly line of lands conveyed by Liber 8087 of Deeds at Page 67, a distance of Five Hundred Twenty and Seven hundredths feet more or

less (520.07' ±) deeded and Five Hundred Nineteen and Sixty-Eight hundredths feet (519.68') measured to an angle point in said easterly line;

thence southwest along said easterly line and at an included angle with the last described line of 173°23'30" a distance of Two Hundred One and Forty-Seven hundredths feet (201.47') to the southeast corner of said lands conveyed by Liber 8087 of Deeds at Page 67;

thence west at an included angle with the last described line of 110°41'58" a distance of One Hundred Seventy-Six and Twenty hundredths feet (176.20') to the southwest corner of said lands conveyed by Liber 8087 of Deeds at Page 67;

thence north at right angles to the last described line a distance of One Hundred Eighty-One and Seventy-Five hundredths feet (181.75');

thence west at a deflection to the left of 90°0' deeded and 89°46'49" measured a distance of Six Hundred Twenty-Seven and no hundredths feet (627.0') deeded and Six Hundred Twenty-Three and Forty-One hundredths feet (623.41') measured to a point One Thousand One Hundred Eleven and Forty-Four hundredths feet (1,111.44') north of the centerline of Big Tree Road as measured at right angles with this described line;

thence south at right angles with the last described line a distance of Eight Hundred Sixty and Eighty-Four hundredths feet (860.84') to a point Two Hundred Fifty and Sixty hundredths feet (250.60') north of the centerline of Big Tree Road as measured along the extension south of this described line;

thence west at right angles with the last described line a distance of One Hundred Seventy-Seven and Thirty-Nine hundredths feet (177.39');

thence south at right angles with the last described line a distance of Two Hundred Twenty and Sixty-Four hundredths feet (220.64') to the centerline of Big Tree Road;

thence westerly along the centerline of Big Tree Road and at an included angle with the last described line of 80°24'47" a distance of One Hundred Ninety-Two and Fifty-Three hundredths feet (192.53');

thence westerly along the centerline of Big Tree Road and at a deflection to the left of 0°20'00" a distance of Forty-Eight and Twenty-Two hundredths feet (48.22');

thence north at an included angle with the last described line of 99°15'20" a distance of One Thousand Five Hundred Seventy and Eighty hundredths feet (1,570.80') deeded and One Thousand Five Hundred Ninety-Two and Forty-Seven hundredths feet (1,592.47') measured to the north line of Lot 39, Township 9, Range 7;

thence west along the north line of Lot 39 a distance of Five Hundred Fifty-Two and Ninety-Five hundredths feet (552.95') to the centerline of Abbott Road as now laid out;

thence northeast at an included angle with the last described line of 80°08'15" a distance of Six Hundred Ninety-Seven and Eighty-One hundredths feet (697.81') to an angle point in the centerline of Abbott Road as now laid out;

thence northeasterly along the centerline of Abbott Road as now laid out and at a deflection to the left of 1°29'56" a distance of Seven Hundred Sixty-Eight and Ninety-Three hundredths feet (768.93') to a point of curve in the centerline of Abbott Road as now laid out;

thence northerly along a curve to the left having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') and a central angle of 15°50'16" an arc length of Five Hundred Twenty-Three and Four hundredths feet (523.04') to the point of tangency;

thence northwesterly along the center line of Abbott Road and tangent to the last described line a distance of Two Hundred Eighty-Two and Eighty-One hundredths feet (282.81') to the point of beginning.

Excepting from the above described parcel the "burial ground lot" further bounded and described as follows:

Commencing at the intersection of centerlines of Abbott Road and Southwestern Boulevard;

thence southwest along the centerline of Abbott Road and its extension a distance of Eight Hundred One and Fifty hundredths feet (801.50');

thence southeasterly at a deflection to the right of 16°33'49" a distance of Two Hundred Ten and Eighty-Eight hundredths feet (210.88') record and Two Hundred Seventeen and Fifty-Five hundredths feet (217.55') measured;

thence east at an angle with the last described line measured from the north to the east of 79°55'55" a distance of Eight Hundred Sixty-One and Twenty-Seven hundredths feet (861.27') record and Eight Hundred Sixty-Three and Sixteen hundredths feet (863.16') measured to the point of beginning;

thence continuing east a distance of One Hundred Forty and Fifteen hundredths feet (140.15');

thence north at an included angle with the last described line of 88°46'27" a distance of Eighty-Two and Forty-Four hundredths feet (82.44');

thence west at an included angle with the last described line of 91°13'33" a distance of One Hundred Forty and Fifteen hundredths feet (140.15');

thence south at an included angle with the last described line of 88°46'27" a distance of Eighty-Two and Forty-Four hundredths feet (82.44') to the point of beginning and containing 0.27 acres, more or less.

Also excepting from the above described parcel the southerly half of Southwestern Boulevard, said having a full right-of-way width of 100' as conveyed to the County of Erie by Liber 2062 of Deeds at Page 496;

Also excepting from the above described parcel that portion of lands lying within the above described parcel along Big Tree Road as conveyed by Edna Oaks to the State of New York by Liber 4287 of Deeds at Page 256 and shown on Map 25-R-1, Parcel 31.

The remaining parcel containing 138.98 acres more or less.

Together with the following described parcel

Being all that tract or parcel of land located on the west side of Abbott Road in the Town of Orchard Park, County of Erie, State of New York and being part of Lots 39 and 40, Township 9, Range 7 of the Holland Land Company's survey and further bounded and described as follows:

Commencing at the centerline of Abbott Road at its intersection with the centerline of Southwestern Boulevard;

thence S 5°19'26" E along the centerline of Abbott Road a distance of Five Hundred Thirty-Eight and Thirty-Four hundredths feet (538.34') to a point of curve in the centerline of Abbott Road as now laid out;

thence southerly along a curve to the right having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') and being the centerline of Abbott Road as now laid out an arc length of Nineteen and no hundredths feet (19.00') to its intersection with the north line of lands formerly conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469 and the point of beginning;

thence southerly along a curve to the right forming the centerline of Abbott Road as now laid out having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') an arc length of Five Hundred Four and Four hundredths feet (504.04') to a point of tangency;

thence S 10°22'02" W along the centerline of Abbott Road as now laid out and tangent to the last described curve a distance of Seven Hundred Sixty-Eight and Ninety-Three hundredths feet (768.93') to an angle point;

thence S 11°51'58" W along the centerline of Abbott Road as now laid out a distance of One Thousand Sixty-One and Seventy-Two hundredths feet (1,061.72') to the southeast corner of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence N 78°41'03" W a distance of Three Hundred Twenty and no hundredths feet (320.00') to an angle point in lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence S 11°51'58" W along an east line of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607 and parallel with the centerline of Abbott Road a distance of Three Hundred Twenty and no hundredths feet (320.00') to the northwest corner of lands conveyed by James F. Pirdy and wife to the County of Erie by Liber 8070 of Deeds at Page 377;

thence S 78°41'03" E a distance of One Hundred Twenty and no hundredths feet (120.00') to a point;

thence S 11°51'58" W and parallel with the centerline of Abbott Road a distance of One Hundred Forty and no hundredths feet (140.00') to a point;

thence S 78°41'02" E a distance of Two Hundred and no hundredths feet (200.00') to the centerline of Abbott Road at the northeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1, said point being Six Hundred Seventy-Five and Ten hundredths feet (675.10') north of the centerline of Big Tree Road as measured along said centerline of Abbott Road;

thence S 11°51'58" W along said centerline of Abbott Road as shown on SK 217-90 a distance of Four Hundred Fifty-Five and Fifteen hundredths feet (455.15') to the southeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1;

thence N 78°21'07" W a distance of Three Hundred Eighty-Two and Twenty-Six hundredths feet (382.26');

thence N 28°01'26" W a distance of Sixty-Nine and Thirty-Six hundredths feet (69.36');

thence N 80°00'42" W a distance of Ninety-Three and Forty hundredths feet (93.40');

thence N 76°20'34" W a distance of One Hundred Fifty and Thirteen hundredths feet (150.13');

thence N 85°10'45" W a distance of One Hundred and Sixty-Six hundredths feet (100.66');

thence N 80°36'35" W a distance of Fifty and One hundredths feet (50.01');

thence N 11°18'00" E a distance of Three and no hundredths feet (3.00');

thence N 84°44'22" W a distance of Fifty and Twenty-Eight hundredths feet (50.28');

thence N 11°18'00" E a distance of One and Fourteen hundredths feet (1.14');

thence N 81°18'40" W a distance of Thirty-Five and Three hundredths feet (35.03') to a point;

thence N 11°51'58" E and parallel with the centerline of Abbott Road a distance of Eight Hundred Seventy-One and Sixteen hundredths feet (871.16') to a point on the extension west of the north line of lands conveyed by James F. Pirdy to Frank Nucherno by Liber 8815 of Deeds at Page 624;

thence S 78°41'02" E and along the extension west of lands conveyed by Liber 8815 of Deeds at Page 624 a distance of Two Hundred Nineteen and Eighty-Four hundredths feet (219.84') to a point on the extension south of the west line of lands conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469;

thence N 00°01'46" E and along the west line of lands conveyed by Liber 1295 of Deeds at Page 469 and its extension south and also north a distance of Two Thousand One Hundred Ninety-Two and Eighty-Six hundredths feet (2,192.86') to the southerly line of Southwestern Boulevard being 100' wide;

thence N 64°45'18" E along the southerly line of Southwestern Boulevard a distance of One Hundred and no tenths feet (100.0');

thence S 0°01'46" W a distance of Fifty-Nine and Fourteen hundredths feet (59.14') to the north line of lands conveyed to E.I. DuPont DeNemours & Company;

thence S 89°14'02" E along the said north line a distance of Nine Hundred Fifty-Eight and Eighty-Two hundredths feet (958.82') to the point of beginning;

The said parcel containing 58.65 acres more or less.

And further reserving to the Grantor/Leasor an easement for the existing 12" water main South of Community College Drive, which may be relocated with the mutual consent of the parties.

And further reserving all rights to the use of the following described parcel currently leased to the Erie Community College Foundation:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Orchard Park, County of Erie and State of New York, being part of Lot 39, Township 9 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the westerly line of Abbott Road with the northerly line of lands conveyed to the County of Erie, as recorded in the Erie County Clerk's Office in Liber 8070 of Deeds at page 377;

THENCE: N-78°-35'-14"-E, along north line of said lands conveyed by Liber 8070 of Deeds at page 377, a distance of 287.00 feet to the POINT OF BEGINNING, being the northwest corner of said lands conveyed by Liber 8070 of Deeds at page 377;

THENCE: Through lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7551 of Deeds at page 607, the following three (3) courses and distances;

1) N-78°-35'-14"-W, along the westerly extension of the northerly line of said lands conveyed by Liber 8070 of Deeds at page 377, a distance of 13.00 feet to a point;
2) S-11°-57'-46"-W, parallel with the west line of said lands conveyed by Liber 8070 of Deeds at page 377, a distance of 45.00 feet to a point;
3) S-78°-35'-14"-E, parallel with the said north line of lands conveyed by Liber 8070 of Deeds at page 377, a distance of 84.00 feet to the west line of lands conveyed by Liber 8070 of Deeds at page 377;

THENCE: S-11°-57'-46"-W, along said west line of lands conveyed by Liber 8070 of Deeds at page 377 and the southerly extension thereof, a distance of 120.00 feet to a point;

THENCE: S-78°-35'-14"-E, parallel with the south line of lands conveyed by Liber 8070 of Deeds at page 377, distant 25.00 feet southerly therefrom measured at right angles, a distance of 196.00 feet to the west line of lands acquired by Erie County Department of Public Works as shown on Map SK217-90, Parcel 1;

THENCE: N-11°-57'-46"-E, along the west line of said Parcel 1 lands, a distance of 25.00 feet to the south line of lands conveyed by Liber 8070 of Deeds at page 377;

THENCE: N-78°-35'-14"-W, along the south line of lands conveyed by Liber 8070 of Deeds at page 377, a distance of 147.00 feet, to a west line of lands conveyed by Liber 8070 of Deeds at page 377;

THENCE: N-11°-57'-46"-E, along a west line of lands conveyed by Liber 8070 of Deeds at page 377, a distance of 140.00 feet to a point on the north line of lands conveyed by Liber 8070 of Deeds at page 377;

THENCE: N-78°-35'-14"-W, along the north line of lands conveyed by Liber 8070 of Deeds at page 377, a distance of 120.00 feet to the POINT OF BEGINNING, containing 15,540 square feet more of less.

Subject to a 70' wide wind turbine fall zone.

Together with the following described parcel:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York being part of Lots 39 and 40 and more, Township 9, Range 7 of the Holland Land Company's Survey (so called), bounded and described as follows:

COMMENCING at the intersection of the west line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8314 of Deeds at page 329 and the south line of Southwestern Boulevard as acquired by the People of the State of New York, Map No. 300, Parcel No. 340;

THENCE: S-00°-15'05"-W, along the west line of said lands conveyed by Liber 8314 of Deeds at page 329 and the west line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7749 of Deeds at page 483, a distance of 659.13 feet to the POINT OF BEGINNING;

THENCE: S-00°-15'-05"-W, continuing along the west line of lands conveyed by Liber 7749 of Deeds at page 483 and its southerly extension through lands formerly Big Tree Road, and lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8521 of Deeds at page 585 in Lot 39, a distance of 1534.27 feet to a point on the extension west of lands now or formerly conveyed to Frank Nucherno by deed recorded in the Erie County Clerk's Office in Liber 8815 of Deeds at page 624;

THENCE: Through lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7551 of Deeds at page 607, the following two (2) courses and distances;

1) N-78°35'-14"-W, and along the extension west of lands conveyed in Liber 8815 of Deeds at page 624, a distance of 219.84 feet to a point;

2)
3) S-11°-57'-46"-W, and parallel with the centerline of Abbott Road, a distance of 868.06 feet to a point on the south line of Liber 7551 of Deeds at page 607 in the centerline of a ditch;

THENCE: Along the said center of ditch more or less, and the south line of Liber 7551 of Deeds at page 607, the following nine (9) courses and distances;

1) N-81°- 32'-23"-W, a distance of 20.23 feet to a point;
2) N-11°-04'-16"-E, a distance of 1.14 feet to a point;
3) N-80°-14'-07"-W, a distance of 50.00 feet to a point;
4) N-80°-14'-06"-W, a distance of 100.03 feet to a point;
5) N-82°-16'-16"-W, a distance of 50.09 feet to a point;
6) S-88°-42'-10"-W, a distance of 71.66 feet to a point;
7) S-88°-41'-52"-W, a distance of 81.90 feet to a point;
8) S-86°-30'-58"-W, a distance of 132.94 feet to a point;
9) S-55°-39'-06"-W, a distance of 44.80 feet to the west line of Lot 39, being the west line of the Town of Orchard Park, and the east line of Lot 47 in the Town of Hamburg;

THENCE: N-01°-54'-27"-E, along the said west line of Lot 39, a distance of 951.93 to a point;

THENCE: N-18°-59'-16"-E, through Lot 39, lands formerly Big Tree Road, and through Lot 40, a distance of 190.43 feet to a point;

THENCE: N-18°-38'-54"-W, through Lot 40, a distance of 159.92 feet to the west line of Lot 40, being the west line of the Town of Orchard Park, and the east line of Lot 48 in the Town of Hamburg;

THENCE: N-01°-50'-30"-E, along the west line of Lot 40, a distance of 960.04 feet to the northwest corner of lands conveyed to J.R. Schenk by deed recorded in the Erie County Clerk's Office in Liber 7036 of Deeds at page 79;

THENCE: N-83°-34'-07"-E, along the north line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 8521 of Deeds at page 585, a distance of 874.78 feet to the POINT OF BEGINNING containing 40.97 acres be the same more or less.

Subject to a 180' wide radio tower fall zone.

THIRD AMENDMENT TO 2013 STADIUM LEASE

THIS THIRD AMENDMENT TO 2013 STADIUM LEASE (this "**Third Amendment**") is made as of October 9, 2025, by and between **ERIE COUNTY STADIUM CORPORATION**, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development ("**ESD**"), which subsidiary is a public benefit corporation having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**"), as sublessor, and **BUFFALO BILLS, LLC**, a Delaware limited liability company (successor in interest to Buffalo Bills, Inc.) having an office and principal place of business at One Bills Drive, Orchard Park, New York 14127 (the "**Bills**"), as sublessee. Capitalized terms used but not defined in this Third Amendment shall have the meanings ascribed thereto in the 2013 Stadium Lease, as defined below.

RECITALS:

WHEREAS, the County of Erie, a New York municipal corporation (the "**County**") has leased the Stadium Complex to ECSC pursuant to that certain 2013 Master Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014, and as amended by that certain First Amendment to 2013 Master Lease dated as of April 7, 2017, by that certain Second Amendment to 2013 Master Lease dated as of March 29, 2023 and by that certain Third Amendment to 2013 Master Lease of even date herewith (as so amended, the "**2013 Master Lease**");

WHEREAS, ECSC subleases the Stadium Complex to the Bills for the Team to play its home games at the Stadium pursuant to that certain 2013 Stadium Lease dated as of May 6, 2013, as assigned pursuant to that certain Stadium Assignment and Assumption dated as of October 9, 2014, and as amended by that certain First Amendment to 2013 Stadium Lease dated as of April 7, 2017 and by that certain Second Amendment to 2013 Master Lease dated as of March 29, 2023 (the "**Second Amendment**") (as so amended, the "**2013 Stadium Lease**");

WHEREAS, the County, ECSC and Bills Stadium and Events Company, LLC, a Delaware limited liability company ("**StadCo**"), an Affiliate of the Bills, have entered that certain Stadium Development and Construction Coordinating Agreement, dated as of March 29, 2023 and as amended by that certain First Amendment to Stadium Development and Construction Coordinating Agreement dated as of October 9, 2025 (the "**CCA**") pursuant to which StadCo is constructing a new stadium complex (the "**New Stadium Complex**") which upon completion will be leased to StadCo pursuant to that certain Stadium Lease, dated as of March 29, 2023 and as amended by that certain First Amendment to Stadium Lease dated as of October 9, 2025 (the "**New Stadium Lease**") between StadCo and ECSC;

WHEREAS, ECSC and the Bills desire to further amend the 2013 Stadium Lease to amend certain provisions thereof relative to the expiration of the term thereof; and

WHEREAS, the County wishes to approve this Third Amendment as required by the 2013 Stadium Lease.

NOW, THEREFORE, for one dollar ($1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, ECSC and the Bills agree as follows:

1. **Recitals.** The recitals set forth above are true and correct, form an integral part of this Third Amendment, and are hereby incorporated by reference in all respects.

2. **2013 Stadium Lease Expiration Date.** The definition of the "**Amended Expiration Date**" set forth in Paragraph 2 of the Second Amendment is hereby deleted in its entirety and replaced with "the earlier of (A) the date on which the New Stadium Complex is conveyed by the County to ECSC in accordance with the terms and conditions of the CCA (which shall not be any earlier than July 1, 2026), or (B) the date on which the CCA is terminated pursuant to the express rights and terms therein; provided that if such date occurs within an NFL regular season or post-season or within thirty (30) days following an NFL regular season or post-season, such date shall be automatically extended to the date that is thirty (30) days following the end of such NFL regular season or post-season, as applicable."

3. **Partial Termination.** Paragraph 4 of the Second Amendment, Partial Termination, is hereby deleted in its entirety.

4. **2013 Stadium Lease Financial Obligations.** If the Amended Expiration Date has not occurred by July 31, 2026, the Bills will not have any obligations to pay Annual Rent or Additional Rent or to fund the Capital Improvement Allowance for any periods subsequent to July 31, 2026 and neither the County nor ECSC shall have any further obligations to reimburse Game Day Expenses or Operating Expenses or fund the Capital Improvement Allowance and Working Capital Assistance for any periods subsequent to July 31, 2026.

5. **Effect of Third Amendment.** Except as otherwise modified by this Third Amendment, the 2013 Stadium Lease is hereby ratified and confirmed by the parties in all respects.

6. **Authority.** Each of ECSC and the Bills (and the County by execution of the joinder attached hereto) represents and warrants that (i) it has full power and authority to enter into this Third Amendment and to perform and carry out all obligations, covenants and provisions hereof; and (ii) this Third Amendment, and the 2013 Stadium Lease, as amended by this Third Amendment, constitutes the legal, valid and binding obligations of said party in accordance with the terms hereof and has been duly authorized by all necessary board, director, shareholder, manager, legislative, executive, committee and/or agency action, as the case may be, of such party.

7. **Consent of the County.** The County acknowledges receipt of a copy of this Third Amendment and the County consents hereto.

8. **Governing Law; Venue.** Each Party hereby consents to the jurisdiction of the courts of the State of New York and/or the United States District Court for the Western District of

New York in any action or proceeding arising under or relating to this Third Amendment (with Buffalo, Erie County, New York, as the venue for any action or proceeding). Each Party agrees not to institute suit against the others in a court in any jurisdiction, except as stated above, without the other Parties' consent. Each such Party waives any claim that Erie County, New York or the Western District of New York is an inconvenient forum or an improper forum based on improper venue. Each such Party agrees to service of process in any form or manner permitted by law, addressed to it as set forth in Section 1.2 of the 2013 Stadium Lease. The Parties further agree that all matters with respect to the validity, construction or interpretation of this Third Amendment shall be governed by and interpreted in accordance with the internal law of the State of New York, without reference to any conflict of laws provisions except for Sections 5-1401 and 5-1402 of the New York General Obligations Law. Each Party agrees that a true, correct and complete copy of this Third Amendment kept in a Party's course of business may be admitted into evidence as an original.

9. **Recording.** Upon the execution and acknowledgment hereof, this Third Amendment or a memorandum hereof shall be recorded in the real property records of Erie County, New York.

10. **Counterparts.** This Third Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument. Copies of signatures to this Third Amendment are effective as original signatures, including electronic signatures executed via Docusign, PDF, or scans transmitted via email.

11. **NFL Approval**. The Parties acknowledge and agree that the terms and conditions of this Third Amendment are subject to final review and approval of the NFL.

[Signature Pages Follow]

IN WITNESS WHEREOF, ECSC and the Bills have executed this Third Amendment as of the day and year first above written.

SUBLESSOR:

ERIE COUNTY STADIUM CORPORATION

By:_____
Name: Steven Ranalli
Title: President

SUBLESSEE:

BUFFALO BILLS, LLC

By:_____
Name: Terrence M. Pegula
Title: Authorized Signatory

[Signatures Continue on the Following Page]

JOINDER OF THE COUNTY

The County hereby executes this joinder to the Third Amendment to the 2013 Stadium Lease for the purpose of re-acknowledging to ECSC and StadCo and confirming its obligation to perform and comply with the obligations arising under the 2013 Stadium Lease, as the same may be amended, as set forth in that certain joinder attached to the 2013 Stadium Lease. The County further acknowledges its consent to the terms and conditions of the foregoing Third Amendment.

THE COUNTY OF ERIE

By:_____
Mark C. Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth
County Attorney

Approved as to Content

_____
Lisa Chimera, Deputy County Executive

FIRST AMENDMENT TO STADIUM LEASE

by and between

ERIE COUNTY STADIUM CORPORATION,
A New York business corporation,

and

BILLS STADIUM AND EVENTS COMPANY, LLC,
A Delaware limited liability company

October 9, 2025

FIRST AMENDMENT TO STADIUM LEASE AGREEMENT

THIS FIRST AMENDMENT TO STADIUM LEASE AGREEMENT (this "First Amendment") is made as of the 9th day of October, 2025 (the "**Effective Date**"), by and between **ERIE COUNTY STADIUM CORPORATION**, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development, a public benefit corporation, having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**"), and **BILLS STADIUM AND EVENTS COMPANY, LLC**, a Delaware limited liability company, having an office and principal place of business at One Bills Drive, Orchard Park, New York 14127 ("**StadCo**"). ECSC and StadCo are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties**".

RECITALS:

WHEREAS, ECSC and StadCo are parties to that certain lease agreement dated as of March 29, 2023 (the "**Stadium Lease**") with respect to the leasing and operation of a new stadium and related amenities to be constructed on an approximately 242 acre parcel of real property in the town of Orchard Park, New York owned by the County of Erie (the "**County**"), a New York municipal corporation, having an office and principal place of business at 95 Franklin Street, Buffalo, New York 14202; and

WHEREAS, the Parties have agreed to amend certain portions of the Stadium Lease to reflect various modifications to the relative rights and responsibilities of each party.

NOW, THEREFORE, in consideration of the agreements and undertakings hereinafter set forth, and for the other good and valuable consideration, the receipt and adequacy therefor being hereby acknowledged, ECSC and StadCo agree as follows:

1. Recitals.

a. The 15th recital set forth on page 3 of the Stadium Lease is amended to delete the words "and the demolition of the Existing Stadium," from the fourth line thereof.

b. The 17th and 18th recitals set forth on page 3 of the Stadium Lease are deleted in their entirety and replaced with the following:

> "**WHEREAS**, concurrent with the Substantial Completion of the Project under the CCA, (1) the County will convey to ECSC all of the County's right, title and interest in and to the entire Existing Stadium Facility and the entire New Stadium Facility (hereinafter collectively referred to as the "**Stadium Complex**"), ECSC will lease the Stadium Complex to StadCo in accordance with the terms and conditions of this Stadium Lease, and (2) StadCo will deliver to ECSC a New York State statutory form of bargain and sale deed, conveying good, marketable and insurable (at standard rates) title to the Additional Land (as hereinafter defined); and"

c. The recitals set forth above hereby are incorporated into and made a part of this First Amendment as if fully set forth herein.

2. Definitions.

a. Section 1.2.73 of the Stadium Lease is hereby deleted in its entirety and replaced with the following:

"**Land**: The Existing Stadium Land, the New Stadium Land and the Additional Land."

b. Section 1.2.122 of the Stadium Lease is hereby deleted in its entirety and replaced with the following:

"1.2.122 **StadCo's Address**:

Pete Guelli, Executive Vice President and Chief Operating Officer
Bills Stadium and Events Company, LLC
One Bills Drive
Orchard Park, NY 14127
Telephone: (716) 648-1800

with a copy at the same time and in the same manner to:

General Counsel
Bills Stadium and Events Company, LLC
One Bills Drive
Orchard Park, NY 14127
Telephone: (716) 648-1800"

c. Section 1.2 of the Stadium Lease is hereby amended to add a new Section 1.2.148 as follows:

"1.2.148 **Additional Land**: The portion of the Land described in Exhibit A-3 attached hereto."

3. Exhibits.

a. A new exhibit entitled Description of the Additional Land is hereby added to the Stadium Lease as Exhibit A–3 in the form attached hereto.

b. A new exhibit entitled Demolition Schedule, is hereby added to the Stadium Lease as Exhibit K in the form attached hereto.

c. Exhibit I, Project Program Statement, is hereby amended to delete the phrase ", including demolition of the Current Stadium," from the third paragraph of the Executive Summary, to delete the penultimate sentence of the fourth paragraph of the Executive Summary and to add the following new paragraph at the end of the General Concessions section on page 9 thereof: "The stadium plaza areas adjacent to the New Stadium may include, at the option of the Team, two (2) "Exterior Market" structures, approximately 2,000 square feet each, for fans to purchase pre-packaged food and beverages."

4. Article 12 of the Stadium Lease is hereby amended to add a new Section 12.3 as follows:

"12.3 Demolition of the Existing Stadium.

a. Promptly following the Commencement Date, StadCo will cause the Existing Stadium Facility (other than the administration and commissary buildings located on the Existing Stadium Land) to be demolished in accordance with the Demolition Schedule attached hereto as Exhibit K and will cause the Existing Stadium Land to be restored not later than the Final Completion Date with clean fill to a condition and grade reasonably acceptable to ECSC and the County. Such demolition and restoration shall be performed in accordance with the Plans and Specifications (as may be hereinafter modified by StadCo and approved by the County and ECSC) and a project labor agreement containing terms and conditions substantially similar to the project labor agreement attached to the CCA as Exhibit K. StadCo will further cause its demolition and restoration contractors to use good faith efforts to help StadCo achieve the overall Project utilization goals set forth in the affirmative action plan attached to the CCA as Exhibit B. On a monthly basis, StadCo shall report to ECSC and the County on the demolition expenses incurred by StadCo and continue to report to ECSC and the County on the progress of implementation of such affirmative action plan in accordance with the reporting obligations of StadCo to ECSC and the County specified in such plan.

b. Certain property from the Existing Stadium [including, but not limited to, seating, turf and signage not constituting the property of Buffalo Bills, LLC or any of its affiliates ("Designated Property")] shall be disposed of by StadCo in a method reasonably acceptable to the County and ECSC. For these purposes, StadCo will engage a third party to sell the Designated Property, with any net proceeds from the sale of the Designated Property (after payment of all reasonable expenses, commissions and out of pocket costs incurred by the third party related to such disposition) to be paid to the County.

c. StadCo, the County and ECSC acknowledge that in order to achieve Final Completion of the Project by the Final Completion Date, work associated with the removal and disposal of assets, decommissioning and select demolition in preparation for mass demolition shall begin immediately following the Team's last regular season or playoff home game for the 2025-2026 NFL Season.

d. Notwithstanding Section 5.5 of the Stadium Lease, the Parties consent to the County retaining jurisdiction and full permitting authority for the Stadium Complex, including but not limited to the demolition of the Exiting Stadium, pursuant to NY Executive Law 381, and 19 NYCRR 1201, and shall continue to be the governmental authority performing review of all applications for all necessary building permits, and is authorized to perform all necessary inspections, until such time as a final certificate of occupancy is issued in accordance with the applicable laws, codes, and regulations. In its capacity as the permitting Governmental Authority for the demolition of the Existing Stadium, and, in such capacity, shall, subject to and in accordance with Applicable Law, promptly review all applications for necessary building permits and other construction approvals upon application by the Architect or any contractor on behalf of StadCo with respect such demolition, and conduct periodic inspections to close out such permits and approvals, including issuance of a certificate of occupancy, in accordance with Applicable Law.

5. Conflicts. In the event of any conflict or inconsistency between the terms of this First Amendment and the Stadium Lease, the terms of this First Amendment shall govern and control.

6. Effect of Amendment; Waiver. Except as otherwise provided for in this First Amendment, the Stadium Lease shall remain in full force and effect in accordance with the original terms of the Agreement. This First Amendment amends, modifies, and supersedes to the extent of any inconsistencies, the provisions of the Agreement, including the terms of all schedules and exhibits thereto. All modifications or waivers must be in writing and signed by the Parties hereto. Failure to enforce any provision in the Stadium Lease in a particular instance will not constitute a waiver of or preclude subsequent enforcement of these provisions.

7. Headings. The headings contained herein are inserted for convenience only and shall not affect the construction hereof.

8. Severability. In the event that any provision of this First Amendment shall be held invalid, illegal, or unenforceable under applicable law, the remainder of this First Amendment shall remain valid and enforceable, unless such invalidity, illegality or unenforceability substantially diminishes the rights and obligations, taken as a whole, of any Party.

9. Counterparts. This First Amendment may be executed in any number of counterparts and by different Parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and shall be binding upon all Parties, their successors and assigns, and all of which taken together constitute one and the same agreement.

10. NFL Approval. The Parties acknowledge and agree that the terms and conditions of this First Amendment are subject to final review and approval of the NFL.

[Signature Page to First Amendment follows]

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the day and year set forth above.

ERIE COUNTY STADIUM CORPORATION

By: _____
Name: Steven Ranalli
Title: President

BILLS STADIUM AND EVENTS COMPANY, LLC

By: _____
Name: Terrence M. Pegula
Title: Authorized Signatory

STATE OF NEW YORK _____)
:ss.
COUNTY OF ERIE _____)

On the _____day of _____, in the year 2025, before me, the undersigned, a notary public in and for said state, personally appeared Steven Ranalli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK _____)
:ss.
COUNTY OF ERIE _____)

On the day of _____, in the year 2025, before me, the undersigned, a notary public in and for said state, personally appeared Terrence M. Pegula, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

JOINDER OF THE COUNTY

The County hereby executes this joinder to the First Amendment to the Stadium Lease for the purpose of re-acknowledging to ECSC and StadCo and confirming its obligation to perform and comply with the obligations arising under the Stadium Lease, as the same may be amended, as set forth in that certain Joinder attached to the Stadium Lease. The County further acknowledges its consent to the terms and conditions of the foregoing First Amendment.

THE COUNTY OF ERIE

By: _____
Mark C. Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth
County Attorney

Approved as to Content

_____
Lisa Chimera, Deputy County Executive

STATE OF NEW YORK _____)
:ss.
COUNTY OF ERIE _____)

On the day of _____, in the year 2025, before me, the undersigned, a notary public in and for said state, personally appeared Mark C. Poloncarz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

JOINDER OF THE BILLS

Buffalo Bills, LLC (the "**Bills**") hereby executes this joinder to the First Amendment to the Stadium Lease for the purpose of re-acknowledging to ECSC, StadCo and Erie County, and confirming its obligation to perform and comply with the obligations arising under the Stadium Lease, as the same may be amended, as set forth in that certain Joinder attached to the Stadium Lease executed by the Bills. The Bills further acknowledges their consent to the terms and conditions of the foregoing First Amendment.

THE BILLS

Buffalo Bills, LLC,
a Delaware limited liability company

By: _____
Terrence M. Pegula, Authorized Signatory

STATE OF NEW YORK _____)
:ss.
COUNTY OF ERIE _____)

On the day of _____, in the year 2025, before me, the undersigned, a notary public in and for said state, personally appeared Terrence M. Pegula, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

EXHIBIT A-3

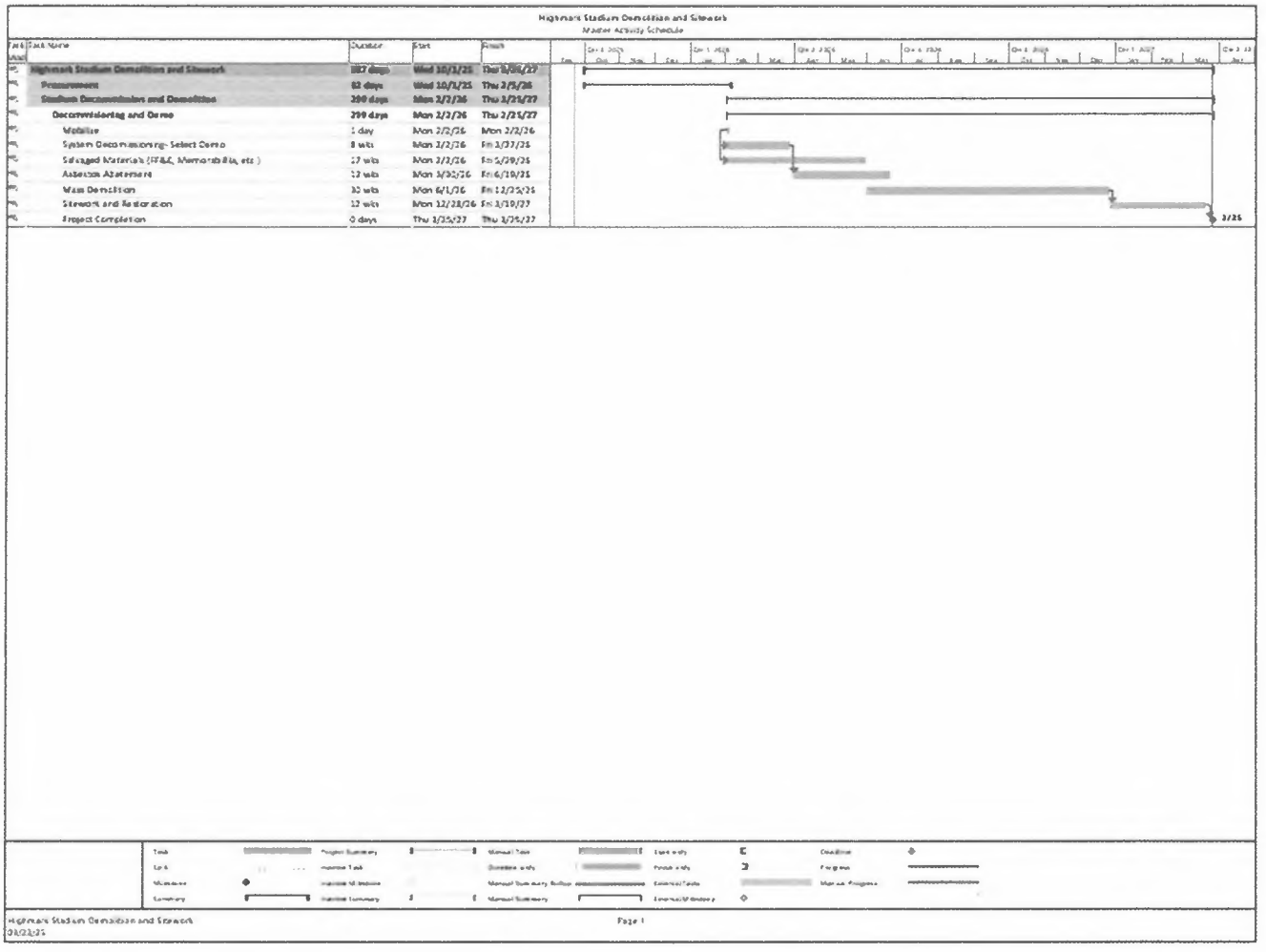
DESCRIPTION OF ADDITIONAL LAND

All that tract or Parcel of Land, situated in the Town of Orchard Park, County of Erie and State of New York, being part of Lot 39, Township 9. Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Big Tree Road which is distant six hundred eighty six and ninety-five hundredths (686.95) feet westerly of the intersection of the center line of Big Tree Road with the easterly line of Lot 39 as measured along the center line of Big Tree Road, said point being also the southwesterly corner of land deeded to Bernard Cerajewski and Frances his wife by deed recorded in Erie County Clerk's Office in Liber 4895 of Deeds at page 289; running thence northerly along the westerly line of premises so deeded to said Bernard Cerajewski and Frances his wife eleven hundred and seventy and fifty-six hundredths (1170.56) feet to a point in the northerly line of premises conveyed to Mary Debotte by deed recorded in Erie County Clerk's Office in Liber 1648 of Deeds at Page 24; running thence westerly along the northerly line of premises so conveyed to Mary Debotte about four hundred and twenty (420) feet to the northwesterly corner of said land so deeded to said Mary Debotte; running thence southerly along the westerly line of lands so conveyed to said Mary Debotte about eleven hundred eleven and forty-four hundredths (1111.44) feet to the center line of Big Tree Road; running thence easterly along the center line of Big Tree Road to the point or place of beginning, excepting from the above described premises so much thereof as was appropriated by the State of New York for the Athol Springs - Orchard Park Pt 2 S.H. 1586, more fully described in an easement recorded in the Erie County Clerk's Office in Liber 4272 of Deeds, Page 401, on February 5, 1948.

EXHIBIT K

DEMOLITION SCHEDULE


Highmark Stadium Demolition and Sitework
Master Activity Schedule
Task Name
Duration
Start
Finish
Highmark Stadium Demolition and Sitework
Procurement
Stadium Decommission and Demolition
Decommissioning and Demo
Mobilize
System Decommissioning- Select Demo
Salvaged Materials (FF&E, Memorabilia, etc.)
Asbestos Abatement
Mass Demolition
Sitework and Restoration
Project Completion
Page 1

FIRST AMENDMENT TO STADIUM DEVELOPMENT AND CONSTRUCTION COORDINATING AGREEMENT

by and among

THE COUNTY OF ERIE,
A New York municipal corporation,

ERIE COUNTY STADIUM CORPORATION,
A New York business corporation,

and

BILLS STADIUM AND EVENTS COMPANY, LLC,
A Delaware limited liability company

October 9, 2025

FIRST AMENDMENT TO STADIUM DEVELOPMENT AND CONSTRUCTION COORDINATING AGREEMENT

THIS FIRST AMENDMENT TO STADIUM DEVELOPMENT AND CONSTRUCTION COORDINATING AGREEMENT (this "First Amendment") is made as of the 9th day of October, 2025 (the "**Effective Date**"), by and among **THE COUNTY OF ERIE**, a New York municipal corporation, having an office and principal place of business at 95 Franklin Street, Buffalo, New York 14202 (the "**County**"), **ERIE COUNTY STADIUM CORPORATION**, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development, a public benefit corporation, having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**"), and **BILLS STADIUM AND EVENTS COMPANY, LLC**, a Delaware limited liability company, having an office and principal place of business at One Bills Drive, Orchard Park, New York 14127 ("**StadCo**"). The County, ECSC and StadCo are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties**".

RECITALS:

WHEREAS, the County, ECSC and StadCo are parties to that certain Stadium Development and Construction Coordinating Agreement dated as of March 29, 2023 (the "**Construction Coordinating Agreement**") with respect to the development, financing and construction of a new stadium and related amenities to be constructed on an approximately 242 acre parcel of real property in the town of Orchard Park, New York; and

WHEREAS, the Parties have agreed to amend certain portions of the Construction Coordinating Agreement to reflect various modifications to the relative rights and responsibilities of each party.

NOW, THEREFORE, in consideration of the agreements and undertakings hereinafter set forth, and for the other good and valuable consideration, the receipt and adequacy therefor being hereby acknowledged, the County, ECSC and StadCo agree as follows:

1. Recitals. The Recitals set forth above hereby are incorporated into and made a part of this Agreement as if fully set forth herein.

2. Definitions.

a. Section 1.2(gg) of the Construction Coordinating Agreement is hereby deleted in its entirety.

b. Section 1.2(ll) of the Construction Coordinating Agreement is hereby deleted in its entirety and replaced with the following:

> "Final Completion: The (i) delivery by StadCo to ECSC and the County of a written certification from the Architect establishing that the Project is completed and that all

Punch List Items and Corrective Work have been fully and completely performed in accordance with the Plans and Specifications, together with final waivers of lien and general releases from all Construction Providers, and (ii) receipt of a final Certificate of Occupancy for the New Stadium Complex."

c. Section 1(tt) of the Construction Coordinating Agreement is hereby amended to insert the words ", the Additional Land" between the words "the Current Stadium Land" and "and the New Stadium Land."

d. Section 1(iii) of the Construction Coordinating Agreement is hereby deleted in its entirety and replaced with the following:

"Project: The design, development and construction of the New Stadium Complex as outlined in Exhibit I hereto and in accordance with the Project Program Statement, as may be modified in accordance with this Agreement."

e. Section 1(iiii) of the Construction Coordinating Agreement is hereby deleted in its entirety and replaced with the following:

"Substantial Completion: The delivery by StadCo to the County and ECSC of (i) a Substantial Completion Certificate which certifies that except for Punch List Items, the Project been completed in accordance with the Plans and Specifications and describes in reasonable detail such Punch List Items, (ii) a temporary Certificate of Occupancy for the Project, and (iii) conditional waivers of lien and general releases from all Construction Providers."

f. Article 1 of the Construction Coordinating Agreement is hereby amended to add a new Section 1(mmmm) as follows:

"(mmmm) Additional Land: The portion of the Land described in Exhibit A-2 attached hereto ."

g. Except as modified hereby, all initially capitalized terms in this First Amendment which are not defined herein shall have the same meaning set forth in the Construction Coordinating Agreement.

3. Access and Land Conveyances. Article 7 of the Construction Coordinating Agreement is hereby amended to delete Sections 7.2 and 7.3 therefrom and to substitute the following paragraph as a new Section 7.2:

"7.2 Conveyance of Stadium Land, New Stadium Complex and Existing Stadium Complex. Upon Substantial Completion of the New Stadium Complex, (1) the County will deliver to ECSC a New York State statutory form of bargain and sale deed, conveying good, marketable and insurable (at standard rates) title to the Land together with the New Stadium Complex, the Existing Stadium Complex and all other improvements thereon, subject to a reserved easement on, over, across and through the Stadium Land, as applicable, for purposes of the County to (i) provide security at the New Stadium Complex and (ii) monitor compliance by ECSC and StadCo with

Applicable Laws and such further matters as the Parties deem appropriate, (2) the County will deliver to ECSC such assignments and other documentation as ECSC may reasonably require in order to confirm its ownership of any alterations, changes, improvements and fixtures of the New Stadium Complex the Existing Stadium Complex and all other improvements thereon subject, however, to the respective rights of StadCo in and to any such alterations, changes, improvements and fixtures pursuant to the terms of the New Stadium Lease, and (3) StadCo will deliver to ECSC, a New York State statutory form of bargain and sale deed, conveying good, marketable and insurable (at standard rates) title to the Additional Land (as hereinafter defined). Notwithstanding the conveyance of the New Stadium Complex contemplated by this Section 7.2, the Parties acknowledge and agree that the County shall continue to serve as the permitting Governmental Authority for the Project through Final Completion in accordance with Section 2.2(b)."

4. Exhibits.

a. A new exhibit entitled Additional Stadium Land is hereby added to the Construction Coordinating Agreement as **Exhibit A–2** in the form attached hereto.

b. **Exhibit C**, Budget, is hereby amended to remove line 5 thereof. Given that, as of the date of the First Amendment, Project Costs have already exceeded the Budget, the Parties acknowledge that the cost of the demolition of the Current Stadium Complex shall be borne entirely by StadCo.

c. **Exhibit J**, Master Project Schedule, is hereby deleted in its entirety and replaced with **Exhibit J** attached hereto.

d. **Exhibit L**, Project Program Statement, is hereby amended to delete the phrase ", including demolition of the Current Stadium," from the third paragraph of the Executive Summary, to delete the penultimate sentence of the fourth paragraph of the Executive Summary and to add the following new paragraph at the end of the General Concessions section on page 9 thereof: "The stadium plaza areas adjacent to the New Stadium may include, at the option of the Team, two (2) "Exterior Market" structures, approximately 2,000 square feet each, for fans to purchase pre-packaged food and beverages."

5. Conflicts. In the event of any conflict or inconsistency between the terms of this First Amendment and the Construction Coordinating Agreement, the terms of this First Amendment shall govern and control.

6. Effect of Amendment; Waiver. Except as otherwise provided for in this First Amendment, the Construction Coordinating Agreement shall remain in full force and effect in accordance with the original terms of the Agreement. This First Amendment amends, modifies, and supersedes to the extent of any inconsistencies, the provisions of the Agreement, including the terms of all schedules and exhibits thereto. All modifications or waivers must be in writing and signed by the Parties hereto. Failure to enforce any provision in the Construction Coordinating Agreement in a particular instance will not constitute a waiver of or preclude subsequent enforcement of these provisions.

7. Headings. The headings contained herein are inserted for convenience only and shall not affect the construction hereof.

8. Governing Law. This First Amendment and any dispute or controversy arising out of or relating to this First Amendment or the activities contemplated hereunder shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of law principles thereof. All legal proceedings arising out of or relating to this First Amendment or the activities contemplated hereunder shall be heard and determined exclusively in any state or federal court located in the Western District of New York or 8th Judicial District of the New York Supreme Court. Each Party hereby irrevocably waives (i) any claim that it is not subject to the personal jurisdiction of the above-named courts, (ii) any claim of immunity from the jurisdiction of any of the above-named courts or from any legal process, (iii) any claim that a legal proceeding brought as described above is brought in an inconvenient forum or improper venue, or (iv) any claim that this First Amendment or claims relating to the activities contemplated hereunder may not be enforced in or by any of the above-named courts. Each Party agrees that a final judgment in any legal proceeding brought consistent with the foregoing shall be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

9. Severability. In the event that any provision of this First Amendment shall be held invalid, illegal, or unenforceable under applicable law, the remainder of this First Amendment shall remain valid and enforceable, unless such invalidity, illegality or unenforceability substantially diminishes the rights and obligations, taken as a whole, of any Party.

10. Counterparts. This First Amendment may be executed in any number of counterparts and by different Parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and shall be binding upon all Parties, their successors and assigns, and all of which taken together constitute one and the same agreement.

11. NFL Approval. The Parties acknowledge and agree that the terms and conditions of this First Amendment are subject to final review and approval of the NFL.

[Signature Page to First Amendment follows]

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the day and year set forth above.

COUNTY OF ERIE

By: _____
Mark Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth, County Attorney

Approved as to Content:

_____
Lisa Chimera, Deputy County Executive

ERIE COUNTY STADIUM CORPORATION

By: _____
Name: Steven Ranalli
Title: President

BILLS STADIUM AND EVENTS COMPANY, LLC

By: _____
Name: Terrence M. Pegula
Title: Authorized Signatory

[Signature Page to First Amendment]

EXHIBIT A-2

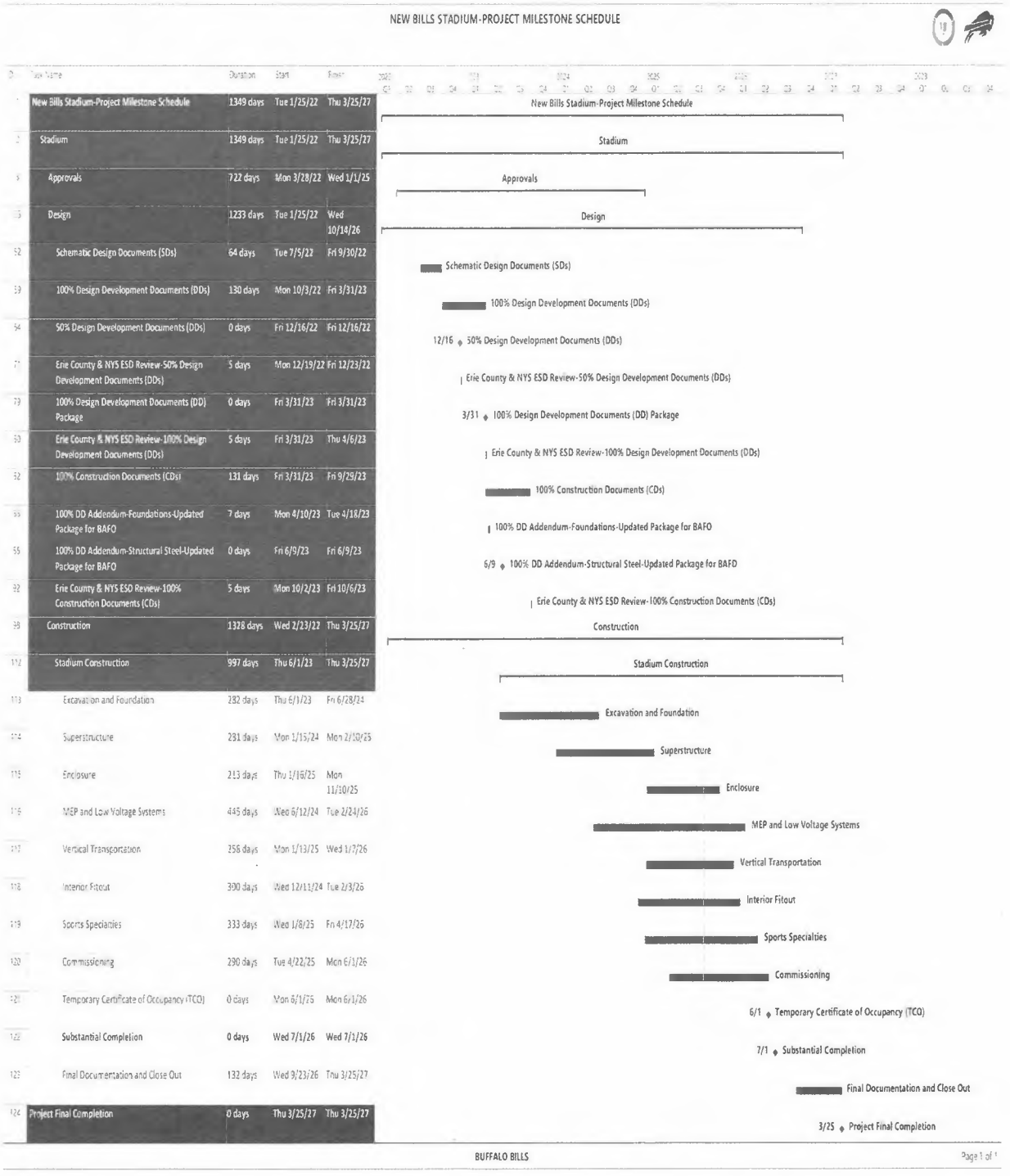
ADDITIONAL STADIUM LAND

All that tract or Parcel of Land, situated in the Town of Orchard Park, County of Erie and State of New York, being part of Lot 39, Township 9. Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Big Tree Road which is distant six hundred eighty six and ninety-five hundredths (686.95) feet westerly of the intersection of the center line of Big Tree Road with the easterly line of Lot 39 as measured along the center line of Big Tree Road, said point being also the southwesterly corner of land deeded to Bernard Cerajewski and Frances his wife by deed recorded in Erie County Clerk's Office in Liber 4895 of Deeds at page 289; running thence northerly along the westerly line of premises so deeded to said Bernard Cerajewski and Frances his wife eleven hundred and seventy and fifty-six hundredths (1170.56) feet to a point in the northerly line of premises conveyed to Mary Debotte by deed recorded in Erie County Clerk's Office in Liber 1648 of Deeds at Page 24; running thence westerly along the northerly line of premises so conveyed to Mary Debotte about four hundred and twenty (420) feet to the northwesterly corner of said land so deeded to said Mary Debotte; running thence southerly along the westerly line of lands so conveyed to said Mary Debotte about eleven hundred eleven and forty-four hundredths (1111.44) feet to the center line of Big Tree Road; running thence easterly along the center line of Big Tree Road to the point or place of beginning, excepting from the above described premises so much thereof as was appropriated by the State of New York for the Athol Springs - Orchard Park Pt 2 S.H. 1586, more fully described in an easement recorded in the Erie County Clerk's Office in Liber 4272 of Deeds, Page 401, on February 5, 1948.

EXHIBIT J

MASTER PROJECT SCHEDULE



	Task Name	Duration	Start	Finish
1	New Bills Stadium-Project Milestone Schedule	1349 days	Tue 1/25/22	Thu 3/25/27
2	Stadium	1349 days	Tue 1/25/22	Thu 3/25/27
3	Approvals	722 days	Mon 3/28/22	Wed 1/1/25
15	Design	1233 days	Tue 1/25/22	Wed 10/14/26
52	Schematic Design Documents (SDs)	64 days	Tue 7/5/22	Fri 9/30/22
53	100% Design Development Documents (DDs)	130 days	Mon 10/3/22	Fri 3/31/23
54	50% Design Development Documents (DDs)	0 days	Fri 12/16/22	Fri 12/16/22
71	Erie County & NYS ESD Review-50% Design Development Documents (DDs)	5 days	Mon 12/19/22	Fri 12/23/22
73	100% Design Development Documents (DD) Package	0 days	Fri 3/31/23	Fri 3/31/23
80	Erie County & NYS ESD Review-100% Design Development Documents (DDs)	5 days	Fri 3/31/23	Thu 4/6/23
82	100% Construction Documents (CDs)	131 days	Fri 3/31/23	Fri 9/29/23
95	100% DD Addendum-Foundations-Updated Package for BAFO	7 days	Mon 4/10/23	Tue 4/18/23
96	100% DD Addendum-Structural Steel-Updated Package for BAFO	0 days	Fri 6/9/23	Fri 6/9/23
97	Erie County & NYS ESD Review-100% Construction Documents (CDs)	5 days	Mon 10/2/23	Fri 10/6/23
98	Construction	1328 days	Wed 2/23/22	Thu 3/25/27
112	Stadium Construction	997 days	Thu 6/1/23	Thu 3/25/27
113	Excavation and Foundation	282 days	Thu 6/1/23	Fri 6/28/24
114	Superstructure	231 days	Mon 1/15/24	Mon 2/10/25
115	Enclosure	213 days	Thu 1/16/25	Mon 11/10/25
116	MEP and Low Voltage Systems	445 days	Wed 6/12/24	Tue 2/24/26
117	Vertical Transportation	256 days	Mon 1/13/25	Wed 1/7/26
118	Interior Fitout	390 days	Wed 12/11/24	Tue 2/3/26
119	Sports Specialties	333 days	Wed 1/8/25	Fri 4/17/26
120	Commissioning	290 days	Tue 4/22/25	Mon 6/1/26
121	Temporary Certificate of Occupancy (TCO)	0 days	Mon 6/1/26	Mon 6/1/26
122	Substantial Completion	0 days	Wed 7/1/26	Wed 7/1/26
123	Final Documentation and Close Out	132 days	Wed 9/23/26	Thu 3/25/27
124	Project Final Completion	0 days	Thu 3/25/27	Thu 3/25/27

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (together with all renewals, replacements, modifications and amendments thereof, this "**Agreement**") is made as of the 9th day of October, 2025 (the "**Effective Date**"), by and among **THE COUNTY OF ERIE**, a New York municipal corporation, having an office and principal place of business at 95 Franklin Street, Buffalo, New York 14202 (the "**County**"), **ERIE COUNTY STADIUM CORPORATION**, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development, a public benefit corporation, having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**"), and **BILLS STADIUM AND EVENTS COMPANY, LLC**, a Delaware limited liability company, having an office and principal place of business at One Bills Drive, Orchard Park, New York 14127 ("**StadCo**"). The County, ECSC and StadCo are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties**".

RECITALS

WHEREAS, the County is the owner in fee simple of an approximately 103 acres of real property located in the Town of Hamburg, New York known as 4041 Southwestern Blvd., Hamburg, New York, as shown on as more particularly described in Exhibit A attached hereto and made a part of this Agreement by reference (the "**ECC Parcel**"), currently used to house the South Campus of Erie Community College; and

WHEREAS, the County is the current owner of an approximately 57 acres of real property located in Town of Orchard Park, New York known as 4196 Abbott Road, Orchard Park, New York, as more particularly described in Exhibit B attached hereto and made a part of this Agreement by reference (the "**Stadium Parcel**") on which a stadium is currently under construction to serve as the home stadium for the Buffalo Bills NFL football franchise (the "**Stadium**"); and

WHEREAS, upon substantial completion of the Stadium, the County will convey the Stadium, together with the Stadium Parcel, the Stadium, all other improvements thereon and certain other adjacent land, to ECSC; and

WHEREAS, at such time, pursuant to a certain Stadium Lease Agreement, dated as of March 23, 2023, between ECSC, as landlord, and StadCo, as tenant (together with all renewals, replacements, modifications and amendments thereof, the "**Stadium Lease**"), the Stadium and the land conveyed by the County to ECSC will be leased to StadCo for a term of 30 years; and

WHEREAS, ECSC has requested, and the County has agreed, to grant a nonexclusive, perpetual access easement over and across that portion of the ECC Parcel that is located within the "**Reciprocal Access Easement Area**" (herein so called) shown and described on Exhibit C attached hereto and made a part of this Agreement by reference, subject in all events to the terms, provisions, and conditions of this Agreement; and

WHEREAS, the County has requested, and ECSC has agreed, to grant a nonexclusive, perpetual access easement over and across that portion of the Stadium Parcel that is located within the Reciprocal Access Easement Area shown and described on Exhibit C attached hereto and made a part of this Agreement by reference, subject in all events to the terms, provisions, and conditions of this Agreement;

and

WHEREAS, the ECC Parcel and the Stadium Parcel are sometimes referred to collectively herein as the "**Parcels**," and sometimes individually as a "**Parcel**."

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual grants and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to their respective easements, covenants, rights, duties, obligations, restrictions and responsibilities contained herein, and each of the Parties hereby declares that its respective property (i.e., the ECC Parcel or the Stadium Parcel) is to be held and shall be held, conveyed, encumbered, leased, used, occupied and improved subject to the provisions hereinafter set forth:

1. Incorporation of Recitals

   The foregoing recitals are true and correct and are incorporated herein by reference.

2. Grant of Reciprocal Access Easement

   Each of the Parties hereby grants to the other a nonexclusive, perpetual access easement and right of ingress and egress in, on, over, upon, to and from the paved roads and sidewalks on the portion of the granting Party's Parcel within the Reciprocal Access Easement Area (the "**Reciprocal Access Easement**"), for the purposes of providing vehicular and pedestrian ingress and egress for the Parcels to and from Southwestern Boulevard and Big Tree Road, all as shown on Exhibit C attached hereto. The Reciprocal Access Easement shall be effective on the Effective Date.

3. Use of Reciprocal Access Easement

   The Reciprocal Access Easement shall be used by each of the Parties solely for providing vehicular and pedestrian ingress and egress for its Parcel to and from each other and Southwestern Boulevard and Big Tree Road and for no other purpose. Each of the Parties shall comply with all federal, state, municipal, and other laws and ordinances in connection with its use of the Reciprocal Access Easement and shall not commit any act which shall constitute a nuisance or annoyance to the other Party or for any illegal purpose. No act shall be performed by either Party which would in any manner materially and adversely affect or obstruct the free and continuous use and enjoyment of the Reciprocal Access Easement by the other Party or such Party's licensees, agents, invitees, or employees. Each of the Parties agrees that it shall not erect any structures, permanent or otherwise, including gates or fences within the Reciprocal Access Easement Area without the prior written consent of the other Party, which consent shall be within such Party's sole discretion. Each of the Parties shall have the right to use that portion of the Reciprocal Access Easement Area located on its own Parcel for any purpose which is not in conflict with the Reciprocal Access Easement.

4. Relocation

   Either Party may at any time, at such Party's sole cost and expense, construct new improvements or make alterations (including, without limitation, reconstruction and additions) to the existing

improvements located within such Party's Parcel, and in connection therewith, may relocate any easement and easement area within such Parcel (an "**Easement Area**") granted to the other Party pursuant to this Agreement; provided, however, that such improvements, alterations or relocation of an easement shall not, without the other Party's express prior written consent: (i) materially diminish the benefits afforded to such other Party by such easement; (ii) unreasonably interrupt such other Party's use of such easement; (iii) materially increase the burdens or costs imposed upon the other Party or reduce the utility of the other Party's Parcel; or (iv) cause noncompliance of the other Party's Parcel (or any improvements thereon) or such other Party with any applicable laws or knowingly violate the requirements of any lease, franchise or licensing agreement pertaining to the use of the other Party's Parcel entered into in reliance on such easement.

5. Indemnity

Each of the Parties shall indemnify and defend the other against and save it harmless from, any and all claims, actions, damages, liability and expense (including, but not limited to, reasonable attorneys' fees) in connection with personal injury, loss of life, or property or other damage arising from or out of the indemnifying party's breach of this Agreement or use of the Reciprocal Access Easement, except to the extent of the negligence or willful misconduct of such indemnified Party, its licensees, agents, invitees or employees.

6. Maintenance and Repair of Reciprocal Access Areas

Subject to Section 5 of this Agreement, for so long as the Stadium lease shall remain in effect, StadCo, at StadCo's sole cost and expense, shall be responsible, consistent with customary and reasonable practices of prudent commercial property owners and managers with respect to similarly situated properties utilized for similar purposes in the Buffalo, New York metropolitan area, for the maintenance, repair, replacement and operation (including, without limitation, snow and ice removal and prevention as to any roadways or sidewalks) of any portion of the Reciprocal Access Easement Area. In connection with the performance of ECSC's obligations set forth in this Section 6, ECSC shall use reasonable efforts: (a) to minimize interference with any operations on ECC Parcel; (b) to not adversely materially obstruct or impede vehicular or pedestrian access to and from the ECC Parcel via Southwestern Boulevard and Big Tree Road; and (c) to not cause noncompliance of the ECC Parcel (or any improvements thereon) or the County with any applicable laws. Prior to performing any maintenance activity on ECC Parcel, StadCo shall provide reasonable advance written notice (except in the case of bona fide emergency) to the County stating the scope of the work to be performed, the date on which the work will commence and the date the work is expected to be completed.

Subject to Section 5 of this Agreement, upon the expiration or earlier termination of the Stadium Lease, each of the Parties shall be responsible, consistent with customary and reasonable practices of prudent commercial property owners and managers with respect to similarly situated properties utilized for similar purposes in the Buffalo, New York metropolitan area, for the maintenance, repair, replacement and operation (including, without limitation, snow and ice removal and prevention as to any roadways, sidewalks, drive aisles or parking areas) of any portion of the Reciprocal Access Easement Area or the Reciprocal Parking Easement Area on its Parcel (the "**Reciprocal Easement Maintenance and Repair Obligations**"). In connection with the

performance of a Party's Reciprocal Easement Maintenance and Repair Obligations set forth in this Section 6, each Party shall use reasonable efforts: (a) to minimize interference with the operations of the business located on the other Parcel; (b) to not materially and adversely obstruct or impede vehicular or pedestrian access to and from the ECC Parcel via Southwestern Boulevard and Big Tree Road; and (c) to not cause noncompliance of the other Party's Parcel (or any improvements thereon) or such other Party with any applicable laws. Any Party performing any maintenance activity on its Parcel which could affect the other Parcel (including, without limitation, any restriction or interruption of vehicular or pedestrian access or parking or other interference with the business operations of the other Party) shall provide reasonable advance written notice (except in the case of bona fide emergency) to the other Party stating the scope of the work to be performed, the date on which the work will commence and the date the work is expected to be completed.

7. Covenant Running with the Land

The Reciprocal Access Easement shall be deemed to be a covenant running with the land, and the rights and obligations stated herein with respect to such Reciprocal Access Easement shall be binding on the Parties and their respective heirs, successors, and assigns. The Parties shall cause this Agreement to be recorded in the Land Records of Erie County, within a reasonable period time following the full execution of this Agreement. The Reciprocal Access Easement, in addition to benefiting the benefited Parcel, shall be for the use and benefit of the then-owner of the benefited Parcel, and such owner's ground lessees, lessees, tenants, licensees, employees, invitees, agents, contractors, independent contractors, customers and guests.

8. Limitation of Liability

Notwithstanding anything herein to the contrary, neither Party shall have any liability hereunder for any expense or obligation whatsoever, unless such liability accrues while the relevant Party is the owner of record of the relevant Parcel. Any action brought by either Party to enforce the terms of this Agreement shall only be brought against the entity that owned the other Parcel the time the cause of action accrued, except that if the liability is of a continuing nature, then any Party who was a Parcel owner during such continuing period may be liable for such damage that occurred during its tenure as a Parcel owner.

9. Acceptance

Each Party, on behalf of itself and its successors and assigns, does accept the grant of the Reciprocal Access Easement benefiting its respective Parcel made by this Agreement upon the terms and conditions herein set forth.

10. Miscellaneous

a. All headings, captions and titles contained in this Agreement are intended for convenience of reference only and are not to be deemed or interpreted as a summary of the provisions to which they pertain or as a construction thereof.

b. If any provision of this Agreement shall be deemed to be invalid or unenforceable under applicable law, said provision shall be ineffective to the extent of such invalidity or unenforceability only, without in any way affecting the remaining provisions of this Agreement. This Agreement represents the final agreement between the Parties as to the subject matter described herein and may only be amended by a written instrument signed and notarized by both Parties and recorded in the Land Records of Erie County, New York.

c. This Agreement may be executed in counterparts, and when executed by both Parties shall constitute one and the same instrument.

d. Each Party covenants for itself that it has the full right and authority to enter into this Agreement according to the terms hereof.

e. The Effective Date of this Agreement shall be the earlier of (i) full and final execution of this Agreement by all Parties; (ii) the signed written consent and joinder to this Agreement by all existing secured lienholders of the Parties; and (iii) the substantial completion of the Stadium. If the term of the Stadium Lease fails to commence by June 1, 2028, this Agreement will be deemed null and void and of no effect.

f. Each Party agrees to secure and keep in force from and after the date hereof, at its own cost and expense insurance with such coverage and in such amounts as it deems commercially appropriate. Notwithstanding anything herein to the contrary, each Party agrees to secure and keep in force from and after the date hereof, at its own cost and expense Commercial General Liability Insurance on a per occurrence basis with a limit of liability in an amount of at least Two Million Dollars ($2,000,000). The other Party and its secured lenders and other designees shall be an additional insured on such policy as it applies to the insuring Party's Parcel. Certificates evidencing such insurance shall be provided promptly following a Party's written request.

g. The parties will do any and all further acts necessary or reasonably required to effectuate the transactions contemplated herein, including executing, acknowledging, delivering, filing and recording any and all documents and instruments as the other party may reasonably request to fully perfect the rights of such party under this Agreement, including a confirmatory version of this Agreement once the easement areas granted hereunder are platted. The Parties will cooperate with each other in preparing reports, instruments, and documents which, in the opinion of any Party, are reasonably required by any statute, rule or regulation or order of any governmental or administrative body in connection with the transactions contemplated herein.

h. This Agreement shall be governed by and construed in accordance with the laws of the State of New York without regard to its conflicts of laws provisions.

i. Except as otherwise expressly set forth in this Agreement, in the event of a breach of this Agreement by either Party (for purposes hereof, the "Defaulting Party"), which breach remains uncured for a period of more than thirty (30) days after written notice from the non-Defaulting Party (except in the event of an emergency), the non-Defaulting Party shall have all rights and remedies available to it at law, in equity or hereunder, including, without limitation, injunctive

relief and the recovery of its reasonable attorneys' fees and court costs.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year set forth above.

COUNTY OF ERIE

By: _____
Mark Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth, County Attorney

Approved as to Content:

_____
Lisa Chimera, Deputy County Executive

ERIE COUNTY STADIUM CORPORATION

By: _____
Name: Steven Ranalli
Title: President

BILLS STADIUM AND EVENTS COMPANY, LLC

By: _____
Name: Terrence M. Pegula
Title: Authorized Signatory

STATE OF NEW YORK

: SS.

COUNTY OF ERIE

On this ___ day of _____, in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark C Poloncarz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person on behalf of which the individual acted, executed the instrument.

_____

Notary Public

STATE OF NEW YORK

: SS.

COUNTY OF ERIE

On this ___ day of _____, in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven Ranalli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person on behalf of which the individual acted, executed the instrument.

_____

Notary Public

STATE OF NEW YORK

: SS.

COUNTY OF ERIE

On this ___ day of _____, in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Terrence M. Pegula, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person on behalf of which the individual acted, executed the instrument.

_____

Notary Public

EXHIBIT A
DESCRIPTION OF ECC PARCEL
(To Come Once Completed)

EXHIBIT B
DESCRIPTION OF STADIUM PARCEL

Being all that tract or parcel of land located on the west side of Abbott Road in the Town of Orchard Park, County of Erie, State of New York and being part of Lots 39 and 40, Township 9, Range 7 of the Holland Land Company's survey and further bounded and described as follows:

Commencing at the centerline of Abbott Road at its intersection with the centerline of Southwestern Boulevard;

thence S 5°19'26" E along the centerline of Abbott Road a distance of Five Hundred Thirty-Eight and Thirty-Four hundredths feet (538.34') to a point of curve in the centerline of Abbott Road as now laid out;

thence southerly along a curve to the right having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') and being the centerline of Abbott Road as now laid out an arc length of Nineteen and no hundredths feet (19.00') to its intersection with the north line of lands formerly conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469 and the point of beginning;

thence southerly along a curve to the right forming the centerline of Abbott Road as now laid out having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') an arc length of Five Hundred Four and Four hundredths feet (504.04') to a point of tangency;

thence S 10°22'02" W along the centerline of Abbott Road as now laid out and tangent to the last described curve a distance of Seven Hundred Sixty-Eight and Ninety-Three hundredths feet (768.93') to an angle point;

thence S 11°51'58" W along the centerline of Abbott Road as now laid out a distance of One Thousand Sixty-One and Seventy-Two hundredths feet (1,061.72') to the southeast corner of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence N 78°41'03" W a distance of Three Hundred Twenty and no hundredths feet (320.00') to an angle point in lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence S 11°51'58" W along an east line of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607 and parallel with the centerline of Abbott Road a distance of Three Hundred Twenty and no hundredths feet (320.00') to the northwest corner of lands conveyed by James F. Pirdy and wife to the County of Erie by Liber 8070 of Deeds at Page 377;

thence S 78°41'03" E a distance of One Hundred Twenty and no hundredths feet (120.00') to a point;
thence S 11°51'58" W and parallel with the centerline of Abbott Road a distance of One Hundred Forty and no hundredths feet (140.00') to a point;

thence S 78°41'02" E a distance of Two Hundred and no hundredths feet (200.00') to the centerline of Abbott Road at the northeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1, said point being Six Hundred Seventy-Five and Ten hundredths feet (675.10') north of the centerline of Big Tree Road as measured along said centerline of Abbott Road;

thence S 11°51'58" W along said centerline of Abbott Road as shown on SK 217-90 a distance of Four Hundred Fifty-Five and Fifteen hundredths feet (455.15') to the southeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1;

thence N 78°21'07" W a distance of Three Hundred Eighty-Two and Twenty-Six hundredths feet (382.26');

thence N 28°01'26" W a distance of Sixty-Nine and Thirty-Six hundredths feet (69.36'); thence N 80°00'42" W a distance of Ninety-Three and Forty hundredths feet (93.40');

thence N 76°20'34" W a distance of One Hundred Fifty and Thirteen hundredths feet (150.13'); thence N 85°10'45" W a distance of One Hundred and Sixty-Six hundredths feet (100.66'); thence N 80°36'35" W a distance of Fifty and One hundredths feet (50.01');

thence N 11°18'00" E a distance of Three and no hundredths feet (3.00');

thence N 84°44'22" W a distance of Fifty and Twenty-Eight hundredths feet (50.28'); thence N 11°18'00" E a distance of One and Fourteen hundredths feet (1.14');

thence N 81°18'40" W a distance of Thirty-Five and Three hundredths feet (35.03') to a point;
thence N 11°51'58" E and parallel with the centerline of Abbott Road a distance of Eight Hundred Seventy-One and Sixteen hundredths feet (871.16') to a point on the extension west of the north line of lands conveyed by James F. Pirdy to Frank Nucherno by Liber 8815 of Deeds at Page 624;

thence S 78°41'02" E and along the extension west of lands conveyed by Liber 8815 of Deeds at Page 624 a distance of Two Hundred Nineteen and Eighty-Four hundredths feet (219.84') to a point on the extension south of the west line of lands conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469;

thence N 00°01'46" E and along the west line of lands conveyed by Liber 1295 of Deeds at Page 469 and its extension south and also north a distance of Two Thousand One Hundred Ninety-Two and Eighty-Six hundredths feet (2,192.86') to the southerly line of Southwestern Boulevard being 100' wide;
thence N 64°45'18" E along the southerly line of Southwestern Boulevard a distance of One Hundred and no tenths feet (100.0');

thence S 0°01'46" W a distance of Fifty-Nine and Fourteen hundredths feet (59.14') to the north line of lands conveyed to E.I. DuPont DeNemours & Company;

thence S 89°14'02" E along the said north line a distance of Nine Hundred Fifty-Eight and Eighty-Two hundredths feet (958.82') to the point of beginning;

The said parcel containing 58.65 acres more or less.

EXHIBIT C
DEPICTION OF RECIPROCAL ACCESS EASEMENT AREA

ACCESS EASEMENT LANDS NOW OR FORMERLY
OF COUNTY OF ERIE
T.A. No. 160.16-1-12 / T.A. No. 161.00-5-1

Legal Description

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, as shown upon a map entitled "Proposed Access Easement, New Buffalo Bills NFL Stadium – Phase II," prepared by Azar Design Co., last dated June 10, 2025, and more particularly described as follows:

Access Easement

Beginning at the intersection of the northerly bounds of Big Tree Road (Right of Way Width Varies) with the division line of the Town of Orchard Park and the Town of Hamburg, Thence;

1) N 78°55'44" W, a distance of 143.30 feet to a point, Thence;
2) N 11°04'16" E, a distance of 17.00 feet to a point, Thence;
3) N 11°50'56" E, a distance of 613.83 feet to a point, Thence;
4) N 01°57'08" E, a distance of 59.11 feet to a point, Thence;
5) N 01°49'21" E, a distance of 130.02 feet to a point of curvature, Thence;
6) Along a curve to the right, having a chord bearing of N 10°41'29" E, chord length of 181.21 feet, and a radius of 600.16 feet to a point of tangency, Thence;
7) N 18°58'36" E, a distance of 218.96 feet to a point of curvature, Thence;
8) Along a curve to the left, having a chord bearing of N 00°08'16" E, chord length of 109.30 feet, and a radius of 169.25 feet to a point of tangency, Thence;
9) N 18°40'42" W, a distance of 181.10 feet to a point of curvature, Thence;
10) Along a curve to the right, having a chord bearing of N 08°38'25" W, chord length of 74.04 feet, and a radius of 202.89 feet to a point of tangency, Thence;
11) N 01°52'25" E, a distance of 611.64 feet to a point, Thence;
12) N 35°22'07" W, a distance of 161.67 feet to a point, Thence;
13) S 71°05'59" W, a distance of 519.60 feet to a point, Thence;
14) N 18°54'27" W, a distance of 29.60 feet to a point of curvature, Thence;
15) Along a curve to the left, having a chord bearing of N 27°51'17" E, chord length of 32.45 feet, and a radius of 22.32 feet to a point of tangency, Thence;
16) N 18°50'38" W, a distance of 23.57 feet to a point of curvature, Thence;

17) Along a curve to the left, having a chord bearing of N 35°39'12" W, chord length of 16.00 feet, and a radius of 27.98 feet to a point of reverse curvature, Thence;

18) Along a curve to the right, having a chord bearing of N 32°16'53" W, chord length of 31.73 feet, and a radius of 50.66 feet to a point of reverse curvature, Thence;

19) Along a curve to the left, having a chord bearing of N 21°55'54" W, chord length of 37.41 feet, and a radius of 347.25 feet to a point of tangency, Thence;

20) N 25°01'10" W, a distance of 95.49 feet to a point, Thence;

21) N 29°42'29" W, a distance of 4.95 feet to a point, Thence;

22) N 64°51'32" E, a distance of 54.29 feet to a point, Thence;

23) S 20°26'51" E, a distance of 4.82 feet to a point, Thence;

24) S 25°01'10" E, a distance of 95.73 feet to a point of curvature, Thence;

25) Along a curve to the right, having a chord bearing of S 21°55'54" E, chord length of 43.17 feet, and a radius of 400.75 feet to a point of tangency, Thence;

26) S 18°50'38" E, a distance of 41.44 feet to a point of curvature, Thence;

27) Along a curve to the left, having a chord bearing of S 58°15'27" E, chord length of 34.60 feet, and a radius of 27.25 feet to a point of tangency, Thence;

28) N 31°41'55" E, a distance of 3.48 feet to a point, Thence;

29) N 18°55'54" W, a distance of 12.29 feet to a point, Thence;

30) N 70°56'19" E, a distance of 33.14 feet to a point, Thence;

31) N 19°00'00" W, a distance of 9.36 feet to a point, Thence;

32) N 71°00'00" E, a distance of 7.93 feet to a point, Thence;

33) S 17°54'17" E, a distance of 16.22 feet to a point, Thence;

34) S 71°04'06" W, a distance of 5.27 feet to a point, Thence;

35) S 18°55'54" E, a distance of 5.91 feet to a point, Thence;

36) S 64°17'22" E, a distance of 3.20 feet to a point, Thence;

37) N 71°00'10" E, a distance of 33.58 feet to a point, Thence;

38) N 25°56'55" E, a distance of 3.18 feet to a point, Thence;

39) N 19°04'09" W, a distance of 18.79 feet to a point, Thence;

40) N 70°55'51" E, a distance of 77.50 feet to a point, Thence;

41) S 19°04'09" E, a distance of 18.84 feet to a point, Thence;

42) S 64°03'05" E, a distance of 3.18 feet to a point, Thence;

43) N70°57'58"E, a distance of 255.97 feet to a point of curvature, Thence;

44) Along a curve to the right, having a chord bearing of S85°50'52"E, chord length of 80.75 feet,

and a radius of 102.50 feet to a point of reverse curvature, Thence;

45) Along a curve to the left, having a chord bearing of S78°50'50"E, chord length of 44.35 feet, and a radius of 79.50 feet to a point of tangency, Thence;

46) N84°57'18"E, a distance of 53.50 feet to a point, Thence;

47) S01°53'31"W, a distance of 781.25 feet to a point, Thence;

48) S18°23'18"E, a distance of 65.46 feet to a point of curvature, Thence;

49) Along a curve to the left, having a chord bearing of S06°28'24"E, chord length of 43.10 feet, and a radius of 104.85 feet to a point of tangency, Thence;

50) S18°42'06"E, a distance of 130.23 feet to a point of curvature, Thence;

51) Along a curve to the right, having a chord bearing of S00°08'15"W, chord length of 136.11 feet, and a radius of 210.75 feet to a point of tangency, Thence;

52) S18°58'36"W, a distance of 136.55 feet to a point of curvature, Thence;

53) Along a curve to the left, having a chord bearing of S15°53'06"W, chord length of 64.42 feet, and a radius of 597.25 feet to a point of tangency, Thence;

54) S08°46'15"W, a distance of 86.24 feet to a point, Thence;

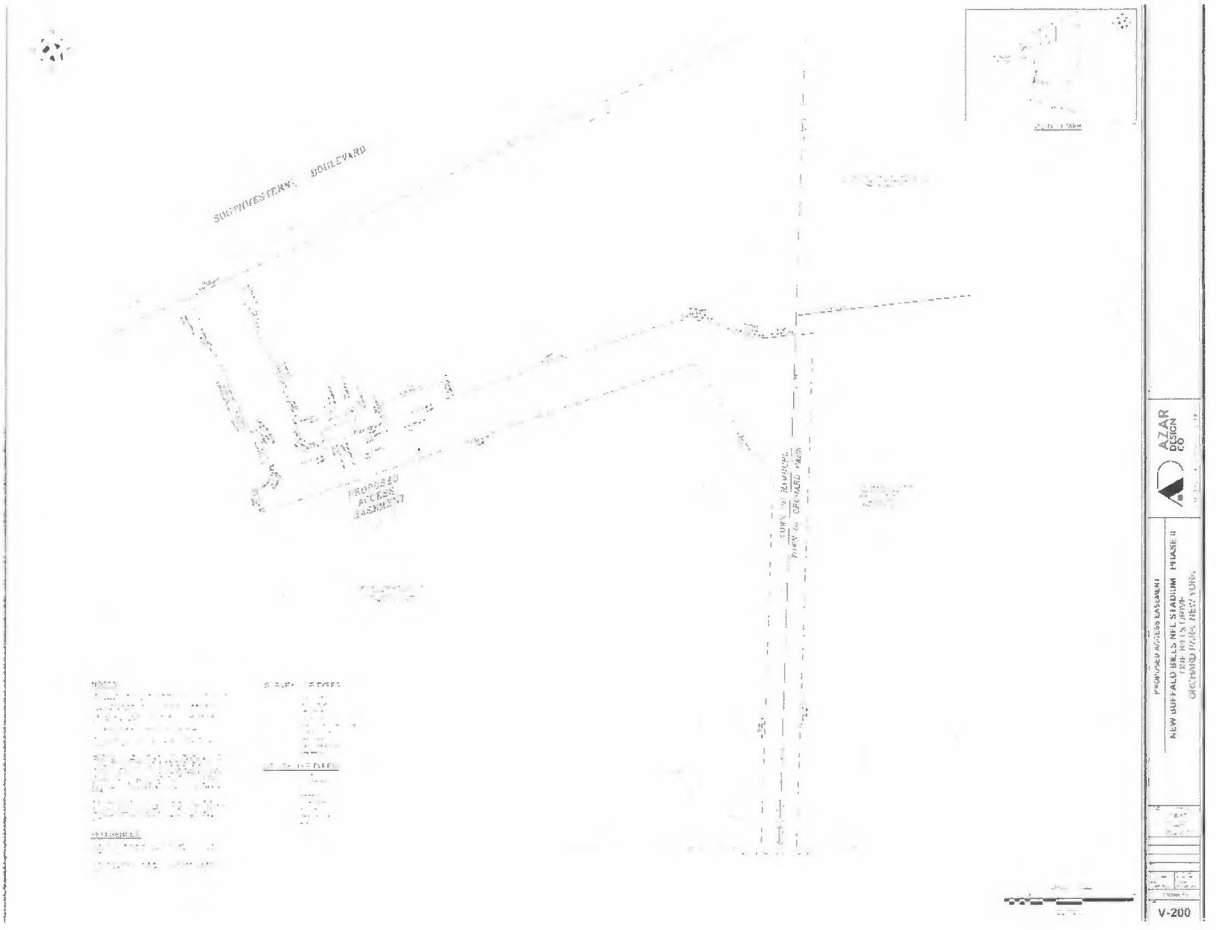
55) S01°58'48"W, a distance of 289.92 feet to a point of curvature, Thence;

56) Along a curve to the right, having a chord bearing of S06°35'31"W, chord length of 30.63 feet, and a radius of 168.77 feet to a point of tangency, Thence;

57) S 11°23'52" W, a distance of 181.13 feet to a point, Thence;

58) S 01°54'27" W, a distance of 431.81 feet back to the Point and Place of Beginning.

Containing 190,499 square feet or 4.373 acres more or less.


SOUTHWESTERN BOULEVARD
PROPOSED ACCESS EASEMENT
AZAR DESIGN
PROPOSED ACCESS EASEMENT
NEW BUFFALO BILLS NFL STADIUM - PHASE II
ORCHARD PARK, NEW YORK
V-200

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT (together with all renewals, replacements, modifications and amendments thereof, this "**Agreement**") , is made as of the 9th day of October, 2025 (the "**Effective Date**"), by and among **THE COUNTY OF ERIE,** a New York municipal corporation, having an office and principal place of business at 95 Franklin Street, Buffalo, New York 14202 (the "**County**"), and **BILLS STADIUM AND EVENTS COMPANY, LLC,** a Delaware limited liability company, having an office and principal place of business at One Bills Drive, Orchard Park, New York 14127 ("**StadCo**"). The County and StadCo are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties**."

RECITALS

WHEREAS, the County is the owner in fee simple of an approximately 103 acres of real property located in the Town of Hamburg, New York known as 4041 Southwestern Blvd., Hamburg, New York, as more particularly described in **Exhibit A** attached hereto and made a part of this Agreement by reference (the "**ECC Parcels**"), currently used to house the South Campus of SUNY Erie State University of New York; and

WHEREAS, the County is the current owner of an approximately 57 acres of real property located in the Town of Orchard Park, New York known as 4196 Abbott Road, Orchard Park, New York, as more particularly described in **Exhibit B** attached hereto and made a part of this Agreement by reference (the "**Stadium Parcel**") on which a stadium is currently under construction to serve as the home stadium for the Buffalo Bills NFL football franchise (the "**Stadium**"); and

WHEREAS, upon substantial completion of the Stadium, the County will convey the Stadium, together with the Stadium Parcel, and all other improvements thereon and certain other adjacent land, to Erie County Stadium Corporation, a New York business corporation and wholly-owned subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development, a public benefit corporation, having an office and principal place of business at 633 Third Avenue, New York, New York 10017-6754 ("**ECSC**") ; and

WHEREAS, at such time, pursuant to a certain Stadium Lease Agreement, dated as of March 23, 2023, between ECSC, as landlord, and StadCo, as tenant (together with all renewals, replacements, modifications and amendments thereof, the "**Stadium Lease**"), the Stadium and the land conveyed by the County to ECSC will be leased to StadCo for a term of 30 years; and

WHEREAS, StadCo has requested, and the County has agreed, to grant to StadCo, for a period concurrent with the term of Stadium Lease, the license and privilege of accessing and utilizing the portion of the ECC Parcels described in **Exhibit C** attached hereto and made a part of this Agreement by reference (the "**Licensed Premises**") for the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge from the Stadium Parcel (the "**Licensed Use**").

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual grants and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree to their respective covenants, rights, duties,

obligations, restrictions, and responsibilities as follows:

1. **Incorporation of Recitals**

The foregoing recitals are true and correct and are incorporated herein by reference.

2. **Right-of-Entry and License**

For purposes of this Agreement, the County hereby grants StadCo a revocable right-of-entry and exclusive license to enter upon, use, and occupy the Licensed Premises for the Licensed Use during the Term of this Agreement (the "**License**"). Notwithstanding such grant of exclusivity, the County hereby reserves to itself and any successor owner of the Licensed Premises, the right to jointly utilize the wet pond stormwater retention basins and bio retention area constructed by StadCo within the License Premises for the sole purpose of stormwater discharge from the ECC Parcel, provided such joint use does not impair, limit or otherwise prevent StadCo from fully utilizing such facilities for stormwater discharge from the Stadium Parcel.

a. StadCo shall also cause any other third party using the Licensed Premises at the direction of either ECSC or StadCo to coordinate with the County with respect to the use of the Licensed Premises.

b. StadCo shall maintain the Licensed Premises including fixtures and appurtenances and preserve the Licensed Premises in good order and condition.

c. StadCo shall, at its own expense, comply with provisions of applicable State, Federal and local laws, rules, and regulations relative to the use of the Licensed Premises and the terms of this Agreement.

3. **Term**

a. The term of this License (the "**Term**") shall begin on the Effective Date and terminate at the end of the term of the Stadium Lease unless this License is terminated or revoked in accordance with the terms and conditions of this Agreement.

4. **Consideration For Use**

a. StadCo shall pay the County for the utilization of the Licensed Premises the annual sum of Twenty-Five Thousand Dollars ($25,000), the first installment of which shall become due on the Commencement Date of the Stadium Lease with subsequent annual installments becoming due on June 1 of each year thereafter during the Term ("**License Payment**"). Payments shall be transmitted within fifteen (15) days of the due date each year during the Term.

5. **Access to Premises**

a. The County agrees that upon the Effective Date StadCo shall have non-exclusive access to the roadway entrance(s) and exit(s) of the ECC Parcels for purposes of accessing the Licensed Premises.

6. **Hazardous Materials**

a. StadCo shall not store, release, or discharge any Hazardous Materials (defined below) on the Licensed Premises. The term " **Hazardous Materials**" as used herein includes, without limitation, gasoline, petroleum products, explosives, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances, polychlorinated biphenyls or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as may be defined as a hazardous or toxic substance by any Federal, state or local environmental law, ordinance, rule, or regulation, including without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C Section 9601, et seq.), the Hazardous Materials Transportation Act, as amended (42 U.S.C. Section 1801 et seq.), the Resource Conservation Act, as amended (42 U.S.C. Section 1251 et seq.), the Clean Air Act, as amended (42 U.S.C. Section 7401 et seq.) and in the regulations adopted and publications promulgated pursuant thereto.

7. **Damage; Environmental Conditions**

a. During the Term, StadCo shall promptly repair, at no cost to the County, any damage caused by StadCo to the Licensed Premises, including without limitation, the dumping or release of Hazardous Materials, and shall return the Licensed Premises to the condition existing immediately prior to the occurrence of the damage.

b. Prior to expiration or termination of this Agreement, StadCo agrees to: 1) repair, at no cost to the County, any damage to the Licensed Premises caused by StadCo, including without limitation, removal and/or remediation of any Hazardous Materials placed on the Licensed Premises by StadCo, 2) remove all materials introduced to the Licensed Premises during the Term of this Agreement, and 3) restore the surface of the Licensed Premises to grade.

c. In the event within six months of the expiration or termination of this Agreement, StadCo fails to fully remove all materials introduced to the Licensed Premises during the Term or fails to restore the Licensed Premises as described above, the County may undertake such work, and StadCo shall reimburse the County for all costs associated with removal of materials, and restoration of the Licensed Premises.

8. **Environmental Considerations and Stormwater Prevention Plan**

a. As an express condition of this Agreement, StadCo, and all contractors or other persons on the Licensed Premises, will fully comply with all actions outlined in the New York State Environmental Assessment Form Revised Technical Addendum to the Buffalo Bills New Stadium Complex dated November 23, 2022, including but not limited to those concerning protecting the quality of life in the man-made and natural environment, protecting ground and surface water, protecting air quality, protecting historic and archaeological resources, traffic control, and noise odor and light control.

9. **Maintenance**

a. StadCo shall, at its own expense, provide for all care and maintenance of the Licensed Premises

reasonably necessary to maintain the Leased Premises in good condition and repair and in compliance with all required regulatory licenses and permits.

10. **Changes to Premises**

a. StadCo shall be allowed to construct improvements or changes to the Licensed Premises pursuant to plans and specifications prepared by StadCo and granted approval by the County. StadCo shall be responsible for obtaining any required regulatory licenses or permits.

11. **Insurance**

a. On or contemporaneous with the Effective Date, StadCo shall provide to the County insurance certificates in amounts and types required by the County as set forth herein. Such certificates shall identify the County of Erie (and for so long as the ECC Parcels is used for the operation of Erie Community College, Erie Community College) and ECSC as additional insureds. Such certificates shall reflect that StadCo carries:

1) Commercial General Liability Insurance on a per occurrence basis in an amount of at least five million dollars ($5,000,000),

2) $2,000,000 CSL Automobile Liability,

3) $1,000,000 Professional Liability, and

4) $1,000,000 Excess/Umbrella Liability.

Additionally, StadCo shall provide to the County evidence of Workers Compensation and Disability coverage in accordance with New York State statutory requirements.

b. StadCo shall cause to be included in each of its policies a waiver of the insurer's right of subrogation against the County and ECSC. All required insurance hereunder shall be primary and non-contributory to any insurance or self-insurance maintained by the County and ECSC and StadCo shall be required provide written notice to the County and ECSC within thirty (30) days of the cancellation, non-renewal, or material alteration of such policies, which notice shall be evidenced by return receipt of United State Certified Mail.

12. **Relationship of Parties**

a. The Parties understand and agree that no agency, employment, partnership, or joint venture is created by this Agreement. The Parties further agree that neither is the general agent of the other, and no representation shall be made by any Party that would create an apparent agency, employment, partnership, or joint venture. Neither Party shall have the authority to act for the other in any manner, nor create obligations or debts that would be binding upon the other.

13. **Scheduling**

a. For so long as the County owns the ECC Parcel, StadCo shall use commercially reasonable efforts to not interfere with any operations on the ECC Parcels and shall work with the County's

Business Manager-Risk Assessment to coordinate with respect to any modifications or improvements at the Licensed Premises.

14. **Inspection**

a. StadCo agrees that the County (and for so long as the ECC Parcels is used for the operation of Erie Community College, Erie Community College) personnel may enter upon the Licensed Premises herein described at reasonable times to inspect for conformity with this Agreement, provided that such access must be coordinated with StadCo to ensure compliance with all safety requirements and avoid any interference with any operations on the Licensed Premises.

15. **No Warranty**

a. StadCo acknowledge and agree that the Licensed Premises are provided for their use "as is, where is" without warranty of any type or kind, including any warranty that either is merchantable or fit for StadCo's intended use or for any other particular purpose. StadCo assumes the entire risk that the Licensed Premises does not satisfy its needs or expectations in any respect, regardless of whether any defect or deficiency is caused in whole or in part by the County's negligence or other fault.

16. **Liability**

a. StadCo shall be responsible for any and all damages or loss by theft or otherwise of property whether such property shall belong to the County or to others.

b. StadCo assumes all risk incidental to the use of the Licensed Premises and shall be solely responsible for any and all accidents and injuries to persons and property (including death) arising out of or in connection with StadCo's use of the Licensed Premises and hereby covenants and agrees to defend, indemnify, and hold harmless the County (and for so and for so long as the ECC Parcels are used for the operation of Erie Community College, Erie Community College) and ECSC, and their respective directors, officers, employees, and agents, from any and all claims, actions, suits, costs and expenses (including reasonable attorney fees) arising from StadCo's use of the Licensed Premises and/or use of Licensed Premises by StadCo's agents, representatives, hired contractors, or invitees for the purposes outlined in this Agreement, except for those claims or actions arising as a result of gross negligence or willful misconduct on the part of the County, ECSC or Erie Community College.

17. **Staff**

a. The Parties understand that services for the Licensed Use will be provided by StadCo, and others as necessary for the operation and maintenance of the detention ponds and areas located therein.

(i) In accordance with applicable law, StadCo shall be responsible for and shall maintain good discipline and proper behavior on the part of all StadCo staff acting in the course and scope of their employment and agrees to remove StadCo staff

involved in the Licensed Use whose actions, or failure to act, shall in the reasonable judgment of the County, after consulting with StadCo and providing StadCo with documentation of any alleged improper actions or behavior, be deemed to be detrimental to the County.

(ii) In addition, StadCo shall work with the County regarding the actions of other persons or entities in any way involved with the Licensed Use and agrees to remove any personnel of such other entities/persons involved in the Licensed Use whose actions, or failure to act, shall in the sole reasonable judgment of the County, after consulting with StadCo, be deemed to be detrimental to County.

18. **Binding Agreement**

a. The Parties acknowledge that the terms and conditions of this Agreement shall inure to the benefit of and shall be binding upon the Parties and their respective successors, and assigns.

19. **Revocation of License and Restoration of Licensed Premises Upon End of Term**

a. Each of the County and StadCo shall have the right, upon 365 days' prior written notice to the other Parties to terminate this Agreement and the License for any reason or no reason.

b. Upon the conclusion of the Term of this License, whether by reason of the County's election to revoke the License, expiration of the Term or termination following default by StadCo in accordance with Paragraph 21 of this Agreement, StadCo's annual license fee obligations pursuant to Paragraph 4a shall cease and StadCo shall, at its sole cost and expense, remove any installations or alterations to the Licensed Premises and restore the Licensed Premises to grade.

20. **Notices**

a. Unless otherwise provided in this Agreement, any agreement, notice, request, consent, approval, instruction or other communication to be given hereunder by any Party to the others shall be in writing and (i) delivered personally, (ii) mailed by certified mail, postage prepaid; or (iii) sent by recognized overnight courier service, addressed to the Party for whom it is intended at its address set forth below; provided that any Party may designate in a writing to the other Parties any other address, or telecopier number to which, and any other Person to whom or which, a copy of any such notice, request, instruction or other communication should be sent. All notices shall be effective upon receipt or rejection only.

To the County: County Executive
Rath County Office Building
95 Franklin Street
Buffalo, New York 14202
Telephone: (716) 858-8500

With a copy at the same time and in the same manner to:

Erie County Attorney's Office
Rath County Office Building
95 Franklin Street
Buffalo, New York 14202
Attention: County Attorney
Telephone: (716) 858-2208

To ECSC:

c/o Empire State Development
633 Third Avenue
New York, New York 10017-6754
Attention: General Counsel
Telephone: (212) 803-3750

With a copy at the same time and in the same manner to:

c/o Empire State Development
95 Perry Street, 5th Floor
Buffalo, New York 14202
Attention: Regional Director
Telephone: (716) 846-8200

To StadCo:

Pete Guelli
Executive Vice President & Chief Operating Officer
Bills Stadium and Events Company, LLC
One Bills Drive
Orchard Park, NY 14127
Telephone: (716) 648-1800

With a copy at the same time and in the same manner to:

General Counsel
Bills Stadium and Events Company, LLC
One Bills Drive
Orchard Park, NY 14127
Telephone: (716) 648-1800

21. **Termination**

a. The Parties shall have the right to terminate this Agreement as the result of an uncured Event of Default as set forth in Paragraph 23.

22. **Default** The following events are referred to collectively as "**Events of Default**" or individually as an "**Event of Default**":

a. StadCo fails to make any of the required License Payments set forth in Paragraph 3 within

fifteen (15) days of the due date of same, provided that the County shall send StadCo written notice of the default StadCo shall have ten (10) business days upon receipt of the written notice to cure the default by becoming current with the then due payment.

b. StadCo fails to maintain the Licensed Premises to the reasonable satisfaction of the County and fails or refuses to correct such unacceptable conditions within a reasonable time after having been given notice thereof.

c. StadCo vacates or abandons the Licensed Premises.

d. StadCo utilizes the Licensed Premises for any purpose other than the Licensed Use.

e. StadCo breaches any of the other material terms or conditions of this Agreement and such breach remains uncured thirty (30) days after the County provides StadCo written notice of same, or if such breach cannot be cured within thirty (30) days receipt of the County's written notice of same, StadCo fails to diligently commence and pursue the cure for such breach within thirty (30) days receipt of the County's written notice to StadCo of same.

f. The County fails to permit, interferes with, or otherwise materially frustrates StadCo's use of the Licensed Premises for the Licensed Use during the Term.

23. **Remedies For Default** If any one or more Events of Default by StadCo set forth above occurs, then the County has sole discretion:

a. To give StadCo ten (10) days written notice of the termination of the Agreement. and thereafter StadCo's right of entry to the Licensed Premises will cease and this Agreement will be terminated, except as to StadCo's liabilities pre-existing the termination, as if the expiration of the Term fixed in such notice was the end of the Term or the end of the then-current extension; and

b. Upon the same ten (10) days written notice of the termination as a result of the Event of Default as described in subsection 22(a), to reenter and take possession of the Licensed Premises, repossess the same and expel StadCo using such lawful force for such purposes as may be necessary without being liable for prosecution, without being deemed guilty of any manner of trespass, and without prejudice to any remedies for arrears of License Payments due and owing prior to the date of termination or other amounts due and owing under this Agreement prior to termination or as a result of any preceding breach or conveyance conditions; provided that no License Payments shall be due for the remainder of the Term that would have occurred but for termination, and StadCo shall be entitled to a pro rata refund of any License Payment prepaid for a year during the Term that had not concluded prior to the date of termination.

24. **Amendments and Extensions**

a. This Agreement embodies the entire agreement between the Parties and supersedes any and all prior understandings or commitments concerning the Licensed Use and Licensed Premises. Any amendments or extensions of this Agreement must be in writing executed by both Parties.

25. **Governing Law**

a. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any legal actions, claims or demands shall be handled in a court of competent jurisdiction within the County.

26. **Counterparts and Electronic Signature**

a. This Agreement may be executed in two or more counterparts and by different parties on separate counterparts by original ink signature or by electronic mark or signature, all of which will be considered one and the same agreement and each of which will be deemed an original.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year set forth above.

COUNTY OF ERIE

By: _____
Mark Poloncarz, County Executive

Approved as to Form:

_____
Jeremy Toth, County Attorney

Approved as to Content:

_____
Lisa Chimera, Deputy County Executive

BILLS STADIUM AND EVENTS COMPANY, LLC

By: _____
Name: Terrence M. Pegula
Title: Authorized Signatory

EXHIBIT A
DESCRIPTION OF ECC PARCEL
(To Come Once Completed)

EXHIBIT B
DESCRIPTION OF STADIUM PARCEL

Being all that tract or parcel of land located on the west side of Abbott Road in the Town of Orchard Park, County of Erie, State of New York and being part of Lots 39 and 40, Township 9, Range 7 of the Holland Land Company's survey and further bounded and described as follows:

Commencing at the centerline of Abbott Road at its intersection with the centerline of Southwestern Boulevard;

thence S 5°19'26" E along the centerline of Abbott Road a distance of Five Hundred Thirty-Eight and Thirty-Four hundredths feet (538.34') to a point of curve in the centerline of Abbott Road as now laid out;

thence southerly along a curve to the right having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') and being the centerline of Abbott Road as now laid out an arc length of Nineteen and no hundredths feet (19.00') to its intersection with the north line of lands formerly conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469 and the point of beginning;

thence southerly along a curve to the right forming the centerline of Abbott Road as now laid out having a radius of One Thousand Nine Hundred Nine and Eighty-Six hundredths feet (1,909.86') an arc length of Five Hundred Four and Four hundredths feet (504.04') to a point of tangency;

thence S 10°22'02" W along the centerline of Abbott Road as now laid out and tangent to the last described curve a distance of Seven Hundred Sixty-Eight and Ninety-Three hundredths feet (768.93') to an angle point;

thence S 11°51'58" W along the centerline of Abbott Road as now laid out a distance of One Thousand Sixty-One and Seventy-Two hundredths feet (1,061.72') to the southeast corner of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence N 78°41'03" W a distance of Three Hundred Twenty and no hundredths feet (320.00') to an angle point in lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607;

thence S 11°51'58" W along an east line of lands conveyed to the County of Erie by Liber 7551 of Deeds at Page 607 and parallel with the centerline of Abbott Road a distance of Three Hundred Twenty and no hundredths feet (320.00') to the northwest corner of lands conveyed by James F. Pirdy and wife to the County of Erie by Liber 8070 of Deeds at Page 377;

thence S 78°41'03" E a distance of One Hundred Twenty and no hundredths feet (120.00') to a point;
thence S 11°51'58" W and parallel with the centerline of Abbott Road a distance of One Hundred Forty and no hundredths feet (140.00') to a point;

thence S 78°41'02" E a distance of Two Hundred and no hundredths feet (200.00') to the centerline of Abbott Road at the northeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1, said point being Six Hundred Seventy-Five and Ten hundredths feet (675.10') north of the centerline of Big Tree Road as measured along said centerline of Abbott Road;

thence S 11°51'58" W along said centerline of Abbott Road as shown on SK 217-90 a distance of Four Hundred Fifty-Five and Fifteen hundredths feet (455.15') to the southeast corner of lands of the County of Erie as shown on SK 217-90 and known as Parcel No. 1;

thence N 78°21'07" W a distance of Three Hundred Eighty-Two and Twenty-Six hundredths feet (382.26');

thence N 28°01'26" W a distance of Sixty-Nine and Thirty-Six hundredths feet (69.36'); thence N 80°00'42" W a distance of Ninety-Three and Forty hundredths feet (93.40');

thence N 76°20'34" W a distance of One Hundred Fifty and Thirteen hundredths feet (150.13'); thence N 85°10'45" W a distance of One Hundred and Sixty-Six hundredths feet (100.66'); thence N 80°36'35" W a distance of Fifty and One hundredths feet (50.01');

thence N 11°18'00" E a distance of Three and no hundredths feet (3.00');

thence N 84°44'22" W a distance of Fifty and Twenty-Eight hundredths feet (50.28'); thence N 11°18'00" E a distance of One and Fourteen hundredths feet (1.14');

thence N 81°18'40" W a distance of Thirty-Five and Three hundredths feet (35.03') to a point;
thence N 11°51'58" E and parallel with the centerline of Abbott Road a distance of Eight Hundred Seventy-One and Sixteen hundredths feet (871.16') to a point on the extension west of the north line of lands conveyed by James F. Pirdy to Frank Nucherno by Liber 8815 of Deeds at Page 624;

thence S 78°41'02" E and along the extension west of lands conveyed by Liber 8815 of Deeds at Page 624 a distance of Two Hundred Nineteen and Eighty-Four hundredths feet (219.84') to a point on the extension south of the west line of lands conveyed to E.I. DuPont DeNemours & Company by Liber 1295 of Deeds at Page 469;

thence N 00°01'46" E and along the west line of lands conveyed by Liber 1295 of Deeds at Page 469 and its extension south and also north a distance of Two Thousand One Hundred Ninety-Two and Eighty-Six hundredths feet (2,192.86') to the southerly line of Southwestern Boulevard being 100' wide;
thence N 64°45'18" E along the southerly line of Southwestern Boulevard a distance of One Hundred and no tenths feet (100.0');

thence S 0°01'46" W a distance of Fifty-Nine and Fourteen hundredths feet (59.14') to the north line of lands conveyed to E.I. DuPont DeNemours & Company;

thence S 89°14'02" E along the said north line a distance of Nine Hundred Fifty-Eight and Eighty-Two hundredths feet (958.82') to the point of beginning;

The said parcel containing 58.65 acres more or less.

EXHIBIT C
LICENSED PREMISES

PROPOSED POND EASEMENTS
LANDS NOW OR FORMERLY OF
COUNTY OF ERIE

T.A. No. 160.16-1-12

Legal Description

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, as shown upon a map entitled "Proposed Pond Easements, New Buffalo Bills NFL Stadium – Phase II," prepared by Azar Design Co., last dated May 29, 2025, and more particularly described as follows:

Pond Easement "A"

Beginning at a point on the southerly bounds of Southwestern Boulevard (100' Right of Way), said point being 780.66 feet southwesterly from the division line of the Town of Orchard Park and the Town of Hamburg, Thence;

1) S 29°25'08" E, a distance of 4.95 feet to a point, Thence;
2) S 25°01'10" E, a distance of 95.49 feet to a point of curvature, Thence;
3) Along a curve to the right, having a chord bearing of S 21°55'54" E, chord length of 37.62 feet, and a radius of 349.25 feet to a point of tangency, Thence
4) S 18°50'38" E, a distance of 5.30 feet to a point of curvature, Thence;
5) Along a curve to the left, having a chord bearing of S 33°50'38" E, chord length of 23.68 feet, and a radius of 45.75 feet to a point of tangency, Thence
6) S 48°50'38" E, a distance of 3.90 feet to a point of curvature, Thence;
7) Along a curve to the right, having a chord bearing of S 33°50'38" E, chord length of 15.14 feet, and a radius of 29.25 feet to a point of tangency, Thence
8) S 18°50'38" E, a distance of 23.57 feet to a point of curvature, Thence;
9) Along a curve to the right, having a chord bearing of S 26°03'33" W, chord length of 34.24 feet, and a radius of 24.25 feet to a point of tangency, Thence
10) S 69°27'25" W, a distance of 11.26 feet to a point, Thence;
11) S 71°06'36" W, a distance of 417.62 feet to a point, Thence;
12) N 87°16'21" W, a distance of 17.48 feet to a point of curvature, Thence;
13) Along a curve to the right, having a chord bearing of N 42°03'53" W, chord length of 19.35 feet, and a radius of 24.91 feet to a point of tangency, Thence
14) N 18°55'22" W, a distance of 125.59 feet to a point, Thence;

15) N 19°42'06" W, a distance of 27.26 feet to a point, Thence;

16) N 64°26'34" E, a distance of 17.01 feet to a point, Thence;

17) N 59°30'11" E, a distance of 52.72 feet to a point, Thence;

18) N 64°51'32" E, a distance of 386.10 feet back to the Point and Place of Beginning.

Containing 96,113 square feet or 2.206 acres more or less.

Pond Easement "B"

Beginning at a point on the southerly bounds of Southwestern Boulevard (100' Right of Way),

said point being 18.47 feet southwesterly from the division line of the Town of Orchard Park and the Town of Hamburg, Thence;

1) S 00°00'00" E, a distance of 14.50 feet to a point, Thence;
2) N 64°51'32"E, a distance of 17.94 feet to a point, Thence;
3) S 01°50'30"W, a distance of 363.37 feet to a point, Thence;
4) S 84°57'18"W, a distance of 32.37 feet to a point of curvature, Thence;
5) Along a curve to the right, having a chord bearing of N 78°50'50" W, chord length of 45.47 feet, and a radius of 81.50 feet to a point of reverse curvature, Thence
6) Along a curve to the left, having a chord bearing of N 85°50'52" W, chord length of 79.18 feet, and a radius of 100.50 feet to a point of tangency, Thence
7) S 70°57'58"W, a distance of 255.97 feet to a point, Thence;
8) N 64°03'05"W, a distance of 6.01 feet to a point, Thence;
9) N 19°04'09"W, a distance of 16.84 feet to a point, Thence;
10) S 70°55'51"W, a distance of 73.50 feet to a point, Thence;
11) S 19°04'09"E, a distance of 16.79 feet to a point, Thence;
12) S 25°56'55"W, a distance of 6.01 feet to a point, Thence;
13) S 71°00'10"W, a distance of 33.57 feet to a point, Thence;
14) N 64°12'04"W, a distance of 6.04 feet to a point, Thence;
15) N 18°55'54"W, a distance of 6.00 feet to a point, Thence;
16) N 46°50'04"E, a distance of 4.66 feet to a point, Thence;
17) N 34°06'50"E, a distance of 8.03 feet to a point, Thence;
18) N 18°51'02"W, a distance of 13.17 feet to a point, Thence;

19) S 71°32'23"W, a distance of 11.06 feet to a point, Thence;

20) N 19°00'00"W, a distance of 7.16 feet to a point, Thence;

21) S 70°55'46"W, a distance of 30.42 feet to a point, Thence;

22) S 19°02'46"E, a distance of 26.69 feet to a point, Thence;

23) S 71°04'06"W, a distance of 0.75 feet to a point, Thence;

24) S 18°55'54"E, a distance of 6.00 feet to a point, Thence;

25) S 31°41'55"W, a distance of 6.57 feet to a point of curvature, Thence;

26) Along a curve to the right, having a chord bearing of N 58°15'27" W, chord length of 37.14 feet, and a radius of 29.25 feet to a point of tangency, Thence

27) N 18°50'38" W, a distance of 41.44 feet to a point of curvature, Thence;

28) Along a curve to the left, having a chord bearing of N 21°55'54" W, chord length of 42.96 feet, and a radius of 398.75 feet to a point of tangency, Thence

29) N 25°01'10" W, a distance of 95.73 feet to a point, Thence;

30) N 20°44'13" W, a distance of 4.82 feet to a point, Thence;

31) N 64°51'32" E, a distance of 439.64 feet to a point, Thence;

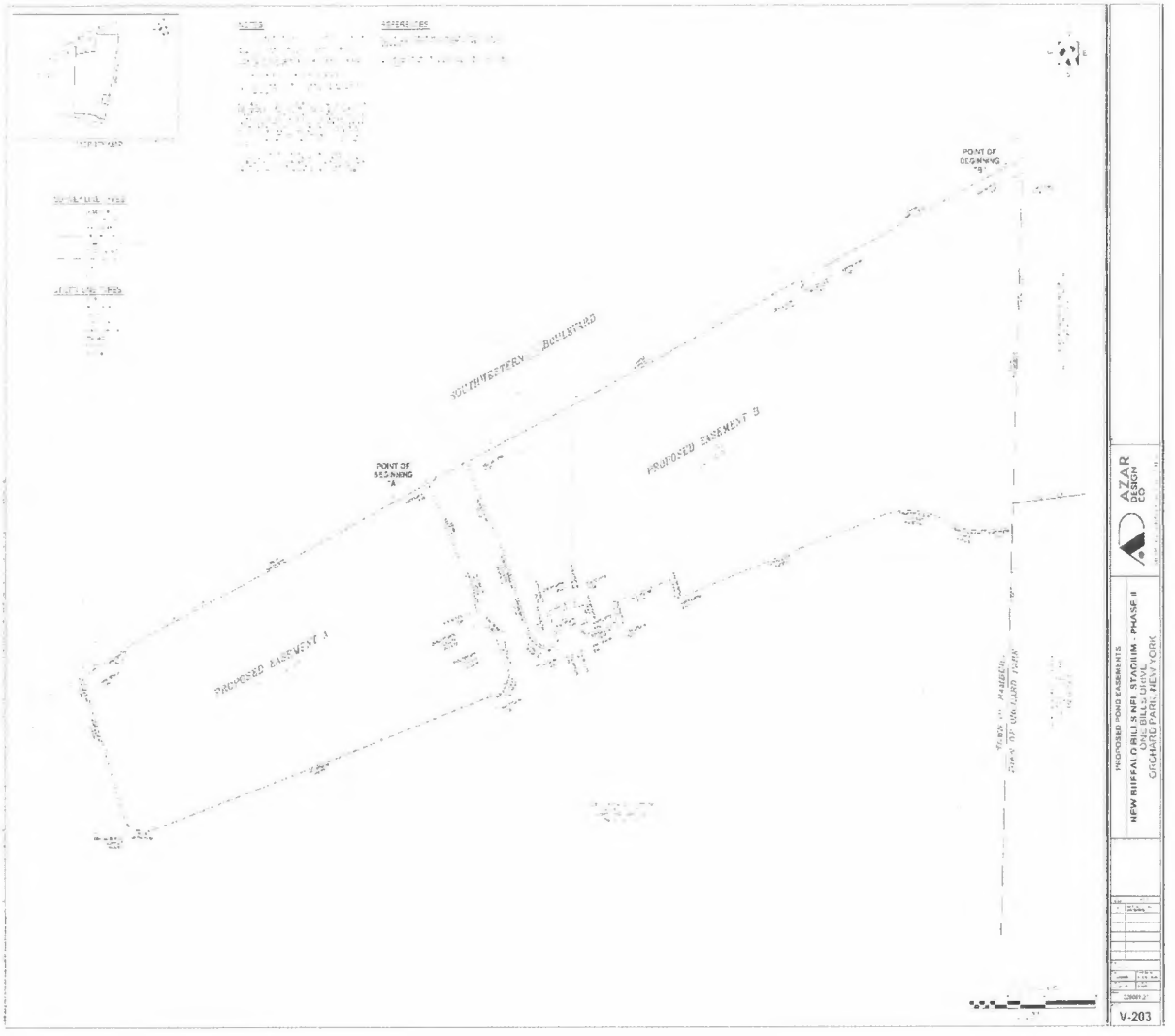
32) S 25°08'28" E, a distance of 13.12 feet to a point, Thence;

33) N 64°51'32" E, a distance of 32.81 feet to a point, Thence;

34) N 25°08'28" W, a distance of 13.12 feet to a point, Thence;

35) N 64°51'32" E, a distance of 239.50 feet back to the Point and Place of Beginning.

Containing 166,630 square feet or 3.825 acres more or less.


POINT OF BEGINNING "B"
SOUTHWESTERN BOULEVARD
PROPOSED EASEMENT 3
POINT OF BEGINNING "A"
PROPOSED EASEMENT 1
PROPOSED POND EASEMENTS
NEW RIEFFEL DRILL SKILL STADIUM - PHASE II
ORCHARD PARK, NEW YORK
AZAR DESIGN
V-203

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-23	COUNTY EXECUTIVE	Highmark Stadium Updated SEQR

Attachments

COMM. 16E-23

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Buffalo Bills - Proposed New Stadium - Environmental Review
Date: October 1, 2025

SUMMARY

In an environmental review process that ended in January 2023, the County of Erie ("County") through its legislative body, the Erie County Legislature ("Legislature") conducted a coordinated environmental review for the Buffalo Bills New Stadium Project (the Stadium Project), which entailed: (1) the conveyance of certain portions of land located in the Town of Orchard Park (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10) to the Erie County Stadium Corporation ("ECSC") and the subsequent lease of the parcels by ECSC to the Buffalo Bills, LLC, Western New York's National Football League franchise team together with the Bills Stadium and Events Company, LLC (the "Bills Stadium Affiliate"), as (the "Team"); (2) the construction of a new stadium to replace the existing Highmark Stadium ("New Stadium"); (3) the demolition of Highmark Stadium ("Existing Stadium") on the east side of Abbott Road between Big Tree Road and Southwestern Boulevard; and (4) the continued operation of the Team's complex; (the "Project" or the "Action").

Since the Stadium Project has been underway, the development team has asked the County to evaluate certain proposed changes to the Stadium Project to determine if the proposed changes to determine if the previously issued Negative Declaration should be amended or rescinded by reason of any impacts of the changes, if any. The proposed changes are: (1) retention of the 1973-built, 30,000 sq.ft. Administration Building (the "Old Admin Building") attached to the Existing Stadium, which was originally proposed for demolition as part of the Project; (2) the addition of a shuttle bus drop-off and pick-up area for the Niagara Frontier Transportation Authority's (the "NFTA") Metro Game Day Express Shuttle service adjacent to the New Stadium; (3) the addition of two, 1,600 sq.ft. exterior markets ("Exterior Markets") located at northeastern and northwestern entries to the New Stadium for food and beverage operations on game days; (4) other minor design changes including the location, size and design changes to the proposed Auxiliary Building, the addition of a curb cut on Southwestern Boulevard and updates to the Stormwater Pollution Prevention Plan (the "SWPPP"); (5) amendments to the following agreements (A) Stadium Development and Construction Coordination Agreement by and among the County, ECSC, and the Bills Stadium Affiliate (the "CCA"), (B) the March 29, 2023 Lease Agreement between ECSC and the Bills Stadium Affiliate (the "Stadium Lease"), (C) the 2013 Master Lease by and between Erie County and ECSC, and (D) the 2013 Stadium Lease by and between ECSC and the Team, including amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC ; (6) the execution of a Reciprocal Easement Agreement by and among Erie County, ECSC and the Bills Stadium Affiliate to provide pedestrian and vehicular ingress and egress to and from

Southwestern Boulevard and Big Tree Road on a portion of the Erie County Community College ("ECC") Parcels; (8) the execution of a Revocable License Agreement by and among the County and the Bills Stadium Affiliate to provide access to a portion of the ECC Parcels for purposes of the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge; and (9) a correction to the amount of soil to be excavated and transported from the site of the Project (hereinafter collectively referred to as the "Project Revisions"). A summary of the proposed changes are contained in a September 4, 2025 report (with exhibits) prepared by Labella P.C entitled New Highmark Stadium- Site Plan Revisions.

The Department of Environment and Planning has facilitated the review of the proposed changes by transmitting on or about September 8th , 2025 to all potentially Interested and Involved Agencies (as those terms are defined pursuant to SEQRA) a notice of the Legislature's intent to reestablish Lead Agency for the review of the Project Revisions pursuant to SEQRA; and no other potentially Involved Agencies objected to the Legislature's declaration of its notice of intent to serve as Lead Agency, such that the Legislature is the SEQRA lead Agency.

As the approving entity pursuant to SEQRA, it is requested that the Erie County Legislature review the proposed Project Revisions to determine if they threaten any significant adverse environmental impact(s) which would provide a basis to amend or alter the previously issued Negative Declaration.

Based upon a thorough review and examination of the known facts and careful review of all potentially adverse environmental impacts, it is the County Development Team's (Department of Environment and Planning, Department of Public Works, and Department of Law's) recommendation that the honorable body should determine the Project Revisions when reviewed collectively, and individually, are generally minor, and will not have a significant adverse impact on the environment, and accordingly, recission of the 2023 Negative Declaration is not warranted.

FISCAL IMPLICATIONS

There is no fiscal impact to the County associated with the Environmental Review.

REASONS FOR RECOMMENDATION

See attached September 4, 2025 report (with exhibits) prepared by Labella P.C entitled New Highmark Stadium- Site Plan Revisions, and draft Resolution prepared by Department of Environment and Planning,

BACKGROUND INFORMATION

The 2023 Negative Declaration adopted by the Erie County Legislature, and the full SEQRA record prepared prior to its adoption.

CONSEQUENCES OF NEGATIVE ACTION

The consideration of the environmental impact of certain actions is a requirement under New York State Law prior to a governmental body funding or approving a Project. Failure to act on this item will impact the timeline of the Project and potentially the Project.

STEPS FOLLOWING APPROVAL

A Determination of Significance will be circulated to Interested and Involved Agencies and other required parties. The environmental review of the Project Revision, and the Project will continue to progress.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Project Revisions to the Buffalo Bills New Stadium Project - Environmental Review

WHEREAS, beginning in July 2022 and ending in January 2023, the County of Erie ("County"), through its legislative body, the Erie County Legislature ("Legislature") conducted a coordinated environmental review for the Buffalo Bills New Stadium Project, which entailed: (1) the conveyance of certain portions of land located in the Town of Orchard Park (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10) to the Erie County Stadium Corporation ("ECSC") and the subsequent lease of the parcels by ECSC to the Buffalo Bills, LLC, Western New York's National Football League franchise team together with the Bills Stadium and Events Company, LLC (the "Bills Stadium Affiliate"), as (the "Team"); (2) the construction of a new stadium to replace the existing Highmark Stadium ("New Stadium"); (3) the demolition of Highmark Stadium ("Existing Stadium") on the east side of Abbott Road between Big Tree Road and Southwestern Boulevard; and (4) the continued operation of the Team's complex; (the "Project" or the "Action"); and

WHEREAS, the County, pursuant to and in accordance Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation ("NYSDEC"), being 6 NYCRR Part 617, et. seq., as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), was required to satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, following extensive environmental analysis, including the consideration of the full Environmental Assessment Form Part I-III, associated supporting studies, a detailed technical addendum to the EAF Part I and responses to all comments received in a public scoping meeting held on the Project, the Legislature, acting as Lead Agency in that Coordinated Review (as those terms are defined in SEQRA), determined that the Project would not have a significant adverse impact on the environment and issued a Negative Declaration on January 5, 2023 (hereinafter the "2023 Negative Declaration"); and

WHEREAS, with the construction of the New Stadium now well underway, the County is currently evaluating certain proposed changes to the Project including: (1) retention of the 1973-built, 30,000 sq. ft. Administration Building (the "Old Admin Building") attached to the Existing Stadium, which was originally proposed for demolition as part of the Project; (2) the addition of a shuttle bus drop-off and pick-up area for the Niagara Frontier Transportation Authority's (the "NFTA") Metro Game Day Express Shuttle service adjacent to the New Stadium; (3) the addition of two, 1,600 sq. ft. exterior markets ("Exterior Markets") located at northeastern and northwestern entries to the New Stadium for food and beverage operations on game days; (4) other minor design changes including the location, size and design changes to the proposed Auxiliary Building, the addition of a curb cut on Southwestern Boulevard and updates to the Stormwater Pollution Prevention Plan (the "SWPPP"); (5) amendments to the following agreements (A) Stadium Development and Construction Coordination Agreement by and among

the County, ECSC, and the Bills Stadium Affiliate (the "CCA"), (B) the March 29, 2023 Lease Agreement between ECSC and the Bills Stadium Affiliate (the "Stadium Lease"), (C) the 2013 Master Lease by and between Erie County and ECSC, and (D) the 2013 Stadium Lease by and between ECSC and the Team, including amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC; (6) the execution of a Reciprocal Easement Agreement by and among Erie County, ECSC and the Bills Stadium Affiliate to provide pedestrian and vehicular ingress and egress to and from Southwestern Boulevard and Big Tree Road on a portion of the Erie County Community College ("ECC") Parcels; (8) the execution of a Revocable License Agreement by and among the County and the Bills Stadium Affiliate to provide access to a portion of the ECC Parcels for purposes of the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge; and (9) a correction to the amount of soil to be excavated and transported from the site of the Project (hereinafter collectively referred to as the "Project Revisions"); and

WHEREAS, given the Project Revisions, the Legislature has a responsibility to evaluate whether the 2023 Negative Declaration should be amended or rescinded; and

WHEREAS, on September 8, 2025, the Legislature transmitted to all potentially Interested and Involved Agencies (as those terms are defined pursuant to SEQRA) a notice of the Legislature's intent to reestablish Lead Agency for the review of the Project Revisions pursuant to SEQRA; and

WHEREAS, no other potentially Involved Agencies objected to the Legislature's declaration of its notice of intent to serve as Lead Agency, such that the Legislature is the SEQRA lead Agency; and

WHEREAS, to aid the Legislature in determining whether the Project Revisions may have a significant adverse impact upon the environment such that an amendment or rescission of the 2023 Negative Declaration is warranted, the Legislature has considered:

1) The 2023 Negative Declaration including the full SEQRA record;

2) The September 4, 2025 Report titled, *New Highmark Stadium - Plan Revisions since SEQR Documents*, prepared by LaBella P.C., with Exhibits, specifically:

    a. August 2025 Site Plan
    b. The November 22, 2022, Full Environmental Assessment Form, Part 1

3) The September 8, 2025 Notice of Intent to Reestablish Lead Agency; and

4) Other relevant environmental information (collectively, 1-4, together with all analysis and supporting documentation referenced therein or relied upon thereby, are incorporated

by reference herein in their entirety and shall be referred to as the "Environmental Information"); and

WHEREAS, the Legislature has duly considered the Project, the Project Revisions, the Environmental Information, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), the requirements for the amendment or recission of a negative declaration set forth in 6 N.Y.C.R.R. § 617.7(e) and, (f) such other information deemed appropriate; and

WHEREAS, the Legislature has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination.

NOW, THEREFORE, BE IT RESOLVED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Based upon a thorough review and examination of the known facts relating to the Project Revisions and upon the Agency's careful review of all potentially adverse environmental impacts, and the entire record and proceedings, including the Environmental Information, the Legislature makes the following findings with respect to the Project Revisions:

(A) The Legislature formally reestablished and declares itself Lead Agency for the Project Revisions and accepts all responsibilities associated with same.

(B) As detailed below and in the Environmental Information, the Project Revisions are generally minor modifications to the Project that will not have a significant adverse impact on the environment, and accordingly, recission of the 2023 Negative Declaration is not warranted.

(C) As detailed below and in the Environmental Information, the Project Revisions do not materially alter the lead agency's analysis of environmental impacts as detailed in the 2023 Negative Declaration, and accordingly, amendment of the 2023 Negative Declaration is not warranted.

a. Retention of the Old Admin Building - Built in 1973 for the Team's administrative offices, the three-story, 30,000 sq. ft. Old Admin Building was originally proposed for demolition and would be retained under the Project Revisions. Located at the east end-zone of the Existing Stadium, no modifications or upgrades are necessary to retain the building following demolition of the Existing Stadium as the building is structurally independent. The building will remain connected to the municipal sewer and water infrastructure, ensuring that groundwater resources are not impacted. Retaining of the Old Admin Building, which is not a historic structure, will maintain the character of the area and is compliant with zoning. It will also reduce the area to be disturbed by 0.6 acres, or 0.3% of the total Site. Current game and event day uses in the building, including food and beverage operations, staff check-ins, and event command operations, will cease and

move to the New Stadium, as was analyzed the 2023 Negative Declaration. Staff occupying the building on weekdays will remain consistent with current use at approximately 25 or increase slightly (to approximately 35). Future utility demand of the building itself will decrease due to the reduced use of the building on event and game days, and its retention will result in a negligible increase in energy demand for the Project overall. Retaining the building will not alter traffic patterns. Parking availability and pedestrian circulation will remain the same as discussed in the 2023 Negative Declaration.

b. The NFTA Transportation Hub - To improve public transportation access, a 600-sq.ft. NFTA Transportation Hub will be located on the west side of Abbott Road across from the Family Circle where the Existing Stadium parking lots are located, an area that is currently impervious asphalt pavement. The Hub will include an additional 2,500-sq.ft. covered canopy area, allowing riders to gather and safely unload and board the NFTA buses. The NFTA is coordinating on the design to enhance public transportation accessibility. No changes are required to the studied stormwater management system. While adding the Transportation Hub will result in a slight increase in disturbed area, the net increase with the retention of the Old Admin Building is .4% or 1.3 acres. While this .4% increase is in an archeologically sensitive area, this area has been previously disturbed. Further, executed in and June the Affiliate has established protocols that ensure that new construction associated with the Project will not have an adverse impact upon archeological resources. Overall, these are minor modifications to the Project that will not change the 2023 analysis or have a significant impact on the environment.

c. Exterior Markets for Game Day Food and Beverage Service - Two 80 ft. x 26 ft. x 14 ft. high Exterior Markets are proposed within the secured perimeter security fence on the northwest and northeast sides of the New Stadium, in areas previously designated as impervious asphalt pavement. Both Exterior Markets will include beverage and food service areas as well as several self-serve markets with pre-packaged items and a warming area. The Exterior Markets do not have a proposed water connection and additional sanitary demand is limited to floor drains. The project modifications do not involve additional excavation, dewatering, or changes to stormwater infiltration that would affect groundwater levels or quality and overall will not have a significant impact on the environment or materially alter the 2023 analysis.

d. Minor Design Changes -

    i. Auxiliary Building Redesign. The original 2022 Concept Site Plan and SEQRA documents included a 75,000-sq.ft. Auxiliary Building to the south of the New Stadium, along the west boundary of the Hammer Lot. The revised Concept Site Plan includes two auxiliary buildings: an 18,800-sq.ft. Technology Building and a 6,000-sq.ft. Electrical Service Building, providing the same support uses in a reduced area of

24,000 sq. ft. in total, within the two buildings. The Technology Building does not border the Hammer Lot and has been shifted further north, closer to the New Stadium. The Electric Service Building is located along the north side of the Hammer Lot along Abbott Road at the point of interconnection with the overhead power source. The proposed change will not require new blasting activities, significant new land clearing, additional tree removal, or impacts to habitats or threatened or endangered animals.

ii. Curb Cut on Southwestern Boulevard. After review of the Project Plans by the New York State Department of Transportation ("NYS DOT"), NYS DOT requested that the ECC driveway entrance be relocated further west to align with the existing Dollar General driveway on the north side of Southwestern Boulevard. The stormwater management was reconfigured to address the curb cut and is adequate to handle the runoff. There is also no increase into the nearby water bodies as a result of this change. Further, the curb cut does not create new traffic concerns.

iii. SWPPP Revisions. The 2023 Determination of Significance evaluated the Preliminary SWPPP. Since that time, the SWPPP has been updated in Volume I (encompassing the excavation and demolition) and Volume II (full Project build-out) to address that actual Project disturbance instead of the estimated disturbance used in the preliminary SWPPP. Updated drainage areas have been designed, in the Volume II SWPPP, which has been approved by NYSDEC. These changes more closely match the Project site conditions, are minor, and improve stormwater detention, slow runoff, and improve water quality.

These include:

- Reduction to the drainage area of Discharge Point ("**DP**") #1 Rush Creek Tributary from 56.21 acres to 46.69 acres to reflect the removal of areas along the south side of ECC campus from the Project area.
- Reduction of the DP #2 Smokes Creek's drainage area from 83.81 acres to 40.36 acres due to portions of the New Stadium and areas north of the New Stadium being redirected to DP #3.
- Reduction of DP #3 DOT Pond/Rush creek's drainage area from 55.98 acres to 52.95 acres. This includes additional areas from the New Stadium and area north of the New Stadium redirected from DP #2 as well as a reduction in areas along the north end of ECC campus that were not included in the Project.
- Additionally, the addition of Bioretention #4 to the southeast corner of the new stadium and within the same drainage area

(DP #2) as the previous design. This update eliminated the need for stormwater chambers within the existing stadium footprint.

Overall, these minor design changes will not alter the analysis of 2023 Negative Declaration and will not result in a significant adverse impact on the environment.

e. Changes to CCA, Lease, 2013 Master Lease and 2013 Stadium Lease. Proposed changes to the CCA and Stadium Lease include amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon substantial completion of the New Stadium Complex, and the conveyance of additional land from the Bills Stadium Affiliate to ECSC. Amendments to the 2013 Master Lease and the 2013 Stadium Lease, are also proposed to adjust the terms of both. These minor modifications to the timing of the transfer and the length of the lease terms will not alter the analysis or the conclusions of the 2023 Negative Declaration. Similarly, the conveyance of the Additional Land (the Barco Lot) from the Bills Stadium Affiliate to ECSC will not change land use or alter the 2023 Negative Declaration analysis of parking impacts from the Project, as the lot's parking spaces were included within the analysis of parking availability and considered within the game-day and event-day traffic flow. Thus, the analysis and the conclusions will remain unchanged. Overall, the amendments to the Project documents will not result in a significant adverse impact on the environment.

f. ECC Roadway Reciprocal Easement Agreement and Drainage License. The County and the Buffalo Bills Affiliate will execute a reciprocal roadway access agreement to provide pedestrian and vehicular access for the perimeter roadway, straddling the property line between the Team's future leasehold space and ECC. This agreement will allow maintenance access for the proposed perimeter loop road and will maintain driveway connections to Southwestern Boulevard and Big Tree Road. Additionally, a Revocable Draining License Agreement between the County and the Buffalo Bills Affiliate will provide access to a portion of the ECC Parcels for purposes of the construction, operation, and maintenance of two wet pond stormwater basins and one bio retention area #5 to increase the capacity to hold stormwater and slow discharge into the stormwater system. These Agreements will allow maintenance of the driveway connections and the addition of pond and retention basins, which will improve detention, reduce runoff rates, and improve water quality treatment overall. These documents do not change the 2023 analysis, nor will they result in a significant adverse impact on the environment.

g. Revised Estimates to Excavated Soil - The amount of soil (including soils, rock, earth, sediments and other materials) to be excavated as part of the Project was estimated within the prior SEQRA review and 2023 Determination of Significance to be approximately 500,000 cubic yards. Further, it was noted that most of the excavated soil would remain on-site, with some to be used for other County projects, at the County's discretion. Current estimates for the excavated materials are approximately 650,000 cubic yards, with a maximum of about 350,000 cubic yards that may need to be transported off-site. The remaining 300,000 cubic yards would remain on site to be used at the County's discretion. Per the LaBella Report, the increase in the estimated excavated soils and need to move some soils off-site will add less than 1% of average annual daily traffic ("AADT") to Southwestern Boulevard, a negligible increase in the traffic during the construction period. As noted with regard to construction deliveries in the 2023 Negative Declaration, these loads will be scheduled to avoid peak traffic times as much as possible and will travel on routes identified to minimize impacts. The addition of these vehicles will be temporary, minor and will conclude as the stages of construction are completed. Thus, it will result in negligible impacts to adjacent roadways. This slight modification will not change the analysis in the 2023 Negative Declaration, nor will it result in a significant adverse impact.

Section 2. Certified copies of this resolution shall be sent to the County Executive, the Director of Budget and Management, the Department of Law, and Mark Rountree, Department of Environment and Planning, and any other required parties pursuant to the SEQRA regulations.

Section 3. This Resolution shall take effect immediately.

Doc #12937767.5

COUNTY OF ERIE

DEPARTMENT OF ENVIRONMENT AND PLANNING

DANIEL R. CASTLE, AICP
COMMISSIONER

THOMAS E. BAINES, ESQ
DEPUTY COMMISSIONER

September 8, 2025

RE: Erie County Department of Environment & Planning ("**DEP**") on behalf of the Erie County Legislature (the "**Legislature**") Notice of Coordinated Review and Intent to Reestablish Lead Agency pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, the State Environmental Quality Review Act and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation, being 6 N.Y.C.R.R. Part 617, as amended (collectively, "**SEQRA**").

Dear Potentially Interested and Involved Agencies:

Erie County is currently evaluating the following proposed changes to the Buffalo Bills Stadium Project including proposed revisions to the March 29, 2023 *Stadium Development and Construction Coordination Agreement* by and among Erie County, Erie County Stadium Corporation ("**ECSC**"), and the Bills Stadium and Events Company, LLC (the "**Bills Stadium Affiliate**") (the "**CCA**"), the March 29, 2023 Lease Agreement between ECSC and the Bills Stadium Affiliate (the "**Stadium Lease**"), the 2013 Master Lease by and between Erie County and ECSC and the 2013 Stadium Lease by and between ECSC and Buffalo Bills, LLC (together with the Bills Stadium Affiliate, the "**Team**"). These proposed changes include: (1) retention of the 1973-built 30,000 sq.ft. Administration Building (the "**Old Admin Building**"), which was originally proposed for demolition as part of the Project; (2) the addition of a shuttle bus drop-off and pick-up area for the Niagara Frontier Transportation Authority's (the "**NFTA**") Metro Game Day Express Shuttle service adjacent to the New Stadium; (3) the addition of two, 1,600 sq.ft. exterior markets ("**Exterior Markets**") located at northeastern and northwestern entries to the New Stadium for food and beverage operations on game days; (4) other minor design changes including the location, size and design changes to the proposed Auxiliary Building, the addition of a curb cut on Southwestern Boulevard and updates to the Stormwater Pollution Prevention Plan (the "**SWPPP**"); (5) changes to the CCA, and the Lease Agreement, including amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC; (6) amendments to the 2013 Master Lease and 2013 Stadium Lease to adjust the term of the 2013 Master Lease and 2013 Stadium Lease; (7) the execution of a Reciprocal Easement Agreement by and among Erie County, ECSC and the Bills Stadium Affiliate to provide pedestrian and vehicular ingress and egress to and from

Southwestern Boulevard and Big Tree Road on a portion of the Erie County Community College ("**ECC**") Parcels; (8) the execution of a Revocable License Agreement by and among Erie County and the Bills Stadium Affiliate to provide access to a portion of the ECC Parcels for purposes of the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge; and (9) a correction to the amount of soil to be excavated and transported from the site of the Project (hereinafter collectively referred to as the "**Project Revisions**"). A more detailed description of the Project Revisions is included as **Exhibit A**.

For your reference, we enclose herewith the following documentation:

Exhibit A: Detailed Description of Project Revisions

Exhibit B: Notice of Intent to Reestablish Lead Agency

Exhibit C: List of Potentially Interested and Involved Agencies

Exhibit D: The September 4, 2025 Report titled, *New Highmark Stadium - Plan Revisions Since SEQR Documents*, prepared by LaBella P.C., with Exhibits.

Exhibit E: Acknowledgment of Legislature to Reestablish Lead Agency and Conduct a Coordinated Review Pursuant to SEQRA

Exhibit F: The January 5, 2023 Negative Declaration for the Buffalo Bills New Stadium

The Legislature desires to reestablish itself as lead agency to review the Project Revisions to this Type I Action, the Buffalo Bills New Stadium, which included the conveyance of certain parcels from Erie County to ECSC, the subsequent lease by ECSC to the Team, the construction of the new stadium, and the demolition of the existing stadium as well as the continued operation of the Team's complex, pursuant to and in accordance with SEQRA. Accordingly, the Legislature is providing your agency, board or department with its Notice of Intent to Reestablish Lead Agency for the Project, attached as **Exhibit B**. All potentially involved and interested agencies identified to date are listed on the attached **Exhibit C**. Also, a copy of the September 4, 2025 Report titled, the *New Highmark Stadium - Plan Revisions Since SEQR Documents*, prepared by LaBella P.C., with Exhibits is attached as **Exhibit D**.

Under SEQRA, potentially involved agencies have thirty (30) days from the date the lead agency package was transmitted to contest the Legislature's role as lead agency. We request that your agency accept and approve this reestablishment of lead agency for the Project by signing the "Acknowledgment of Legislature to Reestablish Lead Agency and Conduct a Coordinated Review Pursuant to SEQRA" form attached as **Exhibit E**. The form may be directed to the Legislature via mail (Erie County Environment and Planning, Attn: Mark Rountree, Edward A Rath County Office Building, 95 Franklin Street, 10th Floor, Buffalo, New York 14202), or via e-mail (mark.rountree@erie.gov). Any involved agency that does not respond within 30 days of the date that the lead agency package was transmitted will be deemed to have consented to the Legislature acting as lead agency for the coordinated environmental review, pursuant to and in accordance with SEQRA, for the Project.

Exhibit A

Project Revisions to the Buffalo Bills Stadium Project

I. Introduction

Beginning in July 2022 and ending in January 2023, the Erie County Legislature ("**Legislature**"), as lead agency, conducted a coordinated review for the Buffalo Bills Stadium Project (the "**Project**" or the "**Action**" as described below) pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, the State Environmental Quality Review Act ("**SEQRA**"). With construction of the New Stadium (defined below) as part of the Project now well underway, certain proposed revisions to the Project and proposed revisions to the March 29, 2023 *Stadium Development and Construction Coordination Agreement* by and among Erie County, Erie County Stadium Corporation ("**ECSC**"), and the Bills Stadium and Events Company, LLC (the "**Bills Stadium Affiliate**") (the "**CCA**"), March 29 2023 Lease Agreement between ECSC and the Bills Stadium Affiliate (the "**Stadium Lease**"), the 2013 Master Lease by and between Erie County and ECSC and the 2013 Stadium Lease by and between ECSC and Buffalo Bills, LLC (together with the Bills Stadium Affiliate, the "**Team**") require evaluation under SEQRA. These revisions, which are explained in greater detail below, include (1) retention of the 1973-constructed 30,000 sq.ft. Administration Building (the "**Old Admin Building**"), which was originally proposed for demolition as part of the Project; (2) the addition of a shuttle bus drop-off and pick-up area for the Niagara Frontier Transportation Authority's (the "**NFTA**") Metro Game Day Express Shuttle service adjacent to the New Stadium; (3) the addition of two, 1,600 sq.ft. exterior markets ("**Exterior Markets**") located at the northeastern and northwestern entries to the New Stadium for food and beverage operations on game days; (4) other minor design changes including the location, size and design changes to the proposed Auxiliary Building, the addition of a curb cut on Southwestern Boulevard, and updates to the Stormwater Pollution Prevention Plan (the "**SWPPP**"); (5) changes to the CCA and the Lease Agreement , including amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC; (6) amendments to the 2013 Master Lease and 2013 Stadium Lease to adjust the term of the 2013 Master Lease and 2013 Stadium Lease; (7) the execution of a Reciprocal Easement Agreement by and among Erie County, ECSC and the Bills Stadium Affiliate to provide pedestrian and vehicular ingress and egress to and from Southwestern Boulevard and Big Tree Road on a portion of the Erie County Community College ("**ECC**") Parcels; (8) the execution of a Revocable License Agreement by and among Erie County and the Bills Stadium Affiliate to provide access to a portion of the ECC Parcels for purposes of the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge; and (9) a correction to the amount of soil to be excavated and transported from the site of the Project (hereinafter collectively referred to as the "**Project Revisions**").

II. Background of the SEQRA Review for the Buffalo Bills Stadium Project

The Legislature provided all Interested and Involved Agencies (as those terms are defined in SEQRA) a notice of its intent to act as Lead Agency on July 1, 2022, for the purposes of

evaluating the Project, which includes: (1) the conveyance of certain portions of land located in the Town of Orchard Park (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10) to the ECSC and the subsequent lease of the parcels by ECSC to Buffalo Bills, LLC, Western New York's National Football League franchise team (together, with the Bills Stadium Affiliate, the "**Team**"); (2) the construction of a new stadium to replace the existing Highmark Stadium ("**New Stadium**"); (3) the demolition of Highmark Stadium ("**Existing Stadium**") on the east side of Abbott Road between Big Tree Road and Southwestern Boulevard; and (4) the continued operation of the Team's complex (collectively the "**Project**" or the "**Action**").

As no other Interested and Involved Agencies objected, the Legislature assumed the role of Lead Agency on August 1, 2022, and commenced its evaluation of the Project under SEQRA. After extensive environmental analysis, as is detailed in the 2023 Determination of Significance, the Legislature determined that the Project would not have a significant adverse impact on the environment and issued a Negative Declaration on January 5, 2023 (hereinafter the "**2023 Determination of Significance**").

III. Project Revisions

A. Retention of the Old Admin Building

Built in 1973 to house the Team's football and administrative offices, the three-story, 30,000 sq.ft. Old Admin Building is currently used as a day-to-day office space for approximately 25 staff and serves as a hub for staff check-ins, game production, IT infrastructure and event command operations. Located at the east end-zone of the Existing Stadium and designated with an "E" on the attached August 2025 Concept Site Plan, the Old Admin Building was proposed for demolition as part of the Project. Currently, the first floor of the Old Admin Building contains food and beverage operations on game days. Following construction of the New Stadium, it is anticipated that 25-35 staff will occupy the Old Admin Building as day-to-day office space, but all of the gameday operations will cease and move to the New Stadium. The Old Admin Building is structurally independent of the Existing Stadium and no significant modifications or upgrades to the Old Admin Building are necessary to maintain the building in place after the Existing Stadium's demolition. A portion of the tunnel on the bottom floor of the building will be filled in, but no other physical changes to the Old Admin Building are necessary or proposed.

The Old Admin Building includes approximately 30 parking spaces in the Tunnel Lot, and over 100 spaces in the Commissary Lot for overflow parking for staff and visitors. Both lots will remain fully intact and there will be no impact on the available parking spaces allocated to the Old Admin Building.

B. The NFTA Transportation Hub

An NFTA Transportation Hub will be located east of Abbott Road across from Family Circle and include roughly 660 sq.ft. of space plus an additional 2,500 sq.ft. of covered canopy area for riders to gather and safely unload/board the NFTA buses. The design is being coordinated with

the NFTA to enhance public transportation accessibility. The Transportation Hub is proposed in an area that is currently impervious asphalt pavement. No changes to the SWPPP are required.

C. Exterior Markets for Game Day Food and Beverage Service

Two 80 ft. x 26 ft. x 14 ft. high Exterior Markets are proposed within the secured perimeter security fence on the northwest and northeast sides of the New Stadium, in areas previously designated as impervious asphalt pavement, each indicated as "G" on the revised, attached August 2025 Concept Site Plan. Both Exterior Markets will include beverage and food service areas as well as several self-serve markets with pre-packaged items and a warming area. The Exterior Markets do not have a proposed water connection and additional sanitary demand is limited to floor drains.

D. Other Minor Design Changes

1. Auxiliary Building Redesign. The original 2022 Concept Site Plan and SEQR documents included a 75,000-sq.ft. Auxiliary Building to the south of the New Stadium, along the west boundary of the Hammer Lot, noted as "B" on the July 1, 2022 Concept Site Plan. The revised Concept Site Plan includes two auxiliary buildings: an 18,800 sq.ft. Technology Building and a 6,000 sq.ft. Electrical Service Building. The Technology Building does not border the Hammer Lot and has been shifted further north, closer to the New Stadium. The Electric Service Building is located along the north side of the Hammer Lot along Abbott Road at the point of interconnection with the overhead power source.

2. Curb Cut on Southwestern Boulevard. After review of the Project Plans by the New York State Department of Transportation ("**NYS DOT**"), NYS DOT requested that the ECC driveway entrance be relocated further west to align with the existing Dollar General driveway on the north side of Southwestern Boulevard.

3. SWPPP Revisions. The 2023 Determination of Significance evaluated the Preliminary SWPPP. Since that time, the SWPPP has been updated in Volume I (encompassing the excavation and demolition) and Volume II (full Project build-out).

   As the preliminary SWPPP's design accounted for any potential project disturbance, the Volume II SWPPP updated drainage areas to more closely match site conditions, specifically:

   - Discharge Point ("**DP**") #1 Rush Creek Tributary was reduced from 56.21 acres to 46.69 acres, primarily due to removal of areas along the south side of ECC campus that were not included in the project.
   - DP #2 Smokes Creek drainage area was reduced from 83.81 acres to 40.36 acres, due to portions of the new stadium and north of the new stadium redirected to DP #3.
   - DP #3 DOT Pond/Rush creek drainage area was reduced from 55.98 acres to 52.95 acres. This includes additional areas from the new stadium and north of the new

stadium redirected from DP #2 and a reduction in areas along the north end of ECC campus that were not included in the project.

The Volume II SWPPP added a bioretention area (Bioretention #4) to the southeast corner of the new stadium and within the same drainage area (DP #2) as the previous design. This update eliminated the need for stormwater chambers within the existing stadium footprint.

Due to the revised curb cut location described above, the stormwater management facility ("**SWMF**") was reconfigured to accommodate this new location. The SWMF, including Bioretention #5 and Wet Pond #2, is bisected by the new location of the road. The approximate size and shape of each practice remains similar to the design outlined in the Preliminary SWPPP.

The Volume I and II SWPPP have been reviewed and approved by NYSDEC.

E. Changes to CCA, Lease, 2013 Master Lease and 2013 Stadium Lease

Proposed changes to the CCA and Stadium Lease include amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC. Amendments to the 2013 Master Lease, by and between Erie County and ECSC, and the 2013 Stadium Lease, by and between ECSC and the Buffalo Bills, LLC are proposed to adjust the term of each document.

F. ECC Roadway Reciprocal Easement Agreement and Drainage License

The County and the Buffalo Bills Affiliate will execute a reciprocal roadway access agreement for the perimeter roadway that straddles the property line between Team's future leasehold space and ECC. This access agreement will allow maintenance access for the proposed perimeter loop road and will maintain driveway connections to Southwestern Boulevard and Big Tree Road. Further, the County and the Buffalo Bills Affiliate will execute a Revocable Drainage License Agreement to authorize the proposed detention basins on the ECC Parcel adjacent to the Southwestern Boulevard in the northwest corner of the Project.

G. Revised Estimates to Excavated Soil

The amount of estimated soil (including soils, rock, earth, sediments and other materials) to be excavated as part of the Project was about 500,000 cubic yards and the prior SEQRA review and 2023 Determination of Significance stated that most of the excavated material would remain on-site, with the remaining materials to be used at Erie County's discretion for other County projects. Current estimates for excavated materials are now approximately 650,000 cubic yards, an approximately 150,000 cubic yard increase above the initial estimate. It is now anticipated that some excavated materials will need to be transported off-site. A maximum of 350,000 cubic yards may need to be transported off-site, and the remaining materials will be used on-site or at

Erie County's discretion for other County or local development projects. Hauling the additional material off-site will create an estimated maximum haul of 100 loads (200 total trips) per day on Southwestern Boulevard, equaling less than 1% of the Average Annual Daily Traffic ("**AADT**") of 20,892 noted on the NYS DOT traffic data viewer.

CONCEPT SITE PLAN

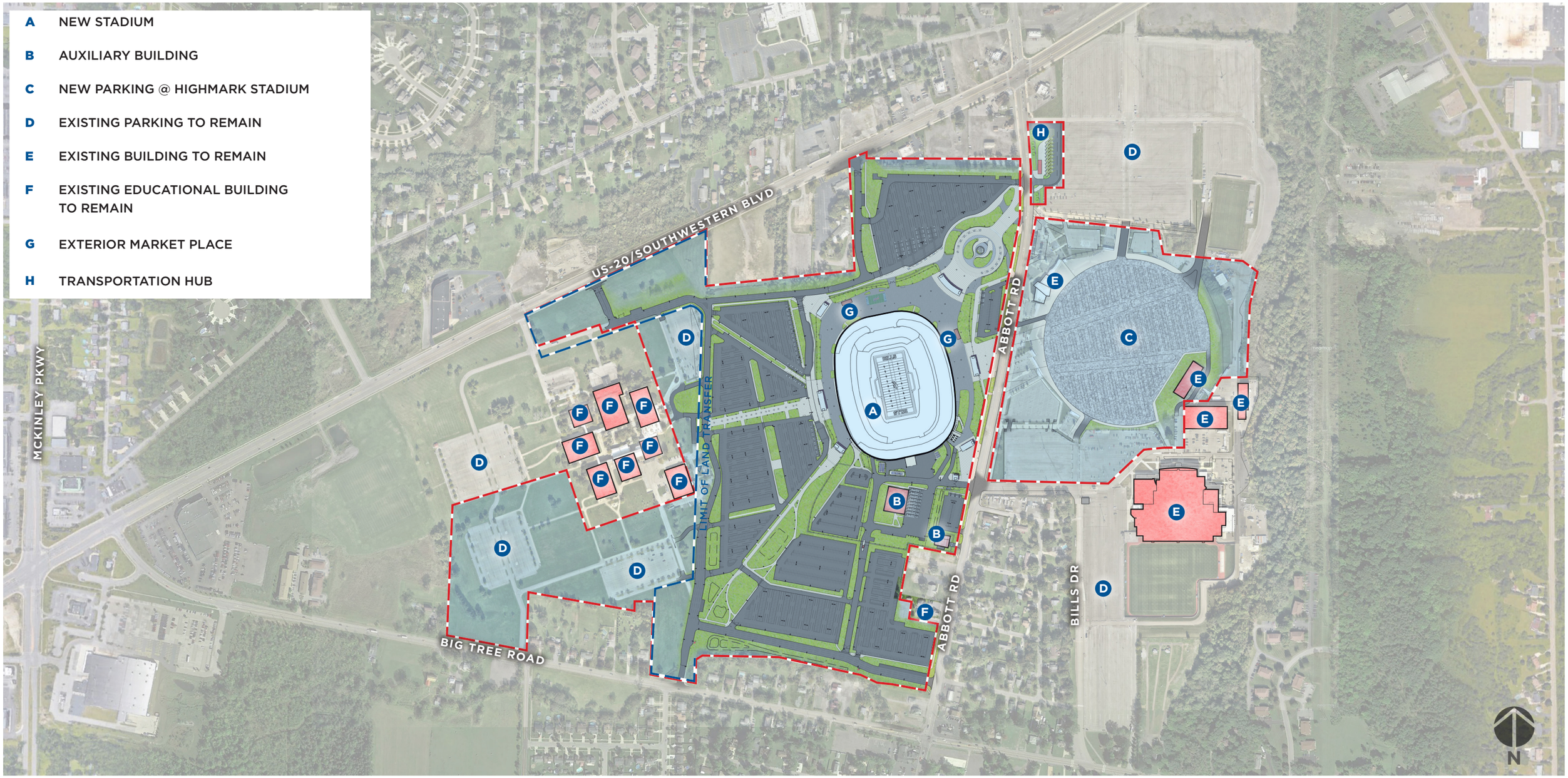


Exhibit B

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT NOTICE OF COORDINATED REVIEW AND DECLARATION OF INTENT TO REESTABLISH LEAD AGENCY

This notice is issued on behalf of the Erie County Legislature ("**Legislature**"), pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended the State Environmental Quality Review Act and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation, being 6 N.Y.C.R.R. Part 617, as amended (collectively "**SEQRA**").

Project Name: Buffalo Bills Stadium Project - Project Revisions

Location: 1 Bills Drive, Orchard Park, NY 14127 (SBLs: 161.00-5-3.1; 161.00-5-1; 161.00-5-16.1; 161.17-6-1; 161.17-1-3; 161.17-1-4.2; 161.17-6-10; 160.16-1-12 and 160.19-1-4.1) ("**Property**")

Classification: Type I: __X___ Unlisted: ____

Project Description:

The Erie County Legislature is currently evaluating the following proposed changes to the Buffalo Bills Stadium Project including proposed revisions to the March 29, 2023 *Stadium Development and Construction Coordination Agreement* by and among Erie County, Erie County Stadium Corporation ("**ECSC**"), and the Bills Stadium and Events Company, LLC (the "**Bills Stadium Affiliate**") (the "**CCA**") and the March 29, 2023 Lease Agreement between ECSC and the Bills Stadium Affiliate (the "**Stadium Lease**"), the 2013 Master Lease by and between Erie County and ECSC and the 2013 Stadium Lease by and between ECSC and Buffalo Bills, LLC (together with the Bills Stadium Affiliate, the "**Team**"). These proposed changes include: (1) retention of the 1973-built 30,000 sq.ft. Administration Building (the "**Old Admin Building**"), which was originally proposed for demolition as part of the Project; (2) the addition of a shuttle bus drop-off and pick-up area for the Niagara Frontier Transportation Authority's (the "**NFTA**") Metro Game Day Express Shuttle service adjacent to the New Stadium; (3) the addition of two, 1,600 sq.ft. exterior markets ("**Exterior Markets**") located at northeastern and northwestern entries to the New Stadium for food and beverage operations on game days; (4) other minor design changes including the location, size and design changes to the proposed Auxiliary Building, the addition of a curb cut on Southwestern Boulevard and updates to the Stormwater Pollution Prevention Plan (the "**SWPPP**"); (5) changes to the CCA and the Lease Agreement including amendments to provide for conveyance of the Current Stadium Land, the Existing Stadium Complex, the New Stadium Land and New Stadium Complex from the County to ECSC upon Substantial Completion of the New Stadium Complex, and the conveyance of Additional Land from the Bills Stadium Affiliate to ECSC; (6) amendments to the 2013 Master Lease and 2013 Stadium Lease to adjust the term of the 2013 Master Lease and 2013 Stadium Lease; (7) the execution of a Reciprocal Easement Agreement by and among Erie County, ECSC and the Bills Stadium Affiliate to provide pedestrian and vehicular ingress and egress to and from Southwestern Boulevard and Big Tree Road on a portion of the Erie County Community College ("**ECC**") Parcels; (8) the execution of a Revocable License Agreement by and among Erie County and the Bills Stadium Affiliate to provide access to a portion of the ECC Parcels for purposes of the construction, operation and maintenance of two wet pond stormwater retention basins and one bio retention area for the purpose of stormwater discharge; and (9) a correction to

the amount of soil to be excavated and transported from the site of the Project (hereinafter collectively referred to as the "**Project Revisions**"). A more detailed description of the Project Revisions is included as **Exhibit A**.

Notice Details:

The Project may require discretionary approvals from: Office of the Governor of New York State; New York State Urban Development Corporation d/b/a Empire State Development; New York State Office of Parks, Recreation and Historic Preservation, NYOPRHP; New York State Division of Historic Preservation; New York State Division of Historic Preservation, Technical Preservation Bureau; New York State Department of Environmental Conservation, Region 9; New York State Division of Budget; New York State Department of Environmental Conservation, Commissioner; New York State Department of Transportation; New York State Department of Transportation, Region 5; New York State Police, Troop A; Public Authorities Control Board; The State University of New York Board of Trustees; The State University of New York, Chancellor; Niagara Frontier Transportation Authority; New York State Urban Development Corporation d/b/a Empire State Development WNY Region; Erie County Executive's Office; Erie County Legislature; Erie County Stadium Corporation c/o Empire State Development Corporation; Erie County Water Authority; Erie County Sewer District #3 Board of Managers; Erie County Department of Public Works; Erie County Department of Health; Erie County Sheriff; SUNY Erie Community College Board of Trustees; SUNY Erie Community College, President; Erie County Department of Health; Erie County Industrial Development Agency; Town of Orchard Park; Orchard Park Building Inspector/Code Enforcement; Orchard Park Planning Board; Orchard Park Zoning Board of Appeals; Orchard Park Police Department; Orchard Park Fire District; Town of Hamburg; Hamburg Planning Board; Hamburg Zoning Board of Appeals; Hamburg Building/Code Enforcement; Hamburg Police Department; Hamburg Fire Department; U.S. Army Corps of Engineers.

Action Requested:

Under SEQRA, potentially involved agencies have thirty (30) days from the date the lead agency package was transmitted to contest the Legislature's role as lead agency. We request that your agency accept and approve the designation of the Legislature as lead agency for the Project by signing the "Acknowledgment of Legislature to Reestablish Lead Agency and Conduct a Coordinated Review Pursuant to SEQRA" form that the Legislature sent to your agency. The form may be directed to the Legislature via mail (Erie County Environment and Planning, Attn: Mark Rountree, Edward A Rath County Office Building, 95 Franklin Street, 10th Floor, Buffalo, New York 14202), or via e-mail (mark.rountree@erie.gov). Any agency that does not respond within 30 days of the date that the lead agency package was transmitted will be deemed to have consented to the Legislature acting as lead agency for the coordinated environmental review, pursuant to and in accordance with SEQRA, for the Project.

For Further Information Contact:

Mark Rountree, Chief Planner
Erie County Environment and Planning
Attn: Mark Rountree
Edward A Rath County Office Building
95 Franklin Street, 10th Floor

Buffalo, New York 14202

Phone: (716) 858-8008
Email: Mark.Rountree@erie.gov

Exhibit C

Buffalo Bills Stadium Project
List of Potentially Interested and Involved Agencies

The following is a list of potentially interested and involved agencies:

1. Office of the Governor of New York State
   Attn: The Honorable Kathy Hochul
   NYS State Capitol Building
   State St. and Washington Ave
   Albany, NY 12224

2. New York State Urban Development Corporation d/b/a Empire State Development
   Attn: Hope Knight, President and CEO
   633 Third Avenue, 37th Floor
   New York, NY 10017-6754

3. New York State Office of Parks, Recreation and Historic Preservation, NYOPRHP
   Attn: Randy Simons, Commissioner Pro Tempore/Chief of Staff
   Albany, NY 12238

4. New York State Division of Historic Preservation, NYOPRHP
   Attn: R. Daniel Mackay, Deputy Commissioner
   1 Delaware Avenue North
   Cohoes, NY 12047

5. New York State Division of Historic Preservation
   Attn: Nancy Herter, Director, Technical Preservation Bureau
   1 Delaware Avenue North
   Cohoes, NY 12047

6. New York State Department of Environmental Conservation, Region 9
   Attn: Lisa Porter Czechowicz, Regional Permit Administrator
   700 Delaware Avenue
   Buffalo, NY 14209

7. New York State Division of Budget
   Attn: Blake G. Washington, Budget Director
   State Capitol, Room 113
   Albany, NY 12224

8. New York State Department of Environmental Conservation
   Attn: Amanda Lefton, Commissioner
   625 Broadway
   Albany, NY 12233-1010

9. New York State Department of Transportation

Attn: Marie Therese Dominguez, Esq., Commissioner
50 Wolf Road
Albany, NY 12232

10. New York State Department of Transportation, Region 5
    Attn: Eric A. Meka, P.E., Regional Director
    100 Seneca Street
    Buffalo, NY 14203

11. New York State Police, Troop A
    Attn: Major Amie P. Feroleto
    4525 West Saile Drive
    Batavia, NY 14020

12. Public Authorities Control Board
    Attn: Elyse Young, Secretary
    NYS Division of Budget, State Capitol Room 119
    Albany, NY 12224

13. The State University of New York Board of Trustees
    Attn: Dr. Merryl H. Tisch, Chairperson
    353 Broadway
    Albany, NY 12246

14. The State University of New York
    Attn: John B. King, Jr., Chancellor
    H. Carl McCall SUNY Building
    Albany, NY 12246

15. Niagara Frontier Transportation Authority
    Attn: Kimberley A. Minkel, Executive Director
    181 Ellicott Street
    Buffalo, NY 14203

16. New York State Urban Development Corporation d/b/a Empire State Development WNY Region
    Attn: Karen Utz, Regional Director
    95 Perry Street, Suite 500
    Buffalo, NY 14203-3030

17. Erie County Executive's Office
    Attn: Honorable Mark Poloncarz
    95 Franklin Street, 16th Floor
    Buffalo, NY 14202

18. Erie County Legislature

Attn: Honorable Timothy J. Meyers
92 Franklin Street, 4th Floor
Buffalo, NY 14202

19. Erie County Stadium Corporation c/o Empire State Development Corporation
Attn: Steven Ranalli, President and CEO
633 Third Avenue, 37th Floor
New York, NY 10017-6754

20. Erie County Water Authority
Attn: Charles Eaton, Chief Operating Officer
Ellicott Square Building, 295 Main Street, Room 350
Buffalo, NY 14203

21. Erie County Sewer District #3 Board of Managers
Attn: David Millar, P.E., Secretary of the Board
Erie County Division of Sewerage Management,
95 Franklin Street, Room 1034
Buffalo, NY 14202

22. Erie County Department of Public Works
Attn: William Geary, Commissioner
95 Franklin Street, 14th Floor
Buffalo, NY 14202

23. Erie County Department of Health
Attn: Dr. Gale Burstein, Commissioner
95 Franklin Street, 9th Floor
Buffalo, NY 14202

24. Erie County Sheriff
Attn: John C. Garcia, Sheriff
10 Delaware Avenue
Buffalo, NY 14202

25. SUNY Erie Community College Board of Trustees
Attn: Jeffrey Stone, Board Chair
6205 Main Street
William, NY 14221

26. SUNY Erie Community College
Attn: Dr. Adiam Tsegai, President
North Campus
6205 Main Street
Williamsville, NY 14221

27. Erie County Department of Health
    Environmental Health Division
    503 Kensington Avenue
    Buffalo, NY 14214

28. Erie County Industrial Development Agency
    Attn: John Cappellino, President & CEO
    95 Perry Street, Suite 403
    Buffalo, NY 14203

29. Town of Orchard Park
    Attn: Hon. Eugene L. Majchrzak, Supervisor
    4295 South Buffalo Street
    Orchard Park, NY 14127

30. Orchard Park Building Inspector/Code Enforcement
    Attn: John Wittman, Building Inspector
    4295 South Buffalo Street
    Orchard Park, NY 14128

31. Orchard Park Planning Board
    4295 South Buffalo Street
    Orchard Park, NY 14127

32. Orchard Park Zoning Board of Appeals
    4295 South Buffalo Street
    Orchard Park, NY 14127

33. Orchard Park Police Department
    Attn: Patrick M. Fitzgerald, Police Chief
    4295 South Buffalo Street
    Orchard Park, NY 14127

34. Orchard Park Fire District
    Attn: Mark Szczepanik, Commissioner
    4222 S. Taylor Road
    Orchard Park, NY 14128

35. Town of Hamburg
    Attn: Cathy Rybczynski, Supervisor
    6100 South Park Avenue
    Hamburg, NY 14075

36. Hamburg Planning Board
    6100 South Park Avenue
    Hamburg, NY 14075

37. Hamburg Zoning Board of Appeals
    6100 South Park Avenue
    Hamburg, NY 14075

38. Hamburg Building/Code Enforcement
    Attn: Scott Courteau, Code Enforcement Officer
    6100 South Park Avenue
    Hamburg, NY 14075

39. Hamburg Police Department
    Attn: Peter Dienes, Chief
    6100 South Park Avenue
    Hamburg, NY 14075

40. Hamburg Fire Department
    Attn: David Sekuterski, Chief
    P/O Box 82
    Hamburg, NY 14075

41. U.S. Army Corps of Engineers
    Attn: Molly Connerton
    Regulatory Branch, Buffalo District
    1776 Niagara Street
    Buffalo, NY 14207

Exhibit D

September 4, 2025

Mark Rountree
Erie County Department of Environment and Planning
95 Franklin Street
10th Floor
Buffalo, NY 14202

RE: New Highmark Stadium – Plan Revisions Since SEQR Documents
LaBella Project No. 2221770

Mr. Rountree:

This memorandum is intended to document revisions to the January 19, 2023 SEQR determination documents based on Construction Documents issued September 23, 2023 last revised August 11, 2025. Also attached hereto is an updated Concept Site Plan dated August 2025 and the original Part 1 of the Environmental Assessment Form dated November 22, 2022.

Administration Building

The New Highmark Stadium plans dated September 29, 2023 have been revised since the SEQR determination to include keeping the Administration Building in place in lieu of demolishing.

The Administrative Building is an existing building located in the east end zone of the existing stadium adjacent to the Commissary Building and Operations Building, both of which will also remain in place as outlined in the original SEQR documents. The Administration Building is three (3) stories, approximately 30,000 SF in size, and primarily used by the Buffalo Bills for operations offices.

Built in 1973 and formerly the home to all of the team's football and business administration offices, the "Old Admin" building now serves as day-to-day office space for approximately 25 staff. Additionally, the Old Admin Building serves as a hub for gameday activities including staff check in/meetings, game production, IT infrastructure and event command operations. The first floor contains food and beverage operations utilized on gameday. Following the opening of the new stadium, it is anticipated that 25-35 staff will occupy the Old Admin Building as day-to-day office space but all of the gameday operations that currently occur in that building will no longer be active.

Parking for the Old Admin Building includes approximately 30 spaces in the Tunnel Lot with overflow parking for staff and visitors in the Commissary Lot which includes over 100

parking spaces. Both the Tunnel Lot and Commissary Lot will remain fully intact with the same number of parking spaces as noted above following demolition of the existing stadium. Therefore, there will be no impact on the available parking space allocated for this building.

Regarding utility demand, the table below outlines existing utility demand against estimated utility demand following the opening of the new stadium:

Utility	Existing Utility Demand	Estimated Future Demand
Gas	4,354 Cubic Feet per Hour	4,140 Cubic Feet per Hour
Water	Peak Demand 214 GPM	Peak Demand 208 GPM
Electric	2,028 kVA Peak Load	1,886 kVA Peak Load

In summary, it is anticipated that utility demand for the Old Admin Building will remain relatively similar with a slight estimated decrease in overall utility demand within the building, and a slight estimated increase in overall utility demand for the project as a whole.

The building is structurally independent of the stadium and no upgrades are needed to keep the building in place. A portion of the tunnel on the bottom floor of the building will be filled in, but no other physical changes to the building are proposed.

Concept Site Plan

The Concept Site Plan has been updated since the Concept Site Plan dated July 1, 2022 and included in the SEQR documents. Refer to the attached updated Concept Site Plan dated August 2025. A summary of the revisions are as follows:

1. Auxiliary Building

   Within the SEQR documents the Auxiliary Building was noted as 75,000 sf for maintenance, media, overflow, and staging purposes south of the new stadium. On the original Concept Site Plan, it is located along the west boundary of the Hammer Lot.

   The current design shows two auxiliary buildings including one 18,800 sf Technology Building and a 6,000 sf Electrical Service Building, serving the same purpose as originally intended. The Technology Building was shifted further north and closer to the stadium for convenience and ease of access and no longer borders the Hammer Lot. The Electric Service Building is located along the north side of the Hammer Lot along Abbott Road at the point of interconnection with the overhead power source.

2. Curb Cut on Southwestern Boulevard

   Plans were sent to the NYS DOT for review of a new entrance on Southwestern Blvd on ECC campus. In working with DOT, they requested the driveway entrance to be relocated further west to align with the Dollar General driveway on the north side of Southwestern Boulevard.

   Our plans were updated to comply with the DOT's request, including a reconfiguration of the stormwater management system further described below.

3. Administration Building shown as remaining in place (as described above).

4. Exterior Market Buildings have been added as described below.

5. The NFTA Transportation hub has been added as described below.

Stormwater Pollution Prevention Plan

The Stormwater Pollution Prevention Plan (SWPPP) has been updated since the Preliminary SWPPP included in the January 19, 2023 SEQR documents. Volume I of the SWPPP, last revised June 1, 2023 has been prepared for mass excavation and demolition operations. Volume II of the SWPPP, last revised September 22, 2023, includes full build-out for the project.

A summary of revisions from the Preliminary SWPPP to the final Volume II SWPPP are as follows:

1. Updated Drainage Areas

   The Preliminary SWPPP was designed conservatively. The Proposed Drainage Conditions Map accounted for any potential project disturbance; much of which was not utilized in the final design. Therefore, the drainage areas to each discharge point were revised as follows:

   - DP #1 Rush Creek Tributary was reduced from 56.21 acres to 46.69 acres, primarily due to removal of areas along the south side of ECC campus that were not included in the project.
   - DP #2 Smokes Creek drainage area was reduced from 83.81 acres to 40.36 acres, due to portions of the new stadium and north of the new stadium redirected to DP #3.
   - DP#3 DOT Pond/Rush creek drainage area was reduced from 55.98 acres to 52.95 acres. This includes additional areas from the new stadium and north of the new stadium redirected from DP #2 and a reduction in areas along the

north end of ECC campus that were not included in the project.

2. Addition of Bioretention #4 and subsequent elimination of chambers

   An additional bioretention area (Bioretention #4) was added at the southeast corner of the stadium and within the same drainage area (DP #2) as the previous design. This update eliminated the need for stormwater chambers within the existing stadium footprint.

3. Reconfigured Stormwater Management Facility along Southwestern Boulevard

   As a result of the revised curb cut location on Southwestern as described above, the stormwater management facility (SWMF) in the area needed to be reconfigured to accommodate the new location. The SWMF, including Bioretention #5 and Wet Pond #2, is bisected by the new location of the road. The approximate size and shape of each practice remains similar to what was outlined in the Preliminary SWPPP.

Refer to the attached Proposed Drainage Conditions Map dated September 15, 2023 which reflects the latest design for the project.

These proposed changes are not substantive because the design still meets NYSDEC requirements for runoff reduction, water quality treatment, and detention, including reduced runoff rates to all discharge points to below existing conditions. The Volume II SWPPP has been reviewed and approved by NYSDEC.

Proposed Access & Drainage Agreements

The Bills and ECC plan to execute a reciprocal roadway access agreement for the perimeter roadway that straddles the property line between the two entities. The agreement will allow maintenance access within the proposed perimeter loop road and maintain driveway connections to Southwestern Boulevard and Big Tree Road.

An additional revocable drainage license agreement is proposed between the Bills and ECC for the use of the proposed detention basins on ECC property adjacent to Southwestern Boulevard in the northwest corner of the project.

Both agreement areas are included in the Project Area Plan as part of the SEQR documents and no additional disturbance or changes to the design within these areas are proposed.

Excavated Materials

The estimated excavated materials for the project is tracking to be 650,000 cubic yards of materials (rock, earth, sediments, etc.) in lieu of the 500,000 cubic yards estimated within the EAF. It is now anticipated that some excavated materials will need to be transported off-site. Approximately 350,000 cubic yards may need to be transported off-site, and the remaining material will be used first as backfill for the existing stadium site and then at the County's discretion for other County projects and/or other local needs.

Hauling of the excess material off-site will create additional vehicle traffic on Southwestern Boulevard with both standard dump trucks (10-yard capacity) or 18-wheel dump trucks (25-yard capacity). Based on our discussions with the Construction Team, we estimate a maximum haul of 100 loads (200 trips) per day, or less than 1% of the Average Annual Daily Traffic (AADT) of 20,892 noted on the NYSDOT's traffic data viewer.

Exterior Markets

Two (2) "Exterior Market" structures have been added to the project within the secured perimeter security fence, one located at the northwest side of the stadium and another along the northeast side. Each market structure will be approximately 80 feet x 26 feet x 14 feet high and serves as an area for fans to purchase pre-packaged food and beverages.

Both markets are located in areas previously designated as impervious asphalt pavement, resulting in no impact to stormwater or stormwater management. There is no proposed water connection and additional sanitary demand is limited to floor drains. Electrical consumption is negligible in the overall utility consumption for the project.

Niagara Frontier Transportation Authority (NFTA) Transportation Hub

As per the Community Benefits Agreement, a Transportation Hub will be located on the campus to enhance public transportation accessibility. The Transportation Hub will be located east of Abbott Road across from Family Circle and include roughly 660 SF of space plus an additional 2,500 SF of covered canopy area for riders to gather and safely unload/board the NFTA buses. The design is being coordinated with the NFTA.

The Transportation Hub will be located in an area that is currently impervious asphalt pavement, resulting in no impact on stormwater or stormwater management. The only utility usage will be electric, and consumption is negligible in the overall utility consumption for the project.

Summary

According to 6 NYCRR §617.7(e)(1) of the SEQRA regulations, at any time prior to its decision

to undertake, fund or approve an action, a lead agency, at its discretion, may amend a negative declaration when substantive:

(i) changes are proposed for the project; or
(ii) new information is discovered; or
(iii) changes in circumstances related to the project arise that were not previously considered and the lead agency determines that no significant adverse environmental impacts will occur.

LaBella has reviewed the Full Environmental Assessment Form (FEAF) to determine what changes may be necessary and if the proposed revisions are substantive. Our findings are as follows:

A. Project and Applicant/ Sponsor Information

Project Description does not require any revision. However, the description references the Concept Site Plan (Exhibit C of Lead Agency Notice), which can be updated with the latest version of the Conceptual Site Plan.

B. Government Approvals

No additional government approvals are required.

C. Planning and Zoning

The Administration Building is located adjacent to existing buildings that will remain in place (Operations Building, Commissary) and is therefore consistent with land use plans. The building is in conformance with all planning and zoning requirements.

The building will not create an additional demand for staff and therefore will not affect the suitability of existing community services.

D. Project Details

Keeping the Administration Building in place will reduce the disturbed area by approximately 0.6 acres. Adding the NFTA transportation hub will increase the disturbed area by 1.3 acres, totalling a net increase in 0.7 acres of disturbed area or approximately 0.4% of the 185 +/- total disturbed acreage for the project. No adjustment is required for Part D.1.b of the FEAF.

The proposed revisions will create a negligible reduction in the impervious surface area. No changes to the stormwater management design or Stormwater Pollution Prevention Plan are required.

The project is tracking to excavate approximately 650,000 cubic yards of materials (rock, earth, sediments, etc.) in total, whereas 500,000 cubic yards were estimated in the EAF.

The proposed revision will create a negligible reduction in air emissions created by demolition operations.

The building's utilities (storm, sanitary, water, gas, electric) are offline of the existing Highmark Stadium. The utility consumption of the building in its current use (office space and gameday support space) will decrease slightly in its proposed use (office space). There are no proposed utility upgrades as a result of this proposed revision.

E. Site Setting of Proposed Action

The proposed revision will create a negligible reduction in impervious surface areas and a negligible increase in manicured lawn.

There are no other revisions or impacts to bedrock, surface waters, floodways, species, or public resources as a result of this proposed revision.

In summary, there are no line items in the FEAF that are required to be updated as a result of this proposed revision. Therefore, these revisions do not create a substantive change or change in circumstances. As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), there are no potentially significant environmental impacts associated with these changes that were not considered at the time of the negative declaration, and the Action will not have a significant adverse impact on the environment.

A. Impact on Land

The modification to retain the Administration Building will reduce the disturbed area by approximately 0.6 acres, which is only 0.3% of the total project area. This reduction minimizes soil excavation and erosion concerns. *Adding the NFTA transportation hub will increase the disturbed area by 1.3 acres, totalling a net increase in 0.7 acres of disturbed area or approximately 0.4% of the 185 +/- total disturbed acreage for the project.* The updated Concept Site Plan also includes modifications to the auxiliary buildings and parking structures, none of which introduce significant new land disturbances. The proposed changes do not introduce new construction on sensitive landforms and will not require additional land clearing.

B. Impact on Geological Features

No unique geological features are present in the affected area. The modification does not involve additional excavation in bedrock or areas prone to sinkholes, nor does it

introduce additional blasting activities. Thus, there is no adverse impact on geological stability.

C. Impact on Surface Water

The proposed change results in a minor reduction in impervious surfaces. Additionally, the stormwater management facility along Southwestern Boulevard has been reconfigured to accommodate the revised curb cut location requested by NYSDOT. The existing stormwater management plan remains adequate to handle runoff, with no increase in discharge rates to nearby water bodies, such as Smokes Creek. The inclusion of Bioretention #4 further enhances runoff reduction.

D. Impact on Groundwater

The project modifications do not involve additional excavation, dewatering, or changes to stormwater infiltration that would affect groundwater levels or quality. The Administration Building remains connected to the existing municipal water and sewer infrastructure, ensuring that groundwater resources are not impacted. Additionally, no new groundwater withdrawals or discharges are proposed, and the revised stormwater management plan continues to comply with NYSDEC requirements.

E. Impact on Flooding

The site remains outside designated floodplains. The minor reduction in impervious surfaces and maintained stormwater management infrastructure, including the addition of Bioretention #4, will not alter flood risks.

F. Impact on Air

The change will lead to a slight reduction in air emissions due to avoided demolition activities. Overall, the modification does not introduce new stationery or mobile sources of air pollution.

G. Impact on Plants and Animals

The modification does not impact any known habitats for threatened or endangered species. No additional tree removal or disturbance to existing green spaces is proposed. The reconfiguration of the stormwater management facility does not affect any critical habitats.

H. Impact on Agricultural Resources

The site is not designated as agricultural land, and no farming activities exist in the project area. Therefore, there is no impact on agricultural resources.

I. Impact on Aesthetic Resources

The Administration Building remains consistent with the existing built environment. No significant changes to visual character or scenic views will result. The modified auxiliary building placements and slight shift in site layout maintain consistency with prior planning.

J. Impact on Historic and Archaeological Resources

The retained building is not a designated historic structure, and an increase in only 0.4% of additional disturbance to potentially archaeologically sensitive areas is proposed. The modification does not affect previously evaluated historic resources.

K. Impact on Open Space and Recreation

The modification does not reduce recreational areas or open spaces. The surrounding land use remains consistent with prior assessments.

L. Impact on Critical Environmental Areas

No designated Critical Environmental Areas are within the project site. The modification does not introduce new risks to nearby environmentally sensitive locations.

M. Impact on Transportation

The retention of the Administration Building does not alter traffic patterns. Parking availability and pedestrian circulation remain unchanged from the original assessment. The relocation of the curb cut along Southwestern Boulevard aligns with NYSDOT's recommendations and does not create new traffic concerns.

The increase in excavated materials estimated for the project will add less than 1% of the average annual daily traffic (AADT) on Southwestern Boulevard, a negligible increase in traffic during the construction period.

N. Impact on Energy

Utility consumption is expected to be slightly reduced within the Administration Building. No new energy-intensive equipment is proposed.

O. Impact on Noise, Odor, and Light

The modification does not introduce new noise-generating activities. Existing lighting and operational characteristics remain unchanged, ensuring no new light pollution or odor impacts. The realignment of infrastructure elements does not create additional noise concerns.

P. Impact on Human Health

The change does not introduce new environmental hazards or public health concerns. Existing safety and environmental protocols remain applicable.

Q. Consistency with Community Plans

The modification aligns with local land use policies and zoning regulations. It remains consistent with the original project purpose.

R. Consistency with Community Character

The retention of the Administration Building maintains the established character of the area. No significant changes in land use or community function result.

S. Cumulative/Growth Inducing Impacts

The modification does not introduce new growth-inducing impacts. The project remains within the scope of prior planning considerations.

It appears to us, based on our analysis, that proposed modifications do not result in any new significant environmental impacts that were not previously considered. Therefore, the existing Negative Declaration should be reaffirmed.

If you have any questions, please contact me directly at bsteehler@labellapc.com or at (585) 295-6696.

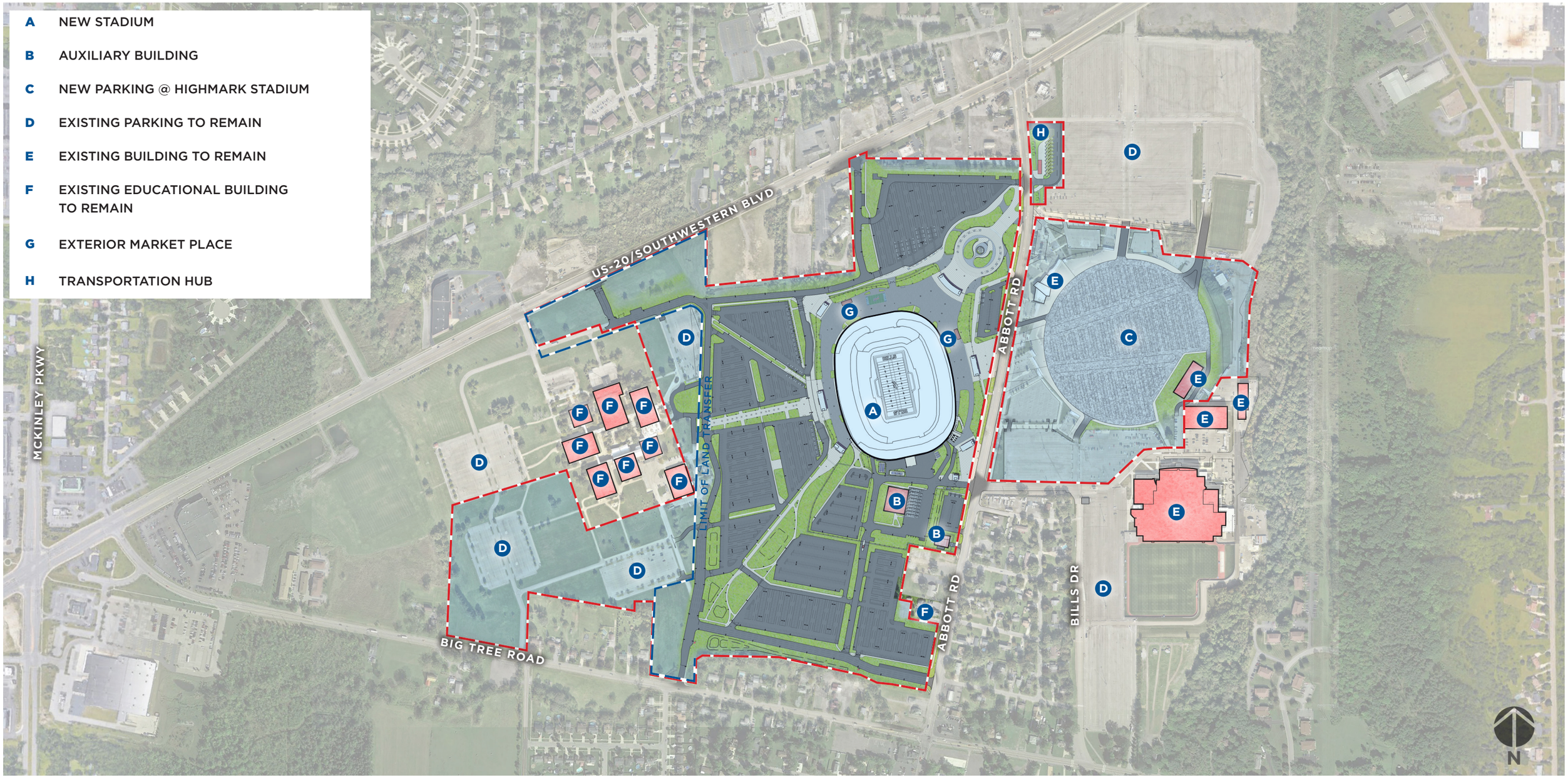
Respectfully submitted,

LaBella Associates



Robert J. Steehler
Vice President / Senior Civil Engineer

CONCEPT SITE PLAN



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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: New Bills Stadium		
Project Location (describe, and attach a general location map): Towns of Orchard Park and Hamburg, Erie Co., NY (All or parts of SBLs: 160.16-1-12, 160.19-1-4.1, 161.00-5-3.1, 161.00-5-1, 161.00-5-16.1, 161.17-6-1, and 161.17-6-3). See attached concept plan.		
Brief Description of Proposed Action (include purpose or need): See attached project description for more information. See attached Project Description.		
Name of Applicant/Sponsor: Buffalo Bills - Kathryn D'Angelo, Assistant General Counsel	Telephone: (716) 312-8607 E-Mail: kathryn.d'angelo@bills.nfl.net	
Address: One Bills Drive		
City/PO: Orchard Park	State: NY	Zip Code: 14127
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): Erie County	Telephone: (716) 858-8008 E-Mail: Mark.Rountree@erie.gov	
Address: 95 Franklin Street, 10th Floor		
City/PO: Buffalo	State: NY	Zip Code: 14202

B. Government Approvals See attached list of government entities and 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, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	County (transfer), County DPW (planning), County Water (water/sewer), County Leg. (transfer)	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	ESD, ECSC, SUNY, ECC (land transfer/funding approvals);	TBD
h. Federal agencies ☐Yes ☑No	(State cont.) SHPO (consult only), NYSDOT (stormwater discharge/traffic consult)	TBD

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑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):

NYS Heritage Areas:West Erie Canal Corridor

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):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Town of Hamburg - R3
Town of Orchard Park - R1

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Orchard Park Central School District, Hamburg Central School District

b. What police or other public protection forces serve the project site?
Orchard Park Police Department, Town of Hamburg Police Department, Erie County Sheriff, NYS Troopers

c. Which fire protection and emergency medical services serve the project site?
Orchard Park Fire District EMS, Orchard Park Fire District, Town of Hamburg Fire Chiefs Association

d. What parks serve the project site?
Orchard Acres Park, California Road Recreational Area, Burmon Recreational Area, Blasdell Fireman's Memorial Park, Honeycrest Playground, Yates Park, Birdsong Park Nature Trail, Penn Dixie Fossil Park and Nature Preserve

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)? Construction of new athletic stadium facility (including new parking lots/improvements to existing lots and pedestrian walking connections) and demolition of existing athletic stadium facility

b. a. Total acreage of the site of the proposed action? +/- 185 acres
b. Total acreage to be physically disturbed? +/- 185* acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 284 acres

*Approx. 40 acres of the Erie Community College Campus will be used for construction laydown, trade contractor parking, and storage. Applicant does not intend to completely demolish and reconstruct those areas.

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
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: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
commercial subdivision
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? 2
iv. Minimum and maximum proposed lot sizes? Minimum +/- 1.0 acres Maximum +/-243 acres land transfer

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) 3 month 2023 year
- Anticipated completion date of final phase 10 month 2026 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

The project consists of two phases: 1): all work associated with the new stadium build. As the construction schedule is developed, additional detail can be provided as required, and 2) demolition of the existing stadium and site restoration.

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: +/- 190 height; +/- 730 width; and +/- 880 length

iii. Approximate extent of building space to be heated or cooled: +/- 700,000 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? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: Bioretention facilities, underground chambers, wet ponds, and wastewater attenuation will be designed to reduce runoff rates below existing conditions and improve control of runoff.

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify:

Stormwater tormwater runoff from the project site and tributary surface run-on to it. Some wastewater will also be impounded.

iii. If other than water, identify the type of impounded/contained liquids and their source.

In addition to stormwater runoff, wastewater from sources including bathrooms, locker room showers, sports facilities, and cooking facilities is anticipated.

iv. Approximate size of the proposed impoundment. Volume: +/-65,000 cubic yards surface area: +/-15 acres

v. Dimensions of the proposed dam or impounding structure: 4 '-5' height; 500' length average dimensions

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

Biorention facilities (shallow depression and biosoil filter), underground chambers (prefab underground detention system), wet ponds (ditch with grass and landscaping) and wastewater attenuation (concrete box)

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☑ Yes ☐ No

If Yes:

i .What is the purpose of the excavation or dredging? Required for construction of new stadium, setback perimeter, and ancillary building location

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): Approx. 500,000 cubic yards
- Over what duration of time? The duration of mass excavation is currently anticipated to be 6/1/23 – 12/1/23

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Soil, gravel, and shale will be excavated. Any material not suitable for re-use on this site will be recycled off-site.

iv. Will there be onsite dewatering or processing of excavated materials? ☑ Yes ☐ No

If yes, describe. Onsite watering will occur during construction. Some of the excavated materials may be processed (crushed to make excavated materials suitable for re-use).

v. What is the total area to be dredged or excavated? Approx. 14.4 acres

vi. What is the maximum area to be worked at any one time? * See note acres

vii. What would be the maximum depth of excavation or dredging? approx. 35 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

The project's objectives are to re-use all excavated material as fill either on the new stadium site, on the existing stadium site, at other nearby locations and/or as needed cover at nearby landfills.

*To meet project schedule requirements, it is possible that the entire area indicated above could be in operation at some point in the excavation process.

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? ☑ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Wetland 1, a small isolated palustrine forested wetland (PFO) approximately 0.56 acres in size would be impacted by the proposed project.

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:
Fill material will be placed for construction of driveways, walkways, and an entrance gate serving the proposed project. The improvements will disturb all of the 0.56-acre wetland.

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: 0.56 acres
- expected acreage of aquatic vegetation remaining after project completion: 0.0 acres
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): Within limits of proposed development.
- proposed method of plant removal: Excavation utilizing construction equipment
- if chemical/herbicide treatment will be used, specify product(s): N/A

v. Describe any proposed reclamation/mitigation following disturbance: This wetland may not be regulated, in which case neither a permit nor mitigation would be required. However, a Juridictional Determination is required and, if it is regulated and over 0.5 acres is impacted, applicant will comply with any mitigation, if required.

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: 30,000 to 40,000 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: A majority of the existing field site east of Abbott Road is in Water District #17, while the ECC Campus and all areas west of Abbott Road are in Water District #6.
- 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: The existing domestic cold water service line already to the site will be extended within the same site to the point of interconnection at the new stadium.
- Source(s) of supply for the district: Lake Erie

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: N/A

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: N/A gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:

i. Total anticipated liquid waste generation per day: 27,000-35,000 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):
Sanitary wastewater will be generated from cooling tower, bathroom, locker room showers, team facilities, and cooking facilities. Peak flows will continue to be managed using on-site retention that allows for timed releases within the capacity of the sewage infrastructure, including the servicing treatment plant.

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Southtowns Advanced Wastewater Treatment Facility
- Name of district: Erie County Sewer District # 3
- 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

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

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):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

There are no current plans or design to capture, recycle, or reuse liquid waste.

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? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 45+ acres (impervious surface) Approx. acreage of impervious surface.

_____ Square feet or 18+ acres (parcel size) Approx. project area in acres.

ii. Describe types of new point sources. Bioretention facilities and ponds will have point source discharges but will connect to existing storm sewer piping or existing point source locations. See table at bottom of page for receiving points/discharge points.

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)?

Most stormwater will be directed to on-site stormwater management facilities. Some runoff may be collected in the NYSDOT storm sewer (as under existing conditions). Other runoff will be directed to existing stormwater systems or new stormwater systems similar to existing conditions.

- If to surface waters, identify receiving water bodies or wetlands: _____

RP #1: Unnamed Tributary of Rush Creek, RP#2: Smokes Creek South Branch. Some runoff may be collected in the NYSDOT storm sewer (as under existing conditions) prior to discharge to RP #1 and #2.

- Will stormwater runoff flow to adjacent properties? The perimeter project area may have minor runoff that sheet drains over adjacent properties as with existing conditions. ☑ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑ Yes ☐ No

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? ☑ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Equipment, trucks and vehicles

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Batch plant

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Power generation for life safety (emergency/standby power generation), large boilers, and water heaters

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? ☐ Yes ☑ No

If Yes:

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) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____ Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

D.2.e.ii: Receiving Point #1: Unnamed Tributary of Rush Creek.
Discharge Point #1A: Direct Discharge to Creek
Discharge Point #1B: To NYSDOT St. Sewer System in S.R. 20A that is believed to discharge to Creek (to be confirmed).
Receiving Point #2: Southern Branch of Smokes Creek
Discharge Point #2A: Direct Discharge to Creek
Discharge Point #2B: to NYSDOT St. Swr. System in S.R. 20 that is believed to discharge to Creek (to be confirmed).

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

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? See note below. ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
17,700,000 kWh

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
NYSEG grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction: Construction team will coordinate with the Bills on Game Days.

- Monday - Friday: 6 AM -11 PM
- Saturday: 7 AM to 6 PM
- Sunday: 8 AM to 5 PM
- Holidays: N/A

ii. During Operations: Security presence is 24/7/365.

- Monday - Friday: Reg. business hours on campus are 9 AM to 5 PM
- Saturday: Hours will vary on event days
- Sunday: Hours will vary on event days
- Holidays: Hours will vary on event days

D.2.j.:No. The function, use and operation of the new Stadium will be similar to the existing Highmark Stadium which will be demolished. The current 71,600 seat capacity of Highmark Stadium generates an established traffic demand on event days. The new Stadium will have a reduced approximate 60,000 seat capacity of about 16%. Thus, it is anticipated that trip counts on the largest events such as Bills games and concerts will be reduced accordingly. The existing site controlled by the Buffalo Bills contains approximately 9,600 public use parking spaces and the proposed action will result in approximately 10,300 public use parking spaces, therefore the parking demand on the surrounding neighborhood is anticipated to be reduced.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Construction activities would exceed existing ambient noise levels. Once the stadium is operational, ambient noise would be comparable to the existing stadium. The partial canopy and extent of exterior envelope enclosure may help contain sound levels as compared to existing conditions.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

The parking areas altered by the project will replace the existing lighting with shorter poles and will consider use of lower poles near the stadium, pedestrian pathway areas, and adjacent to the residential property near Abbott Road. See note below for additional information.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☑ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

Odors would be created by cooking food at the stadium. The stadium will feature concession stands will generate food odors on game and event days. Similarly, tailgating activities in parking lots on game days would generate food odors. Any odors generated would be similar to existing conditions.

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? ☑ Yes ☐ No

See note below.

If Yes:

i. Product(s) to be stored Liquid Fertilizer, Pesticides, and Fungicides as well as #2 diesel for emergency power generation

ii. Volume(s) 200 gallon per unit time year (e.g., month, year) for liquid fertilizer, pesticides, and fungicides.

iii. Generally, describe the proposed storage facilities: There will be two (2) 500 gallon above-ground diesel storage tanks.

Restricted use products will be stored in a fertilizer/pesticide cabinet that can be locked. Other fertilizers will stored on shelving in controlled access room.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☑ Yes ☐ No

If Yes:

i. Describe proposed treatment(s):

No pesticide use is anticipated during construction. Once the project is operational, there will be bi-weekly applications of fertilizer and monthly applications of fungicides. Pesticide application will be completed once annually (May/June) and then done on an as needed basis the remainder of the year.

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☑ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: approx. 2100-2800 tons per construction period (unit of time)
- Operation : approx. 84 tons per year (unit of time)

Note: Assumes 12 Bills home games and 3 other major events.

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Based on data from similar projects, demolition of the existing stadium would produce approx. 1,000 tons of debris (55% recycled), approx. 18,000 tons of concrete (95% recycled), and 100 tons of aluminum and metals (100% recycled).
- Operation: Recyclable materials will primarily consist of cardboard, aluminum cans and paper products. Cardboard balers and trash and dedicated recycling containers will be provided in the loading dock and service area of the stadium.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: The exact disposal method will be determined by the contractor and will follow all applicable NYSDEC guidelines and standards.
- Operation: The Buffalo Bills are aware of NYS laws regarding food waste regulations and requires its food service operator and vendors comply with all applicable laws. The stadium uses Modern Waste and Disposal for trash and recycling services.

D.2.n.: All light sources will be LED. Sky glow will be limited to be the same or less than it is now for the existing stadium. Care will be taken at the edges of the property to not have light spillage / trespass. All site pole light fixtures will be aimed in a downward direction. All up-lights and stadium lighting will be on a time controlled clock. The types of sources will all be LED and will include a combination of post lights, bollards, steplights, low level pathlights, integral lighting within furniture, and adjustable general illumination lights mounted within trees. Uplighting will be sensitively used to accentuate key features of the New Stadium structure as well as specific moments within the plazas/landscaped areas. Any fixture that sits close to the perimeter of site will be equipped with shielding to prevent light trespass. A lighting control system will be implemented and will play a key role in the outdoor environment, allowing fixtures to be regulated to appropriate light levels during evening hours when guests are on site as well as after hours for security.

D.2.p.: The stadium facility currently stores diesel fuel, pesticides, and fungicides on site. With respect to pesticides and fungicides, all products, usage, frequency and process will be similar to what is currently done to the practice fields at the Training Facility. However, the existing stadium field is artificial turf so a new natural grass field at the new stadium will increase the overall quantity used annually. The new stadium will also increase the storage of diesel from existing conditions.

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

Hazardous waste, if encountered during demolition, will be disposed of according to local, state, and federal guidelines.

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

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): Educational Facility (Erie County Community College)

ii. If mix of uses, generally describe:

Bills Stadium is located in a suburban area and is surrounded by residential and commercial uses and a community college.

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	95.0	120.0	+25.0
• Forested	2.0	0	-2.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	
• Surface water features see note below (lakes, ponds, streams, rivers, etc.)	0	1.5	+1.5
• Wetlands (freshwater or tidal)	0		
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: manicured/dense lawn	88.0	63.5	-24.5

Surface Water Features: 1.5 acres of permanent retention features are added by new stadium design.

Acreage represented in land use table equals the limit of disturbance.

c. Is the project site presently used by members of the community for public recreation? ☑ Yes ☐ No

i. If Yes: explain: Highmark Stadium hosts public events at their facility.

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? ☑ Yes ☐ No

If Yes,

i. Identify Facilities:

Erie Community College is located to the west of Highmark Stadium. Windom Elementary School is located to the northwest of Highmark Stadium. Southtowns Childrens Associates is a special education school located north of Highmark Stadium.

e. Does the project site contain an existing dam? Does not include impoundments discussed in D.1.h. ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

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? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

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? ☑ Yes ☐ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

ECC handles hazardous wastes according to federal (RCRA) and state requirements.

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? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☑ Yes – Spills Incidents database — Provide DEC ID number(s): 8803429, 9214217,0905583,1302788, 1607784,1802979

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

None

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

No current violations or active spills

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? +/- 7.8 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

MfA - Marilla shaly silt loam	33 %
MaB - Manlius shaly silt loam	33 %
DbA - Darien silt loam	34 %

d. What is the average depth to the water table on the project site? Average: +/- 6.4 feet

e. Drainage status of project site soils:
☑ Well Drained: 33 % of site
☑ Moderately Well Drained: 33 % of site
☑ Poorly Drained 34 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☑ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 837-226, 837-229, 837-235 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name See note below Approximate Size +/- 4 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? See note below ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: Name - Pollutants - Uses: Rush Creek and tribs – Pathogens; Nutrients - Recreation; Public Bathing;Aquatic Life, Name - Pollutants - Uses:South Branch Smoke Creek (lower) Branch Smoke Creek, Lower, and tribs – Nutrients;Silt/Sediment – Recreation; Aquatic Life

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

E.2.h.iv Wetland 1 (palustrine forested wetland approximately 0.56 acres in size) located on the project site

E.2.h.v Wetland 1 is possibly not regulated, however a Jurisdictional Determination is required and, if regulated and if more than 0.5 acres is impacted, mitigation may be required.

m. Identify the predominant wildlife species that occupy or use the project site:
Typical suburban species such as rodents, deer, songbirds, crows, foxes, coyotes, squirrels, rabbits, raptors, crows, frogs, and snakes raccoons, woodchucks, chipmunks, may pass through the site.

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: acres
- Following completion of project as proposed: acres
- Gain or loss (indicate + or -): acres

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? ☐ Yes ☑ No
If Yes:
i. Species and listing (endangered or threatened):

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? ☐ Yes ☑ No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑ Yes ☐ No
If yes, give a brief description of how the proposed action may affect that use:
Recreational fishing activities take place in Smokes Creek and Rush Creek.

E.3. Designated Public Resources On or Near Project Site

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? ☐ Yes ☑ No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No
i. If Yes: acreage(s) on project site? +/- 1 acre
ii. Source(s) of soil rating(s): USDA Farmland Classification (Prime Soils)

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

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? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ 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? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Woodlawn Beach State Park

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Park

iii. Distance between project and resource: approx. 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ 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 Kathryn D'Angelo Date 11/22/2022

Signature DocuSigned by: Kathryn D'Angelo 006622D6FE0147A... Title Assistant General Counsel

PRINT FORM

Exhibit E

To: All Potentially Interested and Involved Agencies September 8, 2025

Acknowledgment of the Erie County Legislature ("Legislature")
to Reestablish Lead Agency and Conduct a Coordinated Review Pursuant to the
New York State Environmental Quality Review Act

Project: Buffalo Bills Stadium Project - Project Revisions

Location: 1 Bills Drive, Orchard Park, NY 14127 (SBLs: 161.00-5-3.1; 161.00-5-1; 161.00-5-16.1; 161.17-6-1; 161.17-1-3; 161.17-1-4.2; 161.17-6-10; 160.16-1-12 and 160.19-1-4.1) ("**Property**")

The _____ consents to the designation of the Legislature as the lead agency for the above-referenced project.

_____	_____	_____
Completed by (Agency Representative)	Agency	Date

This notice has been provided to the following Potentially Interested and Involved Agencies:

1. Office of the Governor of New York State
2. New York State Urban Development Corporation d/b/a Empire State Development
3. New York State Office of Parks, Recreation and Historic Preservation, NYOPRHP
4. New York State Division of Historic Preservation
5. New York State Division of Historic Preservation, Technical Preservation Bureau
6. New York State Department of Environmental Conservation, Region 9
7. New York State Division of Budget
8. New York State Department of Environmental Conservation, Commissioner
9. New York State Department of Transportation
10. New York State Department of Transportation, Region 5
11. New York State Police, Troop A
12. Public Authorities Control Board
13. The State University of New York Board of Trustees
14. The State University of New York, Chancellor
15. Niagara Frontier Transportation Authority
16. New York State Urban Development Corporation d/b/a Empire State Development WNY Region
17. Erie County Executive's Office
18. Erie County Legislature
19. Erie County Stadium Corporation c/o Empire State Development Corporation
20. Erie County Water Authority
21. Erie County Sewer District #3 Board of Managers
22. Erie County Department of Public Works
23. Erie County Department of Health
24. Erie County Sheriff
25. SUNY Erie Community College Board of Trustees
26. SUNY Erie Community College, President
27. Erie County Department of Health

28. Erie County Industrial Development Agency
29. Town of Orchard Park
30. Orchard Park Building Inspector/Code Enforcement
31. Orchard Park Planning Board
32. Orchard Park Zoning Board of Appeals
33. Orchard Park Police Department
34. Orchard Park Fire District
35. Town of Hamburg
36. Hamburg Planning Board
37. Hamburg Zoning Board of Appeals
38. Hamburg Building/Code Enforcement
39. Hamburg Police Department
40. Hamburg Fire Department
41. U.S. Army Corps of Engineers

For Further Information Contact:

Mark Rountree, Chief Planner
Erie County Environment and Planning
Attn: Mark Rountree
Edward A Rath County Office Building
95 Franklin Street, 10th Floor
Buffalo, New York 14202

Phone: (716) 858-8008
Fax: (716) 858-7248

Exhibit F

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *that at the* ***2nd*** *Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the* ***19th*** *day of* ***January, 2023 A.D.****, a Resolution was adopted, of which the following is a true copy:*

WHEREAS, the County of Erie ("County"), through its legislative body, the Erie County Legislature ("Legislature") is currently evaluating: (1) the conveyance of certain portions of land located in the Town of Orchard Park (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10) to the Erie County Stadium Corporation ("ECSC") and the subsequent lease of the sold parcels by ECSC to Buffalo Bills, LLC, Western New York's National Football League franchise team (together, with its stadium affiliate, the "Team"); (2) the construction of a new stadium to replace the existing Highmark Stadium ("New Stadium"); (3) the demolition of Highmark Stadium ("Existing Stadium") on the east side of Abbott Road between Big Tree Road and Southwestern Boulevard; and (4) the continued operation of the Team's complex (collectively, the "Project" or "Action"); and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation ("NYSDEC"), being 6 NYCRR Part 617, et. seq., as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the County must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, on July 1, 2022, the Legislature transmitted to all potentially Interested and Involved Agencies (as those terms are defined pursuant to SEQRA) a notice of the Legislature's intent to act as Lead Agency for the review of the Project (together with a completed Part 1 of the Full Environmental Assessment Form), as that term is defined pursuant to SEQRA; and

WHEREAS, on July 14, 2022, a public scoping meeting was held to garner public input on the scope of the SEQRA review of the Project, with public comments accepted following the public scoping meeting; and

WHEREAS, no other potentially Involved Agencies objected to the Legislature's declaration of its notice of intent to serve as Lead Agency, such that the Legislature became the Lead Agency as of August 1, 2022; and

WHEREAS, on October 14, 2022, extensive environmental analysis including a detailed technical addendum to Part I of the Full environmental Assessment Form ("TA") along with associated supporting studies in addition to responses to all public scoping comment responses received, as well as the draft Environmental Assessment Form Parts II and III were made publicly available for review and comment, with notice sent to all Potentially Interested and Involved Agencies; and

WHEREAS, on October 27, 2022, a public hearing was held at the Orchard Park Community Activity Center to garner public input on the environmental analysis, Technical Addendum, and documentation completed to date; and

WHEREAS, public comments on Part 1 of the Full Environmental Assessment Form and the environmental analysis were collected from October 14, 2022 until November 2, 2022; and

WHEREAS, to aid the Legislature in determining whether the Project may have a significant adverse impact upon the environment, the Legislature has received, or reviewed:

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *that at the **2nd** Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the **19th** day of **January, 2023 A.D.**, a Resolution was adopted, of which the following is a true copy:*

1) A Full Environmental Assessment Form, Part 1 ("FEAF")
2) A Technical Addendum to the FEAF ("TA"), the appendices to which are listed separately herein;
3) Project Plans
4) Lead Agency Notice;
5) Summary of Sustainable Design Elements;
6) Public Scoping Comments and Responses;
7) Alternatives Analysis;
8) Lighting Design Narrative;
9) Geotechnical Engineering Assessment Report;
10) Ecological Review;
11) Phase 1 Environmental Site Assessment;
12) Preliminary Stormwater Pollution Prevention Plan ("SWPPP);
13) Final Phase 1A Archaeological Investigation and Consultation Correspondence;
14) Water and Sanitary Sewer Report;
15) Electrical Demand Narrative;
16) WJHW Environmental Sound Study;
17) GHD Noise Impact Study;
18) Traffic Management Plan ("TMP");
19) Traffic Assessment;
20) Demolition Mitigation Plan ("DMP");
21) Viewshed Analysis;
22) Photosimulations;
23) Historic Survey;
24) TA Public Comments and Responses;
25) Final Letter of Resolution;
26) New Stadium Rendering;
27) Revised Part 2 and 3 of the Full Environmental Assessment Form;
28) Responses to NYSDOT Comments;
29) Progress Report for Phase 1A/Partial Phase 1B;
30) Traffic Management Plan - Version 2.0 and
31) other relevant environmental information (collectively, 1-32, together with all analysis and supporting documentation referenced therein or relied upon thereby, are incorporated by reference herein in their entirety and shall be referred to as the "Environmental Information"); and

WHEREAS, prior to making a determination about the potential environmental significance of the Project, the Legislature has completed Parts 2 and 3 of the FEAF, has reviewed the Environmental Information, consulted various information sources, and considered the list of activities which are Type I Actions outlined in Section 617.4 of the SEQRA regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the SEQRA regulations and the criteria for determining significance outlined in Section 617.7 of the SEQRA regulations; and

WHEREAS, the Legislature has duly considered the Action, the full Environmental Assessment Form Parts I-III, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), the draft Negative Declaration, and such other information deemed appropriate; and

WHEREAS, the Legislature has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination.

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *that at the* ***2nd*** *Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the* ***19th*** *day of* ***January, 2023 A.D.****, a Resolution was adopted, of which the following is a true copy:*

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature formally declares itself Lead Agency and accepts all responsibilities associated with same; and be it further

RESOLVED, that the Project is a Type I Action pursuant to SEQRA, as it involves the disturbance of land totaling over 10 acres; and be it further

RESOLVED, that based upon a thorough review and examination of the known facts relating to the Action and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings, including the Environmental Information, relating to the Action, the Legislature finds that the Action will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared; and be it further

RESOLVED, that the attached Negative Declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the determination of non-significance; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget and Management, the Department of Law, and Mark Rountree, Department of Environment and Planning and any other required parties pursuant to the SEQRA regulations.

NEGATIVE DECLARATION
Determination of Non-Significance

Lead Agency: Erie County Legislature
Date: January 5, 2023

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act, or "SEQRA") of the Environmental Conservation Law.

The County of Erie Legislature ("County"), as lead agency, has reviewed the proposed resolution regarding the Buffalo Bills New Stadium Project (the "Project" or "Action") and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared. * Terms not defined herein have the same meaning given to them in the Technical Addendum.

Name of Action: Buffalo Bills New Stadium

Location of Project Site: Towns of Orchard Park and Hamburg, New York (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10).

SEQRA Status: Type I

Description of Action: Erie County is currently evaluating: (1) the conveyance of certain portions of land located in the Town of Orchard Park (SBLs: 161.00-5-1, 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10) to the Erie County Stadium Corporation ("ECSC") and the subsequent lease of the sold parcels by ECSC to Buffalo Bills, LLC, Western New York's National Football

ATTEST

ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *that at the* ***2nd*** *Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the* ***19th*** *day of* ***January, 2023 A.D.****, a Resolution was adopted, of which the following is a true copy:*

League ("NFL") franchise team (together, with its stadium affiliate, the "Team"); (2) the construction of a new stadium facility ("New Stadium" or "New Stadium Complex") to replace the existing Highmark Stadium ("Existing Stadium"); (3) the demolition of Highmark Stadium; and (4) the continued operation of the Team's complex (collectively, the "Project"). Reference is made to the Technical Addendum ("TA") for a more detailed description of the Project.

Reasons Supporting this Determination:

The County has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by SEQRA. The County compared the Action with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). The County has completed Parts 2 and 3 of the Full Environmental Assessment Form ("FEAF"), and, as indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

A. Impact on Land

The New Stadium and surrounding parking lots and pedestrian walking connections will be constructed on a previously developed site directly across the street from the Existing Stadium, on the west side of Abbott Road. The addition of improved drainage and parking lot runoff management will be a significant improvement when compared to the current conditions associated with the Existing Stadium and surrounding facilities. There will not be any significant construction activity on lands where the depth to the water table is less than 3 feet. The Project does not involve construction on slopes of greater than 15%. There will not be any blasting of bedrock necessary nor construction over limestone bedrock which typically has caves, cracks and/or sinkholes that could expose the groundwater table.

The footprint of the New Stadium is smaller than the Existing Stadium. Almost all of the excavated material will be reused and remain on the Site. During demolition, the Existing Stadium's concrete structure will be ground up and recycled as fill material within its existing bowl area to reduce off-Site waste. Many of the large boulders used as vehicular barriers around the Site will be reused. Any metal and concrete materials not suitable for reuse on the Site will be recycled off-Site. Excavated clean and suitable soils maybe reused off-Site, at the County's discretion, as a source of clean cover material and fill for other County projects. The Project will not result in increased erosion. All required soil and erosion control measures during construction will be implemented. Furthermore, no state or federally mapped wetlands will be impacted by the construction of the New Stadium Complex.

Overall, the Project will involve significant amounts of construction lasting for three years. However, the Project essentially replaces the Existing Stadium, which has been operational for approximately 50 years, with a brand new, state of the art stadium on an adjacent, already developed parcel. Accordingly the Project will not have a significant adverse impact on land.

B. Impact on Geological Features

The Site contains no unique or unusual land forms (e.g. cliffs, dunes, minerals, fossils, or caves), nor are there any National Natural Landmarks at or around the Site of the New Stadium Complex. Accordingly, the Project will not have a significant adverse impact upon geological features.

ATTEST

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C. Impact on Surface Water

Overall, proposed improvements to the New Stadium Complex's drainage conditions have been designed to meet all State and Federal requirements and will result in significant improvements to stormwater management over current practices, which are intended to result in a beneficial impact on downstream drainage conditions as compared with existing conditions. There are no proposed impacts to the mapped streams within the Project Area. The Project will result in new impervious surfaces which will require stormwater management systems to properly handle stormwater flows and ensure proper management of such stormwater on Site. Soil and erosion control measures will be implemented so there are no inappropriate discharges of contaminants to surface waters during construction. Following site stabilization and construction of the Project, erosion and control measures will control the water quality and quantity of stormwater runoff. Unlike existing conditions, the stormwater management system for the New Stadium Complex will provide treatment in accordance with NYSDEC criteria, and will control the peak runoff to Smoke Creek and Rush Creek Tributary, to rates at or below existing rates. The methods being employed will provide water quality treatment to address specific pollutants, such as phosphorus. This treatment will greatly enhance the quality of the post construction discharge as compared to current conditions.

Based on these facts, the Project will not have any significant adverse impacts on surface water.

D. Impact on Groundwater

Because both the Existing Stadium and the New Stadium Complex receive water from the Erie County Water Authority ("ECWA") sourced from Lake Erie, the Project will not require new water supply wells, nor place any additional demand on existing water supply wells. While the New Stadium Complex will require storage and use of fertilizers, fungicides, diesel, and pesticides, such storage will be in accordance with applicable federal, state, and local requirements to avoid any impacts to any groundwater resources, and is consistent with existing conditions resulting from the Existing Stadium. Groundwater in the vicinity of the New Stadium Complex is not a source of potable drinking water due to the existing municipal water supply system. In addition, the SWPPP and SPDES Permit controls will be in place to limit any impacts from construction and excavation. The Existing Stadium's demolition will adhere to all applicable federal, state, and local statutes, laws, codes, and ordinances, as well as industry standard practices for responsible environmental controls. Based on these facts, the Project will not have any significant adverse impacts on groundwater.

E. Impact on Flooding

As detailed in the TA, while there is a 100-year floodplain on the south end of the Project Area, the Project Area itself is not located in a designated floodway, a 100-year floodplain, and a 500-year floodplain. The New Stadium Complex will achieve an 18% reduction in peak stormwater runoff as compared to existing conditions by utilizing stormwater controls. Stormwater controls include the installation/improvement of six bioretention facilities, the existing on-site storm sewer system, an underground detention chamber which will serve to attenuate peak discharge rates, two wet ponds, the use of hydrodynamic water quality units, and the use of impervious cover reduction with soil restoration practices. Based on these facts, the Project will not have any significant adverse impacts on flooding or flooding conditions, and will result in a net benefit to existing flood conditions in the vicinity of the New Stadium Complex.

ATTEST

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F. Impact on Air

The New Stadium will have a reduced seating capacity compared to the Existing Stadium, thereby reducing vehicle trips per event as compared to the Existing Stadium and thereby reducing associated indirect air pollution impacts. During construction, in addition to indirect air pollution from vehicles, the demolition of the Existing Stadium could result in fugitive dust emissions, however those time periods will generally be limited to the initial construction stage when excavation work takes place and during demolition of the Existing Stadium. In order to ensure that the construction activities and demolition of the Existing Stadium do not have an adverse impact on air quality, the comprehensive Demolition Mitigation Plan ("DMP") will be implemented. Additionally, the activities associated with the demolition of the Existing Stadium will adhere to all applicable federal, state, and local statutes, laws, codes, and ordinances, as well as industry standard practices for responsible environmental controls. Accordingly, the Project will not have any significant adverse impacts on air quality.

G. Impact on Plants and Animals.

The Site is largely developed, and there are no significant natural habitats on the Site. Several public comments raised concerns with respect to the impact of the design of the New Stadium on migratory birds. The façade of the stadium is generally split into two horizontal curved bands of solid materials at its base, and perforated screens at the upper levels of the stadium. Primary exterior cladding materials include: perforated metal panels (approximately 43%), solid metal panels (approximately 25.5%), brick (approximately 19%), glass (approximately 9.5%), and concrete (approximately 1.5%). As further detailed in the TA, the location of exterior glass has been strategically placed to maximize daylighting to key interior spaces at consolidated zones, is limited in height, and makes up less than 10% of the overall exterior façade, and will not be highly reflective, and up to approximately 25% of the glass surface is located behind perforated metal panels, all of which will further reduce impacts on avian species. Further, the New Stadium will be located further away from the existing wildlife habitat present in Smokes Creek compared to the Existing Stadium. As the vast majority of the Site is already developed and there is no significant natural habitat present, nor any threatened or endangered species, and due to the building materials, integration of field lighting, and use of newer technology and lighting controls, the Project will not have any significant adverse impacts on plants and animals.

H. Impact on Agricultural Resources

The Site has not been used for agriculture, since at least 1972, and is not considered prime farmland, and is not located in a NYS certified Agricultural District. Accordingly, the Project will not have any significant adverse impacts upon agriculture or agricultural uses.

I. Impact on Aesthetic Resources

While the New Stadium's compact footprint is smaller than the Existing Stadium by approximately 50' in length and 100' in width, its roof canopy could extend approximately 50' higher than adjacent grade as compared to the Existing Stadium's field lights. Nevertheless, the nearest officially designated and publicly accessible federal, state, or local scenic or aesthetic resource (Woodlawn Beach State Park) is located approximately 5 miles from the New Stadium Complex, and the New Stadium will not be visible from this resource. The location where the difference in stadium height will be most noticeable is when walking or driving along Abbott Road and on the Erie Community College ("ECC") South Campus. In addition, the

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

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parking areas servicing the New Stadium Complex will have improved paved pedestrian pathways and landscaping consisting of trees, shrubs and groundcover as compared to the existing conditions. Multiple landscaped bioswales will be used to manage a portion of the stormwater runoff while also providing additional landscaped green infrastructure area.

The New Stadium will be substantially screened by existing vegetation from surrounding neighborhoods and other locations, including major roadways. While the New Stadium will be visible from Chestnut Ridge Park, such visibility is consistent with the skyline view of the Existing Stadium and City of Buffalo currently available to visitors.

Generally, due to topography and mature trees, even with the New Stadium's increased height, views from adjacent vantage points, particularly surrounding residential neighborhoods, are not adversely altered. Given the New Stadium's notable separation from the residential properties and the presence of existing trees in the surrounding area, the Project will not create a significant adverse aesthetic impact compared with existing conditions.

J. Impact on Historic and Archaeological Resources

There are no buildings, archeological sites or districts listed or nominated for inclusion on the State or National Register of Historic Places on the Site. The Existing Stadium was built between 1972-1973 and is now approximately 50 years old, however, significant modifications have been made to the original structure of the Existing Stadium since it was first constructed. The NYS Office of Parks, Recreation, and Historic Preservation ("OPRHP") has determined that the

The Site adjoins some historic cemeteries and is located on the historic homelands of several Indigenous Nations, including the Seneca, Erie, and Wenro, and Neutral. Thus, the area is considered sensitive for Indigenous archaeological resources, including the potential for burials and/or human remains. In accordance with Section 14.09 of the State Historic Preservation Act, a consultation process was initiated among Involved Agencies (Empire State Development, OPRHP, the NYS Department of Environmental Conservation ("NYSDEC") and the County). As part of this process, the region's three Indigenous Nations, the Seneca Nation of Indians, the Tonawanda Seneca Nation, and the Tuscarora Nation (collectively the "Interested Nations") were invited to participate by providing input into documentary research and to monitor on-Site investigations. The Involved Agencies have entered into a Letter of Resolution ("LOR") documenting stipulations to be implemented to ensure protection and preservation of archaeological resources encountered. The Team and the Interested Nations have been invited to sign the LOR as Concurring Parties. Based on the above, the Project will not have a substantial adverse impact upon historic or archeological resources.

K. Impact on Open Space and Recreation

The New Stadium Complex will not result in a loss of recreational opportunities or a reduction in open space resources. With respect to the underutilized athletic fields on the ECC Campus, the ECC Board of Trustees has determined the ECC Campus land containing the athletic fields is no longer necessary for community college use or purposes. In terms of off-Site recreational resources, the closest is the California Road Recreational Area which is 1.5 miles away and will be unaffected by the Project. The nearest park is the Woodlawn Beach State Park which is approximately 5 miles away and, also, will be unaffected by the Project. Accordingly, the Project will not have a substantial adverse impact upon open spaces or recreation.

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

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L. Impact on Critical Environmental Areas

There are no Critical Environmental Areas as described in subdivision 6 NYCRR 617.14(g) on the Site or in proximity to the Site. Accordingly, the Project will not have any significant adverse impacts upon Critical Environmental Areas.

M. Impact on Transportation

Overall, the New Stadium Complex will feature approximately 10,000 parking spaces controlled by the Buffalo Bills, similar to the approximately 9,950 spaces currently controlled with the Existing Stadium. Importantly, the New Stadium's location, west of Abbott Road, will allow for patrons and vehicles to enter and exit more equally in all directions as compared to the Existing Stadium, which constrained on the east side by Smoke Creek. Further, new driveways will offer additional ingress and egress opportunities for parking areas, alleviating some existing game day traffic congestion for the New Stadium Complex.

The existing operations, outlined in the Traffic Management Plan ("TMP"), to accommodate and manage game day traffic and pedestrian operations for the New Stadium Complex will remain similar as to what is done today for the Existing Stadium Complex. Traffic management for Game Day and other events is reviewed at the end of the Team's season to discuss any changes necessary for the coming year, and then again before the start of a season. As detailed below, the New Stadium Complex is expected to result in similar impacts to roadway facilities, vehicle trips, parking, public transportation facilities, travel patterns, and pedestrian conditions as the Existing Stadium, thus no significant change is expected to result from the Proposed Action.

i. Roadway Facilities

As the New Stadium will be located on the west side of Abbott Road (across from the Existing Stadium), the same existing regional street network will be used by patrons of the New Stadium. Notably, an additional driveway will provide a new connection between Southwestern Boulevard and Big Tree Road, adjacent to ECC Campus. Given the reduced seating capacity of the New Stadium, no increase to traffic volumes on the existing regional street network are anticipated.

Accordingly, the New Stadium Complex will not have a significant adverse impact on roadway facilities as compared to existing conditions.

ii. Vehicle Trips

Game day traffic volumes and parking demand will be reduced as compared to existing conditions as a result of the reduction in the number of attendees due to the reduced seating capacity of the New Stadium. Overall, the New Stadium is projected to generate approximately 2,000 fewer vehicle trips than the Existing Stadium. Furthermore, game attendees' travel patterns and behavior will largely resemble travel that of the Existing Stadium Complex. Accordingly, the New Stadium Complex will not have a significant adverse impact on vehicle trips.

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

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iii. Parking Facilities

The New Stadium Complex is expected to incorporate expedited parking validation processes that will help to move pre-game traffic queues for parking areas more expeditiously. Between the Team/owner-controlled parking spaces, ECC Campus, and secondary and tertiary parking, 20,089 spaces are proposed for the New Stadium Complex. The identified demand for parking spaces at the New Stadium Complex is 18,080. During post-game operations, parking lot driveways are anticipated to retain their existing directional exit patterns to support traffic flow.

Accordingly, the New Stadium Complex will not have a significant adverse impact on parking facilities as compared to existing conditions.

iv. Public Transportation Facilities

NFTA is not proposing any changes to existing service along Route 14, Route 16, or Route 72 due to the Project. Beginning during the 2022 season, NFTA is piloting game day service that would operate between several locations across Western New York to a passenger drop-off on Abbott Road. This pilot service is in its initial phase as of the 2022 season and is subject to change throughout the season based on conditions and ridership. It is anticipated that this new direct service to the Site will continue on game days with the New Stadium.

Accordingly, the New Stadium Complex will not have a significant adverse impact on public transportation facilities.

v. Travel Patterns

Patrons parking in lots to the north and south of the Site will likely continue to equally approach/depart the Site from/to the west and east while patrons parking to the west will likely continue to approach/depart from/to the west and patrons parking to the east will likely continue to approach/depart from/to the east. New/modified internal roadways and access driveways will provide the flexibility needed to allow adjustments to the TMP based on actual operational experience with the New Stadium, and the TMP will be updated regularly.

Game day use of local streets is expected to remain similar to existing conditions, and potentially experience reduced traffic volumes due to reduced seating capacity at the New Stadium. In addition, the increase in the total number of anticipated parking spaces to the east of Abbott Road is anticipated to reduce the potential for cut-thru traffic on these roadways which are all located to the west of Abbott Road.

Accordingly, the New Stadium Complex will not have a significant adverse impact on travel patterns, as compared to baseline conditions.

vi. Pedestrian Conditions

The New Stadium will incorporate several new internal walkways west of Abbott Road to enhance pedestrian accommodations. Existing sidewalks, pedestrian walkways and accommodations provided on-Site to the east of Abbott Road will remain and are detailed in the TMP. The closure of Abbott Road for pedestrian accommodation pre- and post-game as part of the TMP is planned to continue, along with the

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *that at the* ***2nd*** *Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the* ***19th*** *day of* ***January, 2023 A.D.****, a Resolution was adopted, of which the following is a true copy:*

other measures detailed therein that have been highly effective in ensuring pedestrian safety. It is noted that during the public comment period on the Technical Addendum and supporting environmental reports, several commenters stated that they were concerned about sidewalks, guiderails, and other structures of the like not being implemented in the new stadium design. As detailed in the response to that comment, pedestrian safety is of the highest importance before and after a game. As explained on page 17 of the TA, the Traffic Management Plan (Appendix 16 to the TA) has been specifically designed to manage game day traffic with the goal of maximizing capacity of the adjacent roadways and protecting the high number of pedestrians in the vicinity of the Existing Stadium Complex. In order to maximize pedestrian safety, Abbott Road from Big Tree Road to Southwestern Boulevard is shut down for pedestrian crossing during event days. Furthermore, before a game, a pedestrian corridor is established within the rightmost northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. After a game, there are lane restrictions on Abbott Road north of Southwestern Boulevard and on Big Tree Road to provide pedestrian corridors. After a game, a pedestrian corridor is established within the right of way of the northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. Furthermore, Big Tree Road (Route 20A) closes to westbound traffic at U.S. Rt. 219 starting at approximately halfway through the game/event. Big Tree Road is then converted into eastbound only traffic to the U.S. Rt. 219 interchange ramp. The TMP calls for use of channelizing devices such as cones or drums to delineate the eastbound traffic on the eastbound shoulder and the travel lanes. The westbound shoulder is used for a pedestrian corridor.

Accordingly, the New Stadium Complex will not have a significant adverse impact on pedestrian conditions.

vii. Construction Implications

All construction site impacts to parking spaces will occur to either Team/owner-controlled parking lots or ECC Campus parking spaces. No changes to secondary or tertiary parking is anticipated as part of the New Stadium construction. The construction stages will temporarily reduce the available number of on-Site parking spaces, most of which includes the employee, RV and bus and limo parking. During construction, temporary shuttling will occur to transport staff between the Site and remote parking lots. This will help to reduce the demand for on-Site parking during construction.
Construction vehicle parking and staging will be accommodated on-Site. No off-Site parking or use of local roadways for construction vehicle parking is anticipated during the construction duration. Construction deliveries will be scheduled to avoid peak traffic times as much as possible. Delivery routes will be identified to minimize impacts to travel on adjacent roadways. The addition of these vehicles would result in negligible impacts to the operations of the roadways due to the available off-peak capacity of the network of roadways near the Site. The construction related traffic trips will be temporary, minor, and will conclude as the stages of construction are completed.

Overall, the addition of construction worker vehicles would result in negligible impacts to the operations of the roadways due to the available off-peak capacity of the network of roadways near the Site.

viii. Conclusion

The Project is expected to result in traffic volume and flow, parking, and pedestrian conditions that are similar to those of the Existing Stadium. This, combined with the reduced seating capacity and features included in the New Stadium, is not expected to result in significant adverse impacts to the transportation network above and beyond those experienced with the Existing Stadium.

ATTEST

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Thus, the New Stadium Complex will not have a significant adverse impact on transportation, as compared to baseline conditions.

N. Impact on Energy

The Existing Stadium uses one (1) incoming 35 kV service feeder from NYSEG, and is split into two feeders to service the Existing Stadium. The current peak utility electrical demand from the Existing Stadium on both feeders totals approximately 7,500 kW for event days. The New Stadium Complex will require two (2) new dedicated 35 kV service feeds from NYSEG. The utility peak demand for the New Stadium is anticipated to be between 9,500 and 11,000 kW, but expansion of the electrical grid is not anticipated to be necessary. The increased electrical load is due to the increased area of the building and increased amount of technology, equipment, and amenities in a modern NFL stadium. Newer technologies that are more energy efficient than existing systems will be employed at the New Stadium and throughout the New Stadium Complex. The source of electricity will be the Western New York power grid which already uses 91% zero-emission energy for the electrical grid. The New Stadium Complex will continue to draw from these renewable resources.

Although there is a decrease in seating capacity associated with the New Stadium, there will be an increase in square footage per ticket holder, and an increase in heated interior space, when comparing the New Stadium Complex to the Existing Stadium. This is specifically designed to increase fan comfort and enhance the Game Day experience. Even with the increase in heated interior space, because of the energy-efficient design of the New Stadium, the natural gas usage for the building, including space heating, cooking gas, and water heating, decreased by approximately 14% from existing conditions. However, overall, the natural gas usage will increase from 42,426 decatherms per year at the Existing Stadium Complex to 54,192 decatherms per year for the New Stadium Complex, an increase over existing conditions by 11,766 decatherms or approximately 27%. This increase in natural gas is attributable to the natural grass field, which requires heating through the use of underground boilers in winter. The natural grass field, as compared to the artificial turf at the Existing Stadium, is for purposes of enhanced player safety concerns, including the reduction of knee injury and concussion risks to players. To put this increase in some perspective, on an annual basis, the County's Rath Building utilizes approximately 11,422 decatherms per year. Thus, the increase in natural gas consumption associated with the Project is roughly equivalent to a large office building. Potential impacts from this increase in natural gas usage are mitigated by the more energy efficient design of the New Stadium.

Specifically, regarding the HVAC system, a more robust insulated building envelope will be developed that will result in conserving electricity when heating and cooling the building. The improved building envelope will use high performance glazing and increased exterior thermal insulation to reduce heating and cooling loads for interior spaces. The partially open, shaped roofline gives the New Stadium an aerodynamic form as a way to help drive Lake Erie winds over the facility, rather than to swirl around inside the bowl, as it does in the Existing Stadium. Improved HVAC automated controls and use of higher efficiency equipment including the use of airside economizers on all air handling systems will increase the New Stadium's energy efficiency and optimize its performance.

LED video displays used in the seating bowl and concourses, as well as illuminated signs, are more energy efficient than previously available models, thus use less electricity power per square foot than what currently exists at the Existing Stadium. Energy efficient LED lighting fixtures will be used both in the New Stadium, including the playing field, and throughout the New Stadium Complex to reduce the electrical demand. A

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more extensive lighting control system will be used to minimize the use of electricity and conserve energy when areas are unoccupied.

During construction of the New Stadium, the energy demand associated with construction activities will be less than the Existing Stadium's game day peak load. The New Stadium will not be operated concurrently with the Existing Stadium, thus there is no overlap of stadium operational electrical use.

As such, there will be no significant adverse impacts on energy usage.

O. Impact on Noise, Odor and Light

i. Noise

1. New Stadium Operations

For game day events the New Stadium speaker system levels are expected to result in similar community sound level impact as compared to the Existing Stadium speaker system.

For concert events, the New Stadium speaker system levels are expected to result in a significantly lower community sound level impact reducing the overall sound level impact by 8 to 11 dBA. A small area approximately 4,110 feet from the New Stadium (at Lynwood Ave. and Brookview Terrace) could see an increase in sound level of approximately 3 dBA due to the location of the New Stadium. However, this location is nearly a mile from the New Stadium and will likely be shielded by intermittent buildings and vegetation.

2. Construction

Equipment and activities associated with construction of the New Stadium have the potential to produce intermittent noise emissions in the vicinity of the New Stadium above the documented baseline limits, and changes to ambient noise levels and vibrations have the potential to impact existing sensitive receptors. The impacts would largely be associated with the excavation and foundations work stages of construction, which is over a limited time period, and it is anticipated that approximately 85 to 90% of the construction work will be performed during standard daytime work hours (Monday to Friday 7:00 a.m. to 6:00 p.m.) when noise sensitivity is lowest.

The noise levels during each stage of construction at the point of reception are predicted to be within applicable noise limits at the worst-case receptor locations. Active construction monitoring will be done throughout the construction period on an as needed basis. Additionally, where construction work is adjacent to residential areas and in proximity to the grade separation work sites, it will be determined whether there is a need to further reduce noise effects if persistent complaints arise, and additional mitigation measures will be implemented where appropriate.

3. Conclusion

Overall, during construction of the New Stadium, the Project will include increased noise levels within the New Stadium Complex and the surrounding area. However, the construction stage is temporary and

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short-term relative to the entire life cycle of the Project, most activities will be limited to daytime construction hours, construction activities will be within the construction noise guideline limit of 80 dBA at the worst-case receptor locations, and best practices and noise mitigating controls will be utilized where feasible. Additionally, the Project will replace the existing sound system with an enhanced system that will improve the fan experience and will reduce sound levels from concert events, and sound levels on game days will be similar to existing conditions. Accordingly, there will be no significant adverse impacts to noise.

ii. Odor

As mentioned in the TA, the Existing Stadium Complex tends to emit food odors from tailgating activities and concessions. These same activities are expected to continue with the New Stadium. Thus, there will be no significant adverse impacts to odor.

iii. Light

Overall, the Project will replace the existing, 140' tall free-standing stadium lighting and tall parking lot post lighting with modern lighting specifically designed to limit light impacts to adjoining properties, roadways and wildlife during construction and operation of the New Stadium, and improve lighting for pedestrian safety throughout the New Stadium Complex. All of the lighting for the New Stadium Complex is energy efficient light emitting diode ("LED") lighting. All façade and site lighting will to be controlled via a time clock with the overall controls system. Well-shielded LED light sources will be used throughout site will help minimize skyglow, which can be disorienting to birds and bats. Warm color temperatures, which are proven to have the least impact on birds and bats, will be used throughout New Stadium Complex. The new lighting controls will allow for modifications and creation of multiple lighting scenes or scenarios, where appropriate fixture wattages will be selected with the surrounding environment and energy codes in mind. The new controls will also be used as described above to limit the number of lights that are on at night, to help protect the sleep-wake cycles and reproductive patterns of surrounding wildlife. Accordingly, there will be no significant adverse impacts to light.

P. Impact on Human Health

Construction will be located within the larger New Stadium Complex, accordingly, the general public's exposure to any hazards will be limited. While certain hazardous materials will be stored on-Site, such storage will be in accordance with applicable federal, state, and local requirements and is consistent with existing conditions resulting from the Existing Stadium. Additionally, the Project will minimize risks to construction personnel by implementing the DMP prior to the commencement of demolition, as well as by fully complying with applicable federal Occupational Safety and Health Administration ("OSHA") and New York State Labor Law requirements.

No construction of, or modification to, any solid waste management facility will be necessary to accommodate the Project. As detailed in the Impact on Traffic section, supra, vehicle flow both on and off site is expected to improve from existing conditions, with increased efficiencies resulting from the design of the onsite parking and access driveways, with a corresponding increase in vehicular and pedestrian safety.

Accordingly, the Project will not have any significant adverse impact to human health.

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Q. Consistency with Community Plans

i. Land Use Components & Development Goals

No portion of the ECC Campus in the Town of Hamburg will be incorporated into the New Stadium Complex and the existing parking lots on the ECC Campus located in the Town of Hamburg will continue to service ECC going forward, while also servicing the New Stadium Complex on event days (as they currently service the Existing Stadium). The Town of Orchard Park Comprehensive Plan contemplates continued use of the Existing Stadium Complex for operations by the Team, and establishes the importance of the Team and a stadium on the Existing Stadium Complex to the Comprehensive Plan of the Town. The New Stadium will be located on currently underutilized and surplus athletic fields on the ECC Campus, and will otherwise occupy the footprint of parking lots that predominantly service the Existing Stadium. Thus, the Project is consistent with the overall development visions and goals of the Towns of Orchard Park and Hamburg. The Site has already been the home of the Buffalo Bills for the last fifty years. In that time, there has been some off-Site development to support the Existing Stadium Complex including adjacent bars, restaurants, and various types of commercial stores and lodging establishments. These businesses have used their proximity to the Existing Stadium as the basis for drawing in business and generating revenue. The introduction of the New Stadium across Abbott Road from the Existing Stadium Complex will continue to support these businesses but the Project is not expected to result in material ancillary development. Nonetheless, to the extent either the Towns of Orchard Park or Hamburg were to decide to make ancillary development a priority, this could certainly change.

ii. Public Infrastructure

1. Water

The New Stadium Complex will see a reduction in peak water usage on event days due to the new infrastructure and reduced capacity of the New Stadium. While there will be new water usage as a result of the field irrigation, the Project also provides sustainable design elements and upgrades to a 50 year old stadium, such that annual water usage is expected to drop from approximately 20 million gallons per year at the Existing Stadium to approximately 15 million gallons per year at the New Stadium, a 25% reduction in overall water used at the New Stadium Complex. Based on initial discussions with the ECWA, the primary water connection will occur on an existing transmission main separate from the mains used to service adjacent businesses and residences, alleviating water pressure issues on game days. Thus, there will be no significant adverse impacts on water usage.

2. Sewer

It is expected that the New Stadium Complex will see a reduction in peak sanitary sewer discharge to the attenuation tank system on event days given the reduction in capacity of the New Stadium, as well as the use of low water consumption toilet fixtures and flush valves to reduce the amount of sanitary waste drainage volume created during events. Thus, there will be no significant adverse impacts on the sewer system.

3. Telecommunications

A Cellular Distributed Antenna System ("DAS") and a separate public responder DAS will be provided in the New Stadium, in concert with a venue provided spectator Wi-Fi deployment equal to that provided at

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new or recently renovated NFL venues. Thus, there will be no significant adverse impacts on telecommunications service.

iii. Conclusion

The New Stadium Complex's land use components are essentially identical to the current land use pattern for the Existing Stadium Complex, and the Project is consistent with the overall development visions and goals of the Towns of Orchard Park and Hamburg. Additionally, no new or expanded public infrastructure is required for the Project. Thus, the Project will not have any significant adverse impact to community plans.

R. Consistency with Community Character

Overall, the Project is consistent with the longstanding usage of the Site to support Team operations in Western New York. The Team is a vital part of the community character and the Project keeps the Team in Buffalo, at a minimum, for the duration of the entire 30-year term of the New Stadium lease. The Existing Stadium has been in operation for approximately fifty years, and is reaching the end of its lifespan, requiring demolition and replacement. While the location and design of the New Stadium differ from the Existing Stadium, these differences are anticipated to mitigate existing conditions and provide the community with a new home for Western New York's NFL football franchise. Accordingly, the Project will not have a significant adverse impact on land use and zoning.

S. Cumulative/Growth Inducing Impacts

There are several projects that may take place in future years that are related to the Project, including: (i) potential improvements to mass transit routes and or other public transportation improvements to better serve the New Stadium Complex; (ii) bicycle paths/trails and/or additional off-site pedestrian walkways/sidewalks; and, (iii) the relocation of the ECC Cell Tower. At this point in time, it is unclear if any of these projects will be undertaken. In addition, none of these projects are sufficiently defined as to be able to analyze potential environmental impacts at this time. Accordingly, separate environmental reviews for these projects should they ever move forward are warranted under the circumstances. Further, each of these projects, if they ever move forward, will be subject to their own environmental impact analysis pursuant to SEQRA. Thus, not including these projects in the current SEQR process for the Project is no less protective of the environment.

The introduction of the New Stadium across Abbott Road from the Existing Stadium Complex will continue to support existing businesses but studies have shown that the Project will not result in material ancillary development.

II. Conclusion

A number of temporary and/or minor environmental impacts have been identified in connection with the New Stadium Complex when compared to existing baseline conditions. However, a thorough analysis of these potential impacts reveals that where necessary, such impacts have been mitigated to the greatest extent possible by the design of the Project and that none of these impacts will be significant. Accordingly, the issuance of a negative declaration for the Project is appropriate.

ATTEST

ROBERT M. GRABER

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., January 19, 2023

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For Further Information:

Contact Person: Mark Rountree, Department of Environment and Planning

Address: Erie County Department of Environment and Planning
95 Franklin Street, 10th Floor
Buffalo, New York 14202

Telephone Number: (716) 858-8008

REFERENCE: COMM. 22E-6 (2022) AS AMENDED

ATTEST

ROBERT M. GRABER
Clerk of the Legislature of Erie County

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-24	SHERIFF & COUNTY EXECUTIVE	Award Shift Feasibility Study Contract

Attachments

25COMM. 16E-24

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

September 4, 2025

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

Re: Award Shift Feasibility Study Contract

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum awarding RFP #2025-038VF (Feasibility Study for Implementing a 10 or 12 hour Shift) to Matrix Consulting Group, Ltd.

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

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Mark Poloncarz, Esq.
Erie County Executive

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Award Shift Feasibility Study Contract
Date: September 4, 2025

Summary of Recommended Action

The attached resolution awards RFP #2025-038VF to Matrix Consulting Group, Ltd. It further authorizes the County Executive and Sheriff to enter into an agreement with Matrix Consulting Group, Ltd to conduct a feasibility study for implementing a 10 or 12 hour shift for Jail Management Division staff at a cost not to exceed $53,600.00. The Erie County Sheriff's Office intends to use Telephone Revenue to fund this contract. Thus, this resolution authorizes the transfer of $53,600.00 from the telephone revenue account into the Erie County Sheriff's Office, Jail Management Division general fund (Fund 110, Funds Center 116) Jail Phone Revenue (GL# 415622) and an accompanying increase of Professional Services Contracts and Fees (GL# 516020) by the same amount.

Fiscal Implications of the Proposal

As noted above, the contract with Matrix Consulting Group, Ltd. will be funded by jail telephone revenues.

Reasons for Recommendation

The Erie County Sheriff's Office is committed to providing quality public safety services in an efficient manner. Pursuant to that mission, RFP #2025-038VF was issued with the intent of determining how a 10 or 12 hour shift for sworn Jail Management Division personnel would impact overall personnel costs, specifically overtime. The RFP was released on July 23, 2025, with a due date for responses of August 20, 2025. Three responses were submitted. The cost proposal submitted by Matrix Consulting Group, Ltd. came in at the lowest price. A summary of the scoring for this RFP is below:

RFP #2025-038VF Vendor Evaluations:

Evaluator – Superintendent Michael Phillips
1. CGL Management Group - 84
2. Coleman Consulting Group – 80
3. MATRIX Consulting Group – 87

Evaluator – Deputy Superintendent Jeff Hartman
1. CGL Management Group – 85
2. Coleman Consulting Group – 85
3. MATRIX Consulting Group – 86

Evaluator – Sergeant Steve Kern
1. CGL Management Group – 85
2. Coleman Consulting Group – 75
3. MATRIX Consulting Group – 82

Total Scores:

1. CGL Management Group: 84+85+85= 254
2. Coleman Consulting Group: 80+85+75= 240
3. MATRIX Consulting Group: 87+86+82= 255

Recommended award: MATRIX Consulting Group

Consequences of Negative Action

The Erie County Sheriff's Office would be unable to determine the cost effectiveness of switching from an 8 hour shift to a 10 or 12 hour shift for sworn Jail Management Division personnel.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Award Shift Feasibility Study Contract

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

WHEREAS, the Erie County Sheriff's Office wishes to discover how switching from an 8 hour shift to a 10 or 12 hour shift for sworn Jail Management Division staff would impact personnel costs; and

WHEREAS, as of August 31, 2025, the jail telephone revenue fund has a balance of $2,360,776.61; and

WHEREAS, the Erie County Sheriff's Office intends to use telephone revenue funds to conduct a study to determine the feasibility of switching to a 10 or 12 hour shift; and

WHEREAS, the Erie County Sheriff's Office issued RFP #2025-038VF (Feasibility Study for Implementing a 10 or 12 hour Shift) on July 23, 2025; and

WHEREAS, responses to RFP #2025-038VF were due on August 20, 2025; and

WHEREAS, three responses to RFP #2025-038VF were submitted; and

WHEREAS, after evaluation of the responses, Matrix Consulting Group, Ltd. received the highest score; and

WHEREAS, the Erie County Sheriff's Office recommends awarding RFP #2025-038VF to Matrix Consulting Group, Ltd.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby awards RFP #2025-038VF to Matrix Consulting Group, Ltd., 1875 S. Grant Street, Suite 960, San Mateo, CA 94402; and be it further

RESOLVED, the County Executive and Sheriff are authorized to enter into an agreement with Matrix Consulting Group, Ltd., 1875 S. Grant Street, Suite 960, San Mateo, CA 94402 to conduct a feasibility study for implementing a 10 or 12 hour shift for sworn Jail Management Division staff; and be it further

RESOLVED, the Division of Budget and Management is authorized to transfer $53,600.00 from the telephone revenue account into the Erie County Sheriff's Office, Jail Management Division general fund (Fund 110, Funds Center 116) Jail Phone Revenue (GL# 415622); and be it further

RESOLVED, the Director of Budget and Management is authorized to make the following adjudgments to the Erie County Sheriff's Office, Jail Management Division operating budget (Fund 110, Funds Center 116) as follows:

APPROPRIATIONS	INCREASE
546020 – Professional Services Contracts & Fees	$53,600.00
TOTAL	$53,600.00

REVENUES	INCREASE
415622 – Jail Phone Revenue	$53,600.00
TOTAL	$53,600.00

and be it further

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

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-25	COUNTY EXECUTIVE	Parks Transfer of Funds - Operating Budget

Attachments

25COMM. 16E-25

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Parks Transfer of Funds – Operating Budget

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Parks, Recreation & Forestry requesting authorization to transfer funds between accounts within the 2025 Operating Budget for the Department of Parks, Recreation & Forestry. We are requesting this transfer due to the increase in the cost of rented equipment, including portable toilets, signage, and construction-related equipment.

Should your Honorable Body require further information, I encourage you to contact Troy P. Schinzel, Commissioner of the Department of Parks, Recreation & Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/kc
Enclosure

cc: Troy P. Schinzel, Commissioner, Department of Parks, Recreation and Forestry

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation and Forestry
Re: Parks Transfer of Funds – Operating Budget
Date: September 5, 2025

SUMMARY

The Department of Parks, Recreation and Forestry (Parks) requests authorization to transfer funds between accounts within the 2025 Operating Budget for the Division of Budget and Management in order to meet the increase in the cost of equipment rented for public use as well as that needed for ongoing construction projects within parks.

FISCAL IMPLICATIONS

This resolution results in no increase to the Budget. Funds are available in the adopted 2025 Department of Parks, Recreation and Forestry Operating Budget in GL 516020 – Professional Services Contracts & Fees, Funds Center 16410, Fund 110.

REASON/BACKGROUND INFORMATION

The transfer of funds is going to allow the Department of Parks, Recreation and Forestry to be able to continue our current projects, with the increase in the cost for the rented equipment, including providing portable toilets for use by park patrons during ongoing renovation projects.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Parks, Recreation and Forestry will be unable to accommodate park patrons and building rentals during ongoing renovation projects, and/or be unable to complete projects currently underway.

STEPS FOLLOWING APPROVAL

The Department of Parks, Recreation and Forestry will initiate the transfer of funds in coordination with the Division of Budget and Management.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATON AND FORESTRY

RE: Parks Transfer of Funds – Operating Budget

WHEREAS, the Department of Parks, Recreation and Forestry intends to continue various projects for the County of Erie; and

WHEREAS, in order to effectuate the completion of the projects, as well as any new ones, it is necessary to transfer funds due to the increase in the cost of rented equipment, to the appropriate budget line; and

WHEREAS, funding for the needed transfer is available in Funds Center 16410, Fund 110, Account 516020, Professional Services Contracts & Fees, 2025 operating budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following transfer of funds within the Department of Parks, Recreation and Forestry's 2025 Operating Budget (Fund 110, Funds Center 164):

ACCOUNT	APPROPRIATION	CHANGE
516020	Professional Svcs Contracts & Fees	($20,000)
545000	Rental Charges	$20,000
	TOTAL	$0

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 Parks, Recreation & Forestry and Division of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-26	COUNTY EXECUTIVE	Rehabilitation of Marshfield Road Bridge - Town of North Collins

Attachments

25COMM. 16E-26

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Right-of-Way (ROW) Acquisition for PIN 5764.91
Rehabilitation of Marshfield Road (CR 500) Bridge over N. Br. Clear Creek, BIN 3328610, Town of North Collins, Erie County

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to allocate monies to acquire Right of Way (ROW). This ROW will facilitate construction of the above noted project.

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

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

MCP/jtd
Enclosure

cc: William E. Geary, Jr., Commissioner of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Right-of-Way (ROW) Acquisition for PIN 5764.91
Rehabilitation of Marshfield Road (CR 500) Bridge over N. Br. Clear Creek, BIN 3328610, Town of North Collins, Erie County
Date: September 5, 2025

SUMMARY

A project to design the rehabilitation of the Marshfield Road (CR 500) Bridge over North Branch Clear Creek, BIN 3328610, in the Town of North Collins, was authorized by your honorable body via Communication 3E-6 (2024). To advance the construction of this locally administered Federal Aid project, benefiting from both Federal and State Funding, the County will, at 100%, undertake the Right of Way acquisition. The purpose of this resolution is to allocate funding and authorize the County of Erie to acquire the necessary Right-of-Way for rehabilitation of the bridge. The right-of-way required is comprised of a total of five takings, within three different properties. Three (3) fee takings are needed, and two (2) Temporary Easements are needed.

FISCAL IMPLICATIONS

Funds for these ROW acquisitions are available SAP B.25051, 2025 Capital Right-of-Way, Fund 420, BA 123.

PROPERTY SBL NUMBERS	TOWNSHIP
SBL 303.00-4-22.1	North Collins
SBL 303.00-4-25.2	North Collins
SBL 303.00-4-16.121	North Collins

REASONS FOR RECOMMENDATION

Allow the County to acquire necessary Right-of-Way for the rehabilitation of the subject bridge.

BACKGROUND INFORMATION

This Project has funding in SAP account B.25051, Capital Right-of-Way. Acquisition of the Right-of-Way is necessary prior to the construction phase of the project.

CONSEQUENCES OF NEGATIVE ACTION

If Right-of-Way is not acquired, the project cannot be constructed, and the bridge will continue to deteriorate and hinder travel for the general public.

STEPS FOLLOWING APPROVAL

The Right-of-Way necessary to construct the project will be acquired.

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.

8/19/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.25051 – 2025 Capital Right of Way

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

RE: Right-of-Way (ROW) Acquisition for PIN 5764.91
Rehabilitation of Marshfield Road (CR 500) Bridge over North Branch Clear Creek, BIN 3328610, Town of North Collins, County of Erie

WHEREAS, a design project for rehabilitation of the Marshfield Road (CR 500) Bridge over North Branch Clear Creek, BIN 3328610, in the Town of North Collins, (the "Project") was authorized by your honorable body via Communication 3E-6 (2024); and

WHEREAS, to facilitate the rehabilitation of this bridge, it is necessary for the County to acquire by fee and/or easement portions of real property in the vicinity of the bridge;

PROPERTY TAX MAP SBL NUMBERS	TOWNSHIP
SBL 303.00-4-22.1	North Collins
SBL 303.00-4-25.2	North Collins
SBL 303.00-4-16.121	North Collins

and

WHEREAS, such properties to be acquired by the County are herein referred to as the "Subject Properties"; and

WHEREAS, to acquire the easement parcels for the Project, it is necessary for the County to establish an amount which it believes to represent just compensation for the real property interest to be acquired and to thereafter make a written offer to purchase the real property interest for the respective just compensation amount; and

WHEREAS, the acquisition of the portions of the Subject Properties is de minimis in nature so that the public interest will not be prejudiced by the construction of the new bridges; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Properties by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the acquisition of the necessary Right-of-Way (ROW) required for Marshfield Road (CR 500) Bridge project over North Branch Clear Creek, BIN 3328610, in the Town of North Collins; and be it further

RESOLVED, that sufficient funding is available for the acquisitions is available from Fund 420, Fund Center 123, project B.25051, 2025 Capital Right of Way in a sum not to exceed $20,000; and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that authorization is hereby given to the Commissioner of Public Works, or his authorized representatives, including Colliers Engineering & Design, Architecture, Landscape Architecture, Survey, CT P.C., to establish the amounts representing just compensation for the real property to be acquired; and be it further

RESOLVED, that authorization is hereby given to the Commissioner of Public Works, or his authorized representatives, including Colliers Engineering & Design, Architecture, Landscape Architecture, Survey, CT P.C., to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring interests in portions of their respective parcels of real property by fee and/or easement, which acquisitions are necessary for the Project; and be it further

RESOLVED, that authorization is hereby given for the Commissioner of Public Works, or his authorized representatives, including Colliers Engineering & Design, Architecture, Landscape Architecture, Survey, CT P.C., to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Property; and be it further

RESOLVED, that the County Attorney shall prepare, and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; and be it further

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

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT		COMPLETE ITEMS 1 THROUGH 5
1.	CONTRACTOR'S NAME	Colliers Engineering & Design, Architecture, Landscape Architecture, Survey, CT P.C., Property Owners
2.	AMOUNT OF CONTRACT	Combined not to exceed $20,000
3.	PROJECT NUMBER	B.25051 - $20,000
4.	PROJECT TITLE	Marshfield Road (CR 500) Bridge over North Branch Clear Creek, PIN 5764.91
5.	DEPARTMENT CONTACT	Funding questions: William E. Geary, Jr. at 7555 Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	$ 100,000.00
7.	PERFORMED BY	
	Date Sent to Comptroller's Office:	08/19/2025

[55 compt_10]

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-27	COUNTY EXECUTIVE	Bridge Replacement of Boston State Road over Anthony Gulf - Town of Boston

Attachments

25COMM. 16E-27

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Bridge Replacement of Boston State Road over Anthony Gulf, BIN 1041630, BR 227-04 NYSDOT Agreement and Contract for Engineering Design Services, Town of Boston PIN 5764.13

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute an agreement with New York State Department of Transportation (NYSDOT). This agreement provides Federal and State Marchiselli funds for the engineering Design and Right of Way incidental phases of the above noted Locally Administered Federal Aid project. The Department is also requesting authorization for the County Executive to execute an agreement with Fisher Associates (Fisher), the selected engineering firm for this project.

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

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

MCP/jtd
Enclosure

cc: William E. Geary, Jr., Commissioner of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Bridge Replacement of Boston State Road over Anthony Gulf, BIN 1041630, BR 227-04NYSDOT Agreement and Contract for Engineering Design Services Town of Boston PIN 5764.13
Date: September 5, 2025

SUMMARY

The Department of Public Works is seeking authorization to execute an agreement with the New York State Department of Transportation (NYSDOT) for the Design engineering and Right of Way incidental phases for the above-mentioned project. Additionally, the Department is requesting authorization to execute an agreement between the County of Erie and the design firm of Fisher Associates (Fisher) in an amount not to exceed $380,000 for engineering Design and Right of Way incidental services for the replacement of the above noted bridge. Fisher was selected using the Procedures for Locally Administered Federal Aid Projects (PLAFAP) guidelines.

FISCAL IMPLICATIONS

The total cost of the engineering Design and Right of Way incidental phase of this project is currently estimated at $380,000, including contingency. The NYSDOT Agreement provides a Federal reimbursement of $263,200, a State Marchiselli reimbursement of $49,350, and requires a local share of $67,450. Should the agreement receive any additional federal or non-federal reimbursements in the future, the capital project budget would be adjusted to reflect that increase.

REASONS FOR RECOMMENDATION

The replacement of the bridge in this project is eligible for funding through the Locally Administered Federal Aid Program. Fisher is recommended as project engineer because of their expertise, experience, and manpower to provide the County of Erie with the service required. Erie County is eligible for reimbursement, as state above for the Project, under this Agreement with NYSDOT.

BACKGROUND INFORMATION

The existing bridge was originally constructed in 1929. In 1976, new prestressed concrete slab units replaced the original superstructure. The substructures were not replaced and are showing significant signs of deterioration with large areas of spalling, loose concrete, and exposed reinforcement present. The concrete deck also has deteriorated, particularly along the fascias, which has compromised the integrity of the railing system. Repairs have been required to extend the life of the concrete deck and address safety concerns, but additional long-term work is still needed. The project objective is to replace the bridge with a new structure that will meet current design standards, require minimal maintenance, and accommodate vehicles, bicyclists, and pedestrians. The Project is approved by the NYSDOT in their current Capital Program to be funded with Federal Aid. Project design engineering services will commence upon approval of this resolution.

CONSEQUENCES OF NEGATIVE ACTION

This action is required to ensure project advancement and financing through the Locally Administered Federal Aid Program. Negative action would halt design and result in continued deterioration of the bridge. Nonparticipation in this project by the County could jeopardize existing and future reimbursement funding available through this program.

STEPS FOLLOWING APPROVAL

Upon Erie County Legislature's approval, the County Executive will execute agreements between Fisher and the County, and between the County and NYSDOT. Once the agreements are executed, design work will begin immediately thereafter.

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.

Timothy C. Callan 8/19/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.22057 – 2022 BridgeNY Fed Aid Bridge Culvert Design
PIN 5764.13

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

RE: Bridge Replacement of Boston State Road over Anthony Gulf, BIN 1041630, BR 227-04 NYSDOT Agreement and Contract for Engineering Design Services Town of Boston PIN 5764.13

WHEREAS, the Bridge Replacement of Boston State Road (CR 227) over Anthony Gulf, BIN 1041630, BR 227-04, Town of Boston, PIN 5764.13 (the "Project") is eligible for funding under CFR Title 23 U.S. Code, as amended, that calls for the appropriation of the costs of such program to be borne at the ratio of 80% Federal funds, 15% State Funds, and 5% Local funds and

WHEREAS, the bridge needs to be replaced due to structural deficiencies; and

WHEREAS, the County of Erie desires to advance the Project by entering into an agreement with NYSDOT and making a financial commitment to advance 100% of the costs of design engineering (Scoping & Design phases I-VI); and

WHEREAS, the total cost of the engineering design and right of way incidentals including contingency is $380,000, which is comprised of a Federal share of $263,200, a State Marchiselli share of $49,350, and a Local share of $67,450: and

WHEREAS, the funds are available in Capital Project B.22057 – 2022 BridgeNY Fed Aid Bridge Culvert Design, Fund 420, Funds Center 123; and

WHEREAS, the firm, Fisher Associates (Fisher), was selected using the Federal Aid RFQ process as having the necessary expertise, experience, and manpower to provide the County of Erie with the project engineering services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes participation in the Bridge Replacement of Boston State Road (CR 227) over Anthony Gulf, BIN 1041630, BR 227-04, Town of Boston, PIN 5764.13 (the "Project"); and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute the Agreement with the NYSDOT; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into a contract Fisher Associates, the selected Project Engineers, for engineering design and right of way incidental services in an amount not to exceed $380,000; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Engineering Design (Scoping and Design I-VI) phases of the Project or portions thereof in the amount of $380,000; and be it further

RESOLVED, that authorization is hereby given for the County of Erie is hereby to accept the federal and state revenue that is available for the project as administered by the New York State Department of Transportation (NYSDOT); and be it further

RESOLVED, that Capital Project B.22057 – 2022 BridgeNY Fed Aid Bridge Culvert Design, Fund 420, Funds Center 123, be adjusted as follows:

		CURRENT BUDGET	CHANGE	REVISED BUDGET
REVENUES				
405160	NYS Marchiselli Funds	$ 0	$49,350	$ 49,350
414000	Federal Aid	$640,000	($49,350)	$590,650
486000	Interfund Rev Subsidy	$160,000	$ 0	$160,000
TOTAL REVENUES		$800,000	$ 0	$800,000
APPROPRIATIONS				
Capital Projects	Capital Project Exp	$800,000	$ 0	$800,000
TOTAL APPROPRIATIONS		$800,000	$ 0	$800,000

and be it further

RESOLVED, that the estimated total Project cost of $380,000 for Design Engineering is hereby appropriated from B.22057 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Design Engineering (Scoping & Design I-VI) and Right of Way incidental phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that should the Agreement receive additional federal or non-federal reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of the additional funds; and be it further

RESOLVED, that authorization is hereby given to the County Executive of the County of Erie to execute all necessary Agreements, certifications or reimbursement requests for Federal, NYS Marchiselli aid and any other funding source on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local agreement; and providing for the administration of the Project and the County's first instance funding of Project costs and all local share costs of Project costs within appropriations therefore that are not so eligible; and be it further

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

further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one certified copy each of this Resolution to the County Executive's Office, Comptroller's Office, Department of Public Works, and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

RE: PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT		COMPLETE ITEMS 1 THROUGH 5
1.	CONTRACTOR'S NAME	New York State Department of Transportation; Fisher Associates
2.	AMOUNT OF CONTRACT	$380,000 - Fisher
3.	PROJECT NUMBER	B.22057
4.	PROJECT TITLE	Federal Aid Bridge Preservation Design PIN 5764.13 – Boston State Road Bridge
5.	DEPARTMENT CONTACT	Funding questions: William E. Geary, Jr. at 8301 Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	$ 800,000.00
7.	PERFORMED BY	
Date Sent to Comptroller's Office:		08/19/2025

[55 compt_10]

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - HIGHWAYS
RFP # PIN 5764.13 - Boston State Rd Bridge (BIN 1041630)
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

Proposer	Evaluation Criteria																						Weighted Average Qualifications Score (1 - 10)	Qualifications Ranking
	Understanding of Work to be Done				Experience & Qualifications of Proposed Staff				Experience of Firm/Team with Fed Aid Projects				Present Workload & Financial Responsibility				Logistics and Familiarity with Project Area				Percentage of DBE Participation					
	Weight = 25%				Weight = 25%				Weight = 20%				Weight = 15%				Weight = 10%				Weight = 5%					
	Committee Member Raw Score (1 - 10)			Avg Score	Committee Member Raw Score (1 - 10)			Avg Score	Committee Member Raw Score (1 - 10)			Avg Score	Committee Member Raw Score (1 - 10)			Avg Score	Committee Member Raw Score (1 - 10)			Avg Score	Committee Member Raw Score (1 - 10)			Avg Score		
	#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3		#1	#2	#3			
Azar Design Company	7	7	8	7.33	9	9	7	8.33	9	8	8	8.33	8	8	7	7.67	9	8	7	8.00	8	10	10	9.33	8.00	6
CHA	7	9	8	8.00	9	9	8	8.67	9	9	9	9.00	5	0	3	2.67	9	9	9	9.00	9	10	10	9.67	7.75	9
DiDonato Associates	8	8.75	7.5	8.08	9	9	9	9.00	9	9	9	9.00	5	0	3	2.67	9	8.5	9	8.83	9	10	10	9.67	7.84	8
Erdman Anthony	8	8.75	8	8.25	9	9	8	8.67	9	9	8	8.67	7	8	7	7.33	9	8	7	8.00	8	10	10	9.33	8.33	2
Fisher Associates	9	8.5	8	8.50	9	9	8	8.67	9	9	8	8.67	7	9	9	8.33	8	7	8	7.67	9	10	10	9.67	8.53	1
Greenmen Pedersen	9	9	8	8.67	9	9	9	9.00	9	9	8	8.67	5	0	3	2.67	9	8.5	8	8.50	8	10	10	9.33	7.87	7
Lu Engineers	7	8	7	7.33	8	9	8	8.33	8	9	8	8.33	8	9	7	8.00	7	9	7	7.67	9	10	10	9.67	8.03	5
Popli Design Group	9	8.5	8	8.50	9	9	9	9.00	9	9	9	9.00	5	6	3	4.67	8	7	7	7.33	9	10	10	9.67	8.09	4
Ravi Engineering	8	7.5	8	7.83	9	8.5	8	8.50	9	8.5	8	8.50	8	9	7	8.00	7	8.5	7	7.50	9	10	10	9.67	8.22	3

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

William E. Geary, Jr., Commissioner
Erie County Department of Public Works

Lisa M. Chimera
Deputy County Executive

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-28	COUNTY EXECUTIVE	Highways Budget Transfer - 2025 Operating Budget

Attachments

25COMM. 16E-28

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: Highways Budget Transfer – 2025 Operating Budget

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Public Works pertaining to the transfer of funds between budgetary and operating accounts for the Highway's Cost Center.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ks
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Highways Budget Transfer – 2025 Operating Budget
Date: September 5, 2025

SUMMARY

The Department of Public Works (DPW) is seeking authorization to transfer funds between accounts within the 2025 Road Fund Budget, specifically the Highway Division's Cost Center – 1231010 – in Fund 210, BA 123.

Given the rising costs of both electric and natural gas utilities, as well as the addition of a new maintenance district facility, the preliminary budget for Commitment Item 575040 – Interfund Expense - Utility is not sufficient. Additional funds are needed to ensure these costs are covered through the end of the current fiscal year.

FISCAL IMPLICATIONS

The resolution is budget neutral. Funds will be transferred from Commitment Item 505600 – Auto, Truck and Heavy Equipment Supplies, Commitment Item 516020 – Professional Services, and Commitment Item 561410 – Lab and Technical Equipment to Commitment Item 575040 – Interfund Expense-Utility in Fund 210, BA 123, Cost Center 1231010.

REASONS FOR RECOMMENDATION

This transfer is needed to ensure that the division can cover the cost of utilities necessary to remain in operation.

BACKGROUND INFORMATION

The cost of supply, utility and management fees for both Erie County's electricity and natural gas utility programs has risen drastically since the previous fiscal year. The Electric Program rates per kilowatt for Erie County have increased to $0.12975 from $0.10052, while the Natural Gas Program rates per million cubic feet have increased to $6.42077 from $4.77853.

In addition, Highways completed the construction of a new maintenance district facility in Lancaster and its utilities have been added to the aggregate utility interfund account.

CONSEQUENCES OF NEGATIVE ACTION

The division would not be able to cover the cost of utilities, which are integral in maintaining operational efficiency and completing projects.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, DPW will initiate the transfer of funds in coordination with the Division of Budget and Management.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Highways Budget Transfer – 2025 Operating Budget

WHEREAS, the Department of Public Works – Highways has been negatively impacted by the unforeseen rise in electric and natural gas supply, utility and management fee program costs; and

WHEREAS, due to these circumstances, a budget transfer from Commitment Item 505600 – Auto, Truck and Heavy Equipment Supplies, Commitment Item 516020 – Professional Services, and Commitment Item 561410 – Lab and Technical Equipment to Commitment Item 575040 – Interfund Expense-Utility in Fund 210, BA 123, Cost Center 1231010 is necessary; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works' 2025 Road Fund Budget (Fund 210, Funds Center 1231010) to be amended as follows:

Department of Public Works
Fund 210, Funds Center 1231010

APPROPRIATIONS	**CHANGE**
505600 Auto, Truck and Heavy Equipment Supplies	($ 25,000)
516020 Prof Services, Contracts and Fees	(100,000)
561410 Lab and Technical Equipment	(25,000)
575040 Interfund Expense - Utility	$150,000
TOTAL	$ 0

and it be further

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

RESOLVED, that a certified copy of this resolution be sent to the Department of Public Works - Highways, the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-29	COUNTY EXECUTIVE	Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring

Attachments

25COMM. 16E-29

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring

Dear Honorable Members:

The Department of Public Works (DPW) entered into Contract with Watts Architectures and Engineers on August 22, 2022 and LaBella Associates on August 26, 2022 per COMM 13E-10 (2022), for Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring. This resolution is requesting authorization for the County Executive to extend the existing Agreements with both architectural firms (Watts Architecture and Engineering and LaBella Associates) for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring term agreement per the terms of the original RFQ/ RFP dated June 14, 2022. The Department of Public Works (DPW) also needs additional funding for both contracts (Watts Architectures and Engineers and LaBella Associates).

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,

Mark. C. Poloncarz, Esq.
Erie County Executive

MCP/ks
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring
Date: September 5, 2025

SUMMARY

The Department of Public Works is requesting authorization for the County Executive to extend an existing Agreement with the architectural firms of Watts Architecture and Engineering and LaBella Associates for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring term agreement. The Department of Public Works initially advertised for these services through a RFQ/RFP dated June 14, 2023, Watts Architecture & Engineering and LaBella Associates were the firms selected as approved per COMM.13E-10 (2022).

Per the terms of the RFQ/ RFP, the Department of Public Works is exercising the option to extend the term contracts for Watts Architecture and Engineering and LaBella Associates by one (1) of the two (2) one-year term extensions available as described in the RFP/ RFQ. To do so, additional funds will be required as the balance of the money previously approved will not last the full year of the contract extension.

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

The Commissioner of Public Works is, therefore, recommending that the Erie County Legislature authorize the County Executive to enter into a contract with each of the selected firms, and approve the Additional Funding request.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2025 capital budget, A.25001 DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide), Funds Center 122, Fund 410 in an amount not to exceed a total of $100,000.
Consultant billing would be on an hourly basis according to the approved rate schedule per their proposal unless an agreed upon work scope and fee can be determined prior to beginning any services.

REASONS FOR RECOMMENDATION

The County does not have the capability internally to perform these services and the County has several older buildings within their inventory that contain hazardous materials. The firms selected have the necessary expertise, experience, and manpower to provide the necessary professional services. Two firms were selected in the event one of the companies cannot fulfill DPW's need due to manpower. In addition, each company has their different relevant respective experience.

BACKGROUND INFORMATION

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

CONSEQUENCES OF NEGATIVE ACTION

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

STEPS FOLLOWING APPROVAL

Upon legislative approval, the existing contracts with Watts Architecture and Engineering and LaBella Associates for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring will be extended with each service being provided on an as-needed basis thereafter, and additional funding will be provided for the Term Contracts.

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 until the bond sale.

Timothy C. Callan 7/17/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.25001 DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring

WHEREAS, Watts Architecture and Engineering as well as LaBella Associates were previously approved to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring services per COMM.13E-10 (2022); and

WHEREAS, the Commissioner of Public Works desires to engage in the continuation of an existing contract with Watts Architecture and Engineering as well as LaBella Associates to provide services related to Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring on various County projects; and

WHEREAS, per the terms of the RFQ/ RFP, the Department of Public Works is exercising the option to extend the term contracts for Watts Architecture and Engineering and LaBella Associates by one (1) of the two (2) one-year term extensions available as described in the RFP/ RFQ; and

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

WHEREAS, Watts Architecture and Engineering and LaBella Associates have proven they have the necessary expertise, experience, and manpower to continue to provide the required services; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to extend the existing Agreement with Watts Architecture and Engineering and LaBella Associates to continue to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring; and be it further

RESOLVED, that additional funds in the sum of $100,000 be allocated for and added to the existing contract for the Countywide Hazardous Materials and Testing services; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for services from Capital Project A.25001 – DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide), Funds Center 122, Fund 410 for a total amount not to exceed $100,000; and be it further

RESOLVED, that two (2) certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office and one (1) copy each to the County Executive's office, Comptroller's Office and Division of Budget and Management.

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT		COMPLETE ITEMS 1 THROUGH 5
1.	CONTRACTOR'S NAME	Watts Architects and Engineers LaBella Associates
2.	AMOUNT OF CONTRACT	Not to exceed $ 100,000
3.	PROJECT NUMBER	A.25001 – DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide)
4.	PROJECT TITLE	Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring
5.	DEPARTMENT CONTACT	Funding questions: Kristofer Straus x7294 Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	$ 500,000.00
7.	PERFORMED BY	
	Date Sent to Comptroller's Office:	July 9, 2025

[55 compt 10]

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-30	COUNTY EXECUTIVE	ESRI Professional Services for Enterprise GIS System Review

Attachments

25COMM. 16E-30

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Environmental Research Institutes Inc. (ESRI) Professional Services for Enterprise GIS System Review

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to allocate monies to a professional services proposal. This proposal is for the evaluation of the County's existing geographic information system's hardware and software architecture.

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,

Mark C. Poloncarz
Erie County Executive

MCP/jtd
Enclosure

cc: William E. Geary, Jr., Commissioner of the Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Environmental Systems Research Institute Inc. (ESRI) Professional Services for Enterprise GIS System Review
Date: September 5, 2025

SUMMARY

Numerous departments use geographic information systems as tool for daily operations and in emergency situations. At present the Public Works Department and the Department of Environment and Planning share data, hardware and ESRI (Environmental Systems Research Institute Inc. dba ESRI) software products. There have been operations issues, and the departments need an ESRI product expert to evaluate the existing architecture, to suggest improvements and software updates for successful operations. A technical services proposal was obtained from ESRI, the software product expert for the County's system, to perform this work.

FISCAL IMPLICATIONS

Funds for proposal are available in SAP project B.25052 – 2025 IT & GIS Services, Fund 420, Fund Center 123 in an amount not to exceed $9,792.00.

REASONS FOR RECOMMENDATION

This evaluation will allow for an improved system which operates effectively and efficiently.

BACKGROUND INFORMATION

GIS is used by numerous departments in the County. The Department of Public Works and Environment and Planning use it in daily operations. Division of Highways not only uses it in day-to-day operations but also during emergency operations. The current software setbacks that have affected continuity of service and outcomes need to be evaluated, updated, and corrected to eliminate system problems.

CONSEQUENCES OF NEGATIVE ACTION

If the County does not hire an expert to evaluate and suggest updates for the current system, it may lead to system failures. These failures during emergency situations are a serious problem and will also affect day-to-day operations.

STEPS FOLLOWING APPROVAL

The funding will be allocated and the purchase order issued for ESRI technical evaluation services.

COMPTROLLER'S OFFICE REVIEW

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

Timothy C. Callan 8/12/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.25052 – IT & GIS Services

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

RE: Environmental Systems Research Institute Inc. (ESRI) Professional Services for Enterprise GIS System Review

WHEREAS, the Department of Publics Works and several other County departments use ESRI software products as the main software component in their Geographic Information System (GIS) and Erie County has standing contracts with ESRI for this software; and

WHEREAS, these systems are used as a part of daily operations and during emergency operations, interruptions and existing inefficiencies in these systems need to be addressed, thus ensuring continuous operations; and

WHEREAS, a technical services proposal was obtained from ESRI, the expert in these systems, to evaluate the current architecture of the system in an amount of $9,792.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Department of Purchasing to issue a purchase order in the amount of $9,792.00 to ESRI for the evaluation of the current GIS architecture for the Departments of Public Works and Environment and Planning to share; and be it further

RESOLVED, that sufficient funds for this purchase order are in project B. 25052 – 2025 IT & GIS Services, Fund 420, Fund Center 123; and be it further

RESOLVED, that authorization is hereby given for the Commissioner of Public Works to enter into all necessary contracts and agreements for the acquisition of these professional services; 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 forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Comptroller's Office, Division of Purchasing and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	ESRI
2. AMOUNT OF CONTRACT	Not to exceed $9,792
3. PROJECT NUMBER	B.25052 – 2025 IT & GIS Services
4. PROJECT TITLE	Enterprise GIS System Review
5. DEPARTMENT CONTACT	Funding questions: William E. Geary, Jr. at 7555 Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ 170,628.75
7. PERFORMED BY	
Date Sent to Comptroller's Office:	08/19/2025

[55 compt_1]

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-31	COUNTY EXECUTIVE	ECLIPSE Community Solar Contractor Amendment

Attachments

25COMM. 16E-31

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: ECLIPSE Community Solar Contractor Amendment

Dear Honorable Members:

Please find enclosed a resolution from the Department of Environment and Planning requesting legislative authorization to amend its agreement with Ampion, a Public Benefit Corporation, to expand Erie County Low Income Program for Sustainable Energy (ECLIPSE) Community Solar Program services to include small business and non-profit participants that support low-income residents.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle, AICP, Commissioner, Environment and Planning
Bonnie L. Lawrence, Deputy Commissioner, Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Environment and Planning
Re: ECLIPSE Community Solar Contractor Amendment
Date: September 5, 2025

SUMMARY

The Department of Environment and Planning (DEP) is conducting the Erie County Low Income Program for Sustainable Energy (ECLIPSE) grant project funded by the New York State Energy and Research Development Authority (NYSERDA) to reduce energy cost burden and improve access to renewable energy for low- and moderate-income (LMI) residents. DEP wishes to amend the County agreement with its community solar services contractor to allow for the expansion of the program to businesses and non-profits that provide services to LMI residents.

FISCAL IMPLICATIONS

No County funds are necessary to support this request. The grant pays for the staff to administer the project. The amendment provides for $0.02 per kwh fee revenue to the County, as specified in the contractor's original cost proposal. The fee revenue will be placed into the grant budget to help meet grant match requirements with the grantor. As the program evolves it is anticipated that the residential and business fee revenue could support the program.

REASONS FOR RECOMMENDATION

Many of Erie County's low- and moderate-income (LMI) residents face increasing energy costs and cannot access the economic benefits of renewable energy due to rental status, unsuitable housing, or prohibitive up-front costs. The ECLIPSE Community Solar Program connects these residents to shared solar projects, lowering utility costs and expanding renewable energy access. Recently, the County's community solar services contractor informed the County that the program can now be expanded to small businesses and non-profit organizations. This will lower utility costs at a time when these costs are increasing. DEP will market this opportunity to non-profits providing services to the LMI community, allowing them to reinvest savings into essential services.

CONSEQUENCES OF NEGATIVE ACTION

Without approval of the attached resolution, Erie County will be unable to expand ECLIPSE to reduce energy costs for businesses and non-profits that support the LMI community.

STEPS FOLLOWING APPROVAL

DEP will execute an amendment to the agreement for community solar services with Ampion, PBC.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: ECLIPSE Community Solar Contractor Amendment

WHEREAS, the State of New York, through its Energy Research and Development Authority (NYSERDA), granted Erie County $1,500,000 to for the Erie County Low Income Program for Sustainable Energy Project; and

WHEREAS, the Erie County Department of Environment and Planning (DEP) was authorized to contract with the New York State Energy Research and Development Authority (NYSERDA) to conduct the Erie County Low Income Program for Sustainable Energy Program (ECLIPSE) in 2018 (Comm. 3E-9) (SAP Grant Account 162ECLIPSE1922); and

WHEREAS, in 2024 the Erie County Legislature authorized the County to execute a community solar services contract with Ampion, a Public Benefit Corporation, to serve residents (COMM.13E-13); and

WHEREAS, the DEP wishes to expand the ECLIPSE Community Solar Program to provide access to renewable energy and to provide electric bill savings to businesses and non-profits that support low- and moderate-income County residents; and

WHEREAS, expanding the program requires legislative authorization to allow the County to amend the community solar services provider contract;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute the necessary amendments to the agreement with Ampion, PBC, to enroll Erie County businesses and non-profits into community solar projects for the purpose of reducing electricity utility expenses; and be it further

RESOLVED, that the County will accept all related grants, awards, fees and funds related to the enrollment of small business and non-profit electric utility accounts into Community Solar and authorizes the Department of Budget and Management to add funds to SAP Grant Account 162ECLIPSE1922; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant revenues, appropriations and interdepartmental billing amounts allowed by the grantor provided there are no changes to authorized personnel levels; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to amend contracts as necessary to implement any no-cost extensions that may be permitted by the grantor; and be it further

RESOLVED, that 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; Department of Environment and Planning and Department of Social Services.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-32	COUNTY EXECUTIVE	PILOT Agreement for Hillview Commons & City of Tonawanda - Affordable Housing Development

Attachments

25COMM. 16E-32

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Payment in Lieu of Taxes (PILOT) Agreement for Hillview Commons and City of Tonawanda – 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 Hillview Commons. The resolution authorizes the County Executive to execute an agreement with THA PH. 1 Housing Development Fund Company, Inc., THA PH. 1 Limited Partnership, and the City of Tonawanda.

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,

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 Hillview Commons, City of Tonawanda – Affordable Housing Project
Date: September 5, 2025

SUMMARY

The resolution authorizes the County Executive to execute a PILOT Agreement with THA PH. 1 Housing Development Fund Company, Inc., THA PH. 1 Limited Partnership, and the City of Tonawanda.
The owner is seeking a PILOT from the City of Tonawanda 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 Hillview Commons shall be based on a payment of $16,633 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 Tonawanda supports the PILOT and on February 20, 2025, the Common Council approved the Hillview Commons Project PILOT Agreement. The project conforms to the provisions of Article XI of the New York Private Housing Finance Law.

BACKGROUND INFORMATION

The residential project involves the acquisition of property on Dodge Avenue in the City of Tonawanda and new construction of 52 affordable units for low-income senior housing. The project will provide affordable housing opportunities to households that earn up to 50% AMI. The total development cost is projected to be $25,911,486.

CONSEQUENCES OF NEGATIVE ACTION

Without the PILOT, it would not be economically feasible for THA PH. 1 Housing Development Fund Company, Inc., and/or THA PH. 1 Limited Partnership to complete the project as it is currently structured.

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 Hillview Commons, City of Tonawanda – Affordable Housing Project

WHEREAS, Hillview Commons Project consists of the acquisition and construction of 52 units for low income senior housing on Dodge Avenue in the City of Tonawanda; 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 with THA PH. 1 Housing Development Fund Company Inc. and THA PH. 1 Limited Partnership to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Tonawanda.

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 THA PH. 1 Housing Development Fund Company Inc., THA PH. 1 Limited Partnership, and the City of Tonawanda 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	Total Payment	Portion to City	Portion to County
1	$16,633.00	$12,474.75	$4,158.25
2	$17,131.99	$12,848.99	$4,283.00
3	$17,645.95	$13,234.46	$4,411.49
4	$18,175.33	$13,631.50	$4,543.83
5	$18,720.59	$14,040.44	$4,680.15
6	$19,282.21	$14,461.65	$4,820.55
7	$19,860.67	$14,895.50	$4,965.17
8	$20,456.49	$15,342.37	$5,114.12
9	$21,070.19	$15,802.64	$5,267.55
10	$21,702.29	$16,276.72	$5,425.57
11	$22,353.36	$16,765.02	$5,588.34
12	$23,023.96	$17,267.97	$5,755.99
13	$23,714.68	$17,786.01	$5,928.67
14	$24,426.12	$18,319.59	$6,106.53
15	$25,158.90	$18,869.18	$6,289.73

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-33	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Construction Inspection Term Agreements Change Order No. 1

Attachments

25COMM. 16E-33

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District Nos. 1-6 and 8 Construction Inspection Term Agreements Change Order No. 1

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to Change Order No. 1 for the Construction Inspection Services Term Agreements used by the Erie County Sewer Districts.

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

Sincerely yours,

Mark Poloncarz, Esq.
Erie County Executive

Encl.
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 Nos. 1-6 and 8 Construction Inspection Term Agreements Change Order No. 1
Date: September 5, 2025

SUMMARY

Change orders for the term agreements with DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, New York 14086) in an amount not-to-exceed $67,000 each for professional services associated with construction inspection for the Erie County Sewer Districts (ECSDs) is requested. These change orders would fund an additional year of services under these term agreements.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. Payment under the proposed agreements will be made from either the Sewer District Capital or Operating Accounts.

REASONS FOR RECOMMENDATION

Legislative Comm. 19E-17 (2022) awarded construction inspection services agreements with DiDonato Engineering and Design Professionals, Greenman-Pederson, Inc., Nussbaumer & Clarke, Inc., and Wm. Schutt and Associates for an amount not to exceed $200,000.00 each over a three (3) year period, with an option to extend an additional year. The Division of Sewerage Management recommends exercising the option to extend the agreements an extra year because the firms have performed well and it would allow for better staggering of the various term agreements used by the ECSDs Based on the original amount of $200,000 for the three-year period, $67,000 for the additional year is recommended.

BACKGROUND INFORMATION

In 2022 the Division of Sewerage Management issued a Request for Proposals (RFP) for firms to assist in construction inspection services for the ECSDs. Based upon the rankings and the anticipated workload, DiDonato Engineering and Design Professionals, Greenman-Pederson, Inc., Nussbaumer & Clarke, Inc., and Wm. Schutt and Associates were recommended by the Division's rating committee. These firms were retained pursuant to Legislative Comm. 19E-17 (2022). The three-year term for these construction inspection services commenced on January 1, 2023 and ends on December 31, 2025. The agreements allow for a one-year extension.

CONSEQUENCES OF NEGATIVE ACTION

The Division of Sewerage Management would be required to issue a new RFP. The construction inspection term agreement would continue to be on the same three-year cycle as the Division of Sewerage Management's engineering term agreements.

STEPS TO FOLLOW APPROVAL

The Division of Sewerage Management will execute the change orders. When the need arises, the Division of Sewerage Management will identify projects and will subsequently designate where funds are to be appropriated through implementation of a work order with the applicable consultant. Your Honorable Body will be informed when work orders are assigned to one of the firms.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District Nos. 1-6 and 8 Construction Inspection Term Agreements Change Order No. 1

WHEREAS, the Erie County Department of Environment and Planning through its Division of Sewerage Management is responsible for the inspection of construction work completed in the Erie County Sewer Districts; and

WHEREAS, pursuant to Legislative Comm. 19E-17 (2022) four (4) engineering firms were retained through three (3) year term agreements to assist the Erie County Sewer Districts with construction inspection services; and

WHEREAS, the Division of Sewerage Management recommends exercising the option of extending the existing term agreements an additional year; and

WHEREAS, additional funding authorization is required to account for a fourth year under these agreements.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature hereby authorizes the issuance of Change Order No. 1 for the construction inspection term agreements with DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, New York 14086) in an amount not to exceed $67,000.00 each, to extend the existing agreements one (1) additional year; 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 these construction inspection term agreements; and be it further

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-34	COUNTY EXECUTIVE	ECSD No. 1 Frank Lloyd Wright Boathouse Proposed Easement - 196 Porter Ave.

Attachments

25COMM. 16E-34

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District No. 1 Frank Lloyd Wright Boathouse Proposed Easement – 196 Porter Avenue

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to an easement acquisition from the State of New York.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E., in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
County Executive

cc: J. Fiegl, 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. 1 Frank Lloyd Wright Boathouse Proposed Easement – 196 Porter Avenue
Date:	September 5, 2025

SUMMARY

Approval to acquire an easement from the State of New York for the force main associated with the sanitary sewer pumping station servicing the Frank Lloyd Wright Boathouse is requested.

FISCAL IMPLICATIONS

There will be no fiscal impact to the County's General Fund.

REASONS FOR RECOMMENDATION

To operate and maintain a sanitary sewer force main owned by the County of Erie on behalf of Erie County Sewer District (ECSD) No. 1 within a State of New York owned parcel known as 196 Porter Avenue, Buffalo, NY, a 15-foot wide sanitary sewer easement centered over the existing sewer pipe is required.

BACKGROUND INFORMATION

ECSD No. 1 assumed ownership of a sanitary sewer force main servicing the Frank Lloyd Wright Boathouse after its installation. As part of the transfer, easement documents were not provided. The Division of Sewerage Management prepared draft easement documents to the State of New York to be signed and executed. For the State's Office of General Services (OGS) to execute the easement documents, a resolution from the County of Erie is required.

CONSEQUENCES OF NEGATIVE ACTION

ECSD No. 1 would not have the easement documents to operate and maintain its infrastructure constructed within the property of the State of New York located at 196 Porter Avenue, Buffalo, NY.

STEPS TO FOLLOW APPROVAL

Once the resolution is provided to the State, the OGS will execute the easement documents and the Division of Sewerage Management will file the documents with the Erie County Clerk's Office.

RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 1 Frank Lloyd Wright Boathouse Proposed Easement – 196 Porter Avenue

WHEREAS, the State of New York is the owner of a parcel of property located at 196 Porter Avenue, containing approximately 6.68± acres of land on which an easement is sought for the benefit of Erie County Sewer District (ECSD) No. 1 and the Frank Lloyd Wright Boathouse (hereinafter referred to as "Easement No. 1"); and

WHEREAS, the State of New York has offered to convey so much of its right, title and interest in Easement No. 1 to ECSD No. 1 for the purpose of granting said easement operating and maintaining a sanitary sewer pipe servicing the Frank Lloyd Wright Boathouse; and

WHEREAS, the County of Erie on behalf of ECSD No. 1 hereby certifies that the easement to be conveyed is useful to ECSD No. 1 and its ratepayer Frank Lloyd Wright Boathouse, and ECSD No. 1 will properly maintain its infrastructure within Easement No. 1 for such purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Deputy Commissioner of Sewerage Management within the Department of Environment and Planning to make application to the New York State Office of General Services for the conveyance of Easement No. 1, and to execute any and all documents necessary to affect the transfer of title of the said property to ECSD No. 1; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the State of New York Office of General Services, the County Executive's Office, Department of Law, Division of Sewerage Management and Division of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-35	COUNTY EXECUTIVE	Notice of Public Hearing - ECSD 2025 Assessment Rolls (2025 Levy)

Attachments

25COMM. 16E-35

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Notice of Public Hearing Erie County Sewer Districts 2025 Assessment Rolls (2026 Levy)

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning pertaining to a Notice of Public Hearing for the 2025 Assessment Rolls that have been prepared for the Erie County Sewer Districts.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:bp

Encl.
CC: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Notice of Public Hearing Erie County Sewer Districts 2025 Assessment Rolls (2026 Levy)
Date: September 5, 2025

SUMMARY

It is requested that the Erie County Legislature call for a Public Hearing on the 2025 Assessment Rolls (2026 Levy) as prepared by the Division of Sewerage Management at 2:00 p.m., local time on November 5, 2025 in the Legislature Chambers. It is also requested that the Clerk of the Legislature be directed to have the attached Public Notice published in the official County newspapers and the Buffalo News.

The Notice of Public Hearing must be published in the official newspapers prior to the Public Hearing. Since the official newspapers are published only once during the week, it is requested that notice be published the week of October 20, 2025.

FISCAL IMPLICATIONS

There is no cost to the County's General Fund associated with holding the Public Hearing on the 2025 Assessment Rolls. However, if the Public Hearing is not held, then the County will not have the legal authority to levy sewer charges against the lots and parcels of land within the Erie County Sewer Districts.

REASON FOR RECOMMENDATIONS

Sections 270 and 271 of Article 5A, County Law, require the Erie County Legislature to annually hold a Public Hearing on the Assessment Rolls.

BACKGROUND INFORMATION

Pursuant to Article 5A, Sections 270 and 271 of the County Law of New York, the Erie County Legislature has annually held a Public Hearing on the Assessment Rolls for the Erie County Sewer Districts. In order for the Sewer Districts to raise the sewer tax levies against the lots and parcels of properties within the Sewer Districts, it is first necessary to hold a Public Hearing on the Assessment Rolls. The purpose of the Public Hearing is to allow the public an opportunity to voice their objections, if any, in the manner in which various lots and parcels have been assessed. Then, once the Public Hearing has been held, the Legislature may adopt and affirm the Assessment Rolls, or they can request the Assessment Rolls be revised.

CONSEQUENCES OF NEGATIVE ACTION

If the Public Hearing on the Assessment Rolls is not held, the Erie County Legislature, and therefore, the Erie County Sewer Districts, will not have the legal authority to raise the sewer district tax levies. As a result, funds would not be available in 2026 to carry out Sewer District

operations, nor to pay annual principal and interest due on Sewer District Bonds.

STEPS FOLLOWING APPROVAL

1. The Clerk of the Legislature must have the Public Hearing Notice published in the official County newspapers and the Buffalo News no later than the week of October 20, 2025.

2. A Public Hearing will be held by the Erie County Legislature on November 5, 2025 at 2:00 p.m. local time.

3. The Legislature will be requested to adopt and affirm the Assessment Rolls.

4. The Sewer Districts Budgets must be approved in conjunction with the Erie County Budget.

5. The Sewer District levies must be approved in conjunction with the 2026 Budget.

6. After approval of the Budget, the Sewer District levies must be raised from the various lots and parcels of land within the Erie County Sewer Districts.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT & PLANNING

RE: Notice of Public Hearing Erie County Sewer Districts 2025 Assessment Rolls (2026 Levy)

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. l, 2, 3, 4, 5, 6 and 8; and

WHEREAS, notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2025 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 2:00 p.m., local time, on November 5, 2025 for the purpose of meeting to hear and consider any objections which may be made to the 2025 Sewer District Assessment Rolls (2026 Levy) for Erie County Sewer District Nos. l, 2, 3, 4, 5, 6 and 8; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 20, 2025; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the office of the County Executive, the office of the County Comptroller, the Division of Budget and Management, the Department of Law and the Division of Sewerage Management.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Assessment Rolls for 2025 (2026 Levy) have been completed for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8 and will be on file in the Office of the Division of Sewerage Management, Department of Environment & Planning, 95 Franklin Street, Buffalo, NY 14202, and open for public inspection during business hours on and after the first of October, 2025.

The County Legislature will hold a Public Hearing on the Assessment Rolls at 2:00 p.m., local time, on November 5, 2025, in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, to hear all persons interested in the subject, including any objections concerning the same.

DATED: October 20, 2025 Buffalo, New York

Olivia Owens
CLERK
Erie County Legislature

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-36	COUNTY EXECUTIVE	ECSD No. 5 MOA - Town of Amherst & Town of Clarence

Attachments

25COMM. 16E-36

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District No. 5 Memorandum of Agreement Town of Amherst and Town of Clarence

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to a proposed memorandum of agreement with the Town of Amherst and Town of Clarence for a shared construction project.

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

Sincerely yours,

Mark Poloncarz, Esq.
Erie County Executive

MCP: ms
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. 5 Memorandum of Agreement Town of Amherst and Town of Clarence
Date: September 5, 2025

SUMMARY

Authorization to enter into a memorandum of agreement with the Town of Amherst and the Town of Clarence for Erie County Sewer District (ECSD) No. 5 to contribute up to $2.1 million towards the construction of the "Peanut Line Parallel Interceptor Sewer Project" is requested.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. A residual equity transfer will be processed from the ECSD No. 5 capital reserve account to fund ECSD No. 5's portion of the costs associated with construction of the "Peanut Line Parallel Interceptor Sewer Project".

REASONS FOR RECOMMENDATION

The Town of Amherst, Town of Clarence, and ECSD No. 5 recommend entering into a memorandum of agreement to clearly outline the capacity allocations, the cost share percentages, and the responsibilities of the parties should construction of the "Peanut Line Parallel Interceptor Sewer Project" proceed. For several years ECSD No. 5 has included a capital reserve allocation in its annual budget with this project in mind.

BACKGROUND INFORMATION

The Town of Amherst, Town of Clarence, and ECSD No. 5 propose to implement the "Peanut Line Parallel Interceptor Sewer Project", which consists of approximately 3,000 linear feet of new 24-inch diameter pipe, manholes, a new chamber, flow measuring devices, and other appurtenances installed from Transit Road to Paradise Road in the Town of Amherst. This project would increase sewer capacity to accommodate future demand within various areas in the Town of Clarence and ECSD No. 5, as well as provide surcharge relief in the Town of Amherst's existing Dodge Road Interceptor sewer.

Construction for the "Peanut Line Parallel Interceptor Sewer Project" is expected be bid by the Town of Amherst in 2026. Should the Town of Amherst award the construction contract, the Town of Clarence and ECSD No. 5 would contribute toward the project costs. Engineers have identified the sanitary sewer capacities to be allocated to each entity after completion of this project, with 31.5% attributed to ECSD No. 5. The Town of Amherst, Town of Clarence, and ECSD No. 5 have determined that the capacity percentages are the fairest manner to allocate costs for the "Peanut Line Parallel Interceptor Sewer Project".

The current cost estimate is approximately $5.2 million in 2024 dollars. This amount is an Association for the Advancement of Cost Engineering (AACE) Class 2 estimate, which is typical

at the 60% design phase and has an expected accuracy range of -15% to +20%. Accounting for 3% inflation for two (2) years and the upper range, the project estimate could be as high as $6.6 million once bid in 2026. Based on this upper range estimate, ECSD No. 5's share could be approximately $2.1 million.

CONSEQUENCES OF NEGATIVE ACTION

If ECSD No. 5 does not contribute towards the "Peanut Line Parallel Interceptor Sewer Project", ECSD No. 5 would not have sanitary sewer capacity for projected future needs.

STEPS TO FOLLOW APPROVAL

The County Executive will execute a memorandum of agreement with the Town of Amherst and Town of Clarence on behalf of ECSD No. 5. ECSD No. 5 will provide funding to the Town of Amherst as the construction progresses.

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 _____ Date 8/22/25

Timothy Callan, Ph.D.
Deputy Comptroller

Erie County Sewer District No. 5
Partial Closure of Capital Reserve Funds
Peanut Line Parallel Interceptor Sewer Project
Capital Reserve Account C.00005

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 5 Memorandum of Agreement Town of Amherst and Town of Clarence

WHEREAS, the Town of Amherst, Town of Clarence, and Erie County Sewer District No. 5 propose to implement the "Peanut Line Parallel Interceptor Sewer Project"; and

WHEREAS, construction for the "Peanut Line Parallel Interceptor Sewer Project" is expected be bid by the Town of Amherst in 2026; and

WHEREAS, the Town of Amherst, Town of Clarence, and Erie County Sewer District No. 5 propose that a memorandum of agreement be executed to clearly outline the capacity allocations, cost share percentages, and responsibilities of the parties should construction of the "Peanut Line Parallel Interceptor Sewer Project" proceed; and

WHEREAS, based on current cost estimates, Erie County Sewer District No. 5 has sufficient funds in its capital reserve account to pay for its proportional share of construction costs for the "Peanut Line Parallel Interceptor Sewer Project".

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a memorandum of agreement with the Town of Amherst and the Town of Clarence for the "Peanut Line Parallel Interceptor Sewer Project", subject to approval as to content by the Deputy Commissioner of the Division of Sewerage Management, and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that authorization is hereby provided for the partial closing of up to $2,100,000.00 in Erie County Sewer District No. 5 capital reserve account C.00005 to fund the sewer district's cost share for the "Peanut Line Parallel Interceptor Sewer Project"; and be it further

RESOLVED, that authorization is hereby provided to the Director of the Division of Budget and Management to implement any adjustments necessary to facilitate this partial closing of the Erie County Sewer District No. 5 capital reserve account and to fund the sewer district's cost share for the "Peanut Line Parallel Interceptor Sewer Project"; and be it further

RESOLVED, that any unused funds be returned to the capital reserve account 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.

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: Amherst/Clarence MOA
2. AMOUNT OF CONTRACT: $2,100,000
3. PROJECT NUMBER: C.00005
4. PROJECT TITLE: Peanut Line Parallel Interceptor Sewer Project
5. DEPARTMENT CONTACT: Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS: 4,136,208.67
7. PERFORMED BY: [signature]

Date Sent to Comptroller's Office: August 22, 2025

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 8/22/2025

PROJECT TITLE: C.00005 E.C.S.D.#5 CAP.RESERVE EST '00

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$ 4,965,285.65
Total Project Appropriations	$ 5,061,330.39
Less: Total Expenditure To Date	$ 924,629.72
Less: Total Commitments	$ -
Available Appropriations As Of Date Of Request	$ 4,136,700.67
Less: Contract Amount	$ 2,100,000.00
Net Available Appropriations	$ 2,036,700.67

Comments: There is currently $4,136,700.67 cash within the project.

Request Approved: Tim Cole

Request Denied: _____

Date: 8/22/25

Project Budget Consumption

Column

Variation: Characteristics
- Fund
- Funds Center
- Funded Program
- Fiscal Year

Variation: Fund
- * Fund
  - 430 Sewer Cap. Projects

Projects Budget Consumption Report Date: 08/22/2025 Page: 1 / 3

Fund/Group *
Funds Center *
Funded Program C.00005 (E.C.S.D.#5 CAP.RESERVE EST '00

Commitment Item		Original Budge	Adjustments	Current Budget	Commitment	Actuals
416030	Realty Subdivisions		132,000.00-	132,000.00-		170,000.00-
445031	Int & Earn - Cap Inv		307,669.63-	307,669.63-		365,713.85-
466000	Misc Receipts					
486000	Interfnd Rev Subsidy		4,525,616.02-	4,525,616.02-		4,525,616.54-
*	Revenue		4,965,285.65-	4,965,285.65-		5,061,330.39-
570000	Interfund Trans-Subs					924,629.72
CAPITALPROJECTS	Capital Project Exp		4,965,285.65	4,965,285.65		
*	Expense		4,965,285.65	4,965,285.65		924,629.72
**	Commitment Item					4,136,700.67-

Capital Trial Balance

Column

Reports
- Capital Trial Balance
- Debt Trial Balance
- CBDG Trial Balance
- Project Comparison Debt Trial Balan

Variation: Characteristics
- Funded Program
- Fund

Variation: Fund
- * ZSPZPS1-003 Selection 0004
  - 430 Sewer Cap. Projects

Capital Trial Balance Date Printed: 08/22/2025 Client:100 Page: 2 of 2

Fund(s): 400..599 Fiscal Year: 2025 Project(s):C 00005 E.C.S.D #5 CAP RESERVE EST '00
Period: 1 to 8

Account		Beginning Bal	YTD Debit	YTD Credit	End Bal
113000	CASH CONTROL ACCOUNT	4,062,656.23	96,044.44	22,000.00-	4,136,700.67
389999	UNRESERVED/UNDESIGNATED FUND BALANCE				
*	Balance Sheet	4,062,656.23	96,044.44	22,000.00-	4,136,700.67
416030	REALTY SUBDIVISIONS	184,000.00-	22,000.00	38,000.00-	170,000.00-
445031	Int & Earn - Cap Inv	307,669.41-		57,044.44-	365,713.85-
466000	MISCELLANEOUS RECEIPTS				
486000	INTERFUND REVENUE SUBSIDY	4,525,616.54-			4,525,616.54-
*	Revenues	4,987,285.95-	22,000.00	96,044.44-	5,061,330.39-
570000	INTERFUND TRANSFERS (SUBSIDY)	924,629.72			924,629.72
*	Expenditures	924,629.72			924,629.72
**	Total		118,044.44	118,044.44-	

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-37	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - 2026 User Charges

Attachments

25COMM. 16E-37

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

EC LEG SEP 5 '25 PM12:41

September 5, 2025

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

RE: Erie County Sewer District Nos. 1-6 & 8
User Charges - 2026

Dear Honorable Members:

The Department of Environment and Planning's Division of Sewerage Management is in the process of developing the Erie County Sewer District 2026 user charge rates for Erie County Sewer Districts.

In order to adopt these rates after completion of the required procedures, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. The Department will provide the necessary suggested resolution for your review and approval after completion of the necessary steps.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-38	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - Board of Managers Resolutions

Attachments

25COMM. 16E-38

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer Districts 1-6 and 8 Board of Managers Resolutions

Dear Honorable Members:

Enclosed please find an accompanying memorandum from the Department of Environment and Planning pertaining to the Erie County Sewer District Nos. 1-6 and 8 Board of Managers Budget Resolutions.

Should you Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:bp
Enclosure

CC: J. Fiegl – Department of Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment & Planning
Date: September 5, 2025
RE: Erie County Sewer District Nos. 1-6 and 8 Board of Managers Budget Resolutions

SUMMARY

The Erie County Legislature is asked to receive and file the attached resolutions from the Boards of Managers for the various Sewer Districts concerning the applicable levies.

FISCAL IMPLICATIONS

None.

REASON FOR RECOMMENDATION

The attached resolutions are being submitted for the Legislature's information. Certain actions required under Section 271 of New York State County Law have already been completed by the Boards of Managers who represent the administrative heads for the respective sewer districts.

BACKGROUND INFORMATION

The Boards of Managers are required to levy a benefit assessment on the various parcels of land within the Erie County Sewer Districts in proportion as nearly be made to the benefit each receives. This has been documented through the attached budget resolutions.

CONSEQUENCES OF NEGATIVE ACTION

There are no consequences of a negative action.

STEPS FOLLOWING APPROVAL

There are no additional steps necessary once this item has been received and filed.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 1

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 1 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 1 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 75 % and 25 % of the total sanitary sewer tax levy of $ 3,567,051 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY MR. BOWEN

SECONDED BY MR. DICKSON

APPROVED/DISAPPROVED 4/0

Flat Usage Charge: $ 245.00

Footage Charge: $ 1.00

Dated: 6/17/2025

MATT A. SALAH, P.E.
SECRETARY, ECSD NO. 1
BOARD OF MANAGERS

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 2

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 2 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 2 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 73 % and 27 % of the total sanitary sewer tax levy of $ 4,159,671.00 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY A. Horton

SECONDED BY Supervisor Ashton

APPROVED/DISAPPROVED 4|0

Flat Usage Charge: $345.00

Footage Charge: $1.00

Dated: 6|12|2025

Angela M. Horton

ANGELA M. HORTON, P.E.
SECRETARY, ECSD NO. 2
BOARD OF MANAGERS

AH:bp
06/25
c: 2.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 3

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 3 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 3 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 72 % and 28 % of the total sanitary sewer tax levy of $ 8,430,448 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY E. WETTMEYER

SECONDED BY M. KASPRZYK

APPROVED/DISAPPROVED 6-0

Flat Usage Charge: $328.00

Footage Charge: $1.00 STANDARD / $2.00 / $3.50

Dated: 6/11/25

F.A DCM

DAVID C. MILLAR, P.E.
SECRETARY, ECSD NO. 3
BOARD OF MANAGERS

DM:bp
06/25
c: 3.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 4

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 4 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 4 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 70 % and 30 % of the total sanitary sewer tax levy of $ 2,701,233 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY E. Schiller

SECONDED BY K. Peterson

APPROVED/DISAPPROVED 4-0

Flat Usage Charge: $270

Footage Charge: $1.00

Dated: 6/11/2025

Nadine Wetzel

NADINE WETZEL, P.E.
SECRETARY, ECSD NO. 4
BOARD OF MANAGERS

NW:bp
06/25
c: 4.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 5

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 5 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that a flat usage charge be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 5 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for parcels with new structures connected after August 30th and on or before October 31st, a flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new structures connected after October 31st and on or before December 31st, in addition to the regularly added flat usage charge, an additional flat usage charge will be added to such parcels as a premium assessment; and be it further

RESOLVED, for parcels with new apartments connected after August 30th, only the corresponding 60% of the above will be applied to each new rental unit; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the sewer district be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266 of County Law; and be it further

RESOLVED, that approximately 59 % and 41 % of the total sanitary sewer tax levy of $ 628.004 shall be raised from the assessed value and footage charges respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY T. Lavocat

SECONDED BY J. Burroughs

APPROVED/DISAPPROVED 5-0

Flat Usage Charge: $200.00

Footage Charge: $1.00

Dated: 6/11/25

William J. Lardo

WILLIAM LARDO
SECRETARY, ECSD NO. 5
BOARD OF MANAGERS

WL:bp
06/25
c: 5.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 6

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 6 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County Law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that a portion of the cost of sanitary sewerage system be assessed on parcel charges and assessed value charges to all parcels in the District; and be it further

RESOLVED, that for the storm sewer system an assessed value charge be spread to all lots or parcels within the District; and be it further

RESOLVED, that a single parcel be used as a unit of assessment to determine parcel charges; and be it further

RESOLVED, that one parcel charge be assessed for each residential tax account; for each non-residential tax account, one parcel charge be assessed for each tax account less than one acre; and each non-residential account one acre or more in size be assessed five parcel charges per acre; and be it further

RESOLVED, that when an otherwise contiguous residential parcel of land is split between municipal borders, and the majority of that parcel resides in the neighboring municipality and therefore pays fees or charges for sewer services by said municipality in an amount comparable to a typical household property, such parcel shall not be assessed the parcel charge; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 6 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, for all parcels with new dwelling structures connected, a fixed water usage charge of $300.00 will be added annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, for parcels with new apartments, only the corresponding 60% of the fixed water usage charge will be applied to each new rental unit annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the District be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266; and be it further

RESOLVED, that approximately 11 % and 89 % of the total sanitary sewer tax levy of $ 2,241,753 shall be raised from the assessed value and parcel charges. respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment roll and proposed rate be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a public hearing as required by Section 271 of the County Law.

MOVED BY J. Bukowski

SECONDED BY M. Kwak

APPROVED/DISAPPROVED 3/0

Parcel Charge: $[illegible]

Dated: 6/10/25

GARRY S. PECAK, P.E.
SECRETARY, ECSD NO. 6
BOARD OF MANAGERS

GP:bp
06/25
c: 6.4.1.Budget By Yr.

RESOLUTION

ERIE COUNTY SEWER DISTRICT NO. 8

WHEREAS, the Board of Managers for Erie County Sewer District (ECSD) No. 8 has prepared its budget for 2026 and has determined the amount which must be assessed on the lots and parcels of land within the District and for properties served by out-of-district customer agreements; and

WHEREAS, as permitted by Section 266 of County Law, the District has chosen to raise a portion of the cost for the sanitary sewerage system on user charges; and

WHEREAS, pursuant to Section 271 of the County Law, the assessment must be in proportion as nearly as may be to the benefit derived by each parcel.

NOW, THEREFORE, BE IT

RESOLVED, that the assessed value charge be spread to all lots or parcels within the District; that a footage charge be spread to all lots or parcels which have a sewer designed, under construction or built to service them, except where a property is not connected and it would be necessary for the property owner(s) to bore a State or County Road to obtain sewer service; and that flat usage and water usage charges be assessed to all lots or parcels for which a sewer is designed, under construction, or built and where there is an improved structure on the property requiring sewer service and it has been deemed economical to connect; and be it further

RESOLVED, that a footage charge be spread to all properties who are benefitted by a sanitary sewer line owned and maintained by the County Sewer District; and be it further

RESOLVED, that sewer charges be assessed to out-of-district customers on the same basis as properties in the Sewer District; and be it further

RESOLVED, that parcels within ECSD No. 8 serviced by an adjacent ECSD shall not require an out-of-district customer agreement, but rather the collected sewer charges shall be provided to the servicing district in proportion to the services received; and be it further

RESOLVED, that a single-family dwelling be the basis used as a unit of assessment to determine flat usage charges for residential structure types other than single family dwellings; and be it further

RESOLVED, for all parcels with new dwelling structures connected, a fixed water usage charge of $200.00 will be added annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, for parcels with new apartments, only the corresponding 60% of the fixed water usage charge will be applied to each new rental unit annually until such time actual water usage data becomes available and the actual amount can be calculated; and be it further

RESOLVED, that where this Board has elected, in the past, to charge a footage and/or a flat usage charge prior to the actual date sewer service is available, such decision shall remain in effect; and be it further

RESOLVED, that an assessment roll be prepared using the above formula to determine the amount of assessment on each lot or parcel; and be it further

RESOLVED, that certain costs of the District be raised on User Charges in accordance with the Sewer District's User Charge formula and rates established pursuant to Section 266; and be it further

RESOLVED, that approximately 70 % and 30 % of the total sanitary sewer tax levy of $ 1,181,970 shall be raised from the assessed value and footage charges, respectively; and be it further

RESOLVED, that this resolution along with the proposed budget, proposed assessment rolls and proposed rates be submitted to the County Budget Officer for transmittal to the Clerk of the County Legislature for a Public Hearing as required by Section 271 of the County Law.

MOVED BY J Stoll

SECONDED BY R Wrazen

APPROVED/DISAPPROVED 4 - 0

Flat Usage Charge: $ 150

Footage Charge: $ 1.50

Water Usage Charge: $ 3.50

Dated: 6/10/25

Mary L. Plesh

MARY L. PLESH, P.E.
SECRETARY, ECSD NO. 8
BOARD OF MANAGERS

MP:bp
06/25
c: 8.4.1. Budget By Yr.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-39	COUNTY EXECUTIVE	ECSD Nos. 2 & 3 - Construction Inspection Term Contract Agreement (Work Order: NC-4)

Attachments

25COMM. 16E-39

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District Nos. 2 & 3
Construction Inspection Term Contract Agreement
Nussbaumer & Clarke, Inc. Work Order: NC-4

Dear Honorable Members:

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

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

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
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 Nos. 2 & 3
Construction Inspection Term Contract Agreement
Nussbaumer & Clarke, Inc. Work Order: NC-4
Date: September 5, 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 Nussbaumer & Clarke, Inc. (N&C) for Erie County Sewer District (ECSD) Nos. 2 & 3 in an amount not to exceed $50,000.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering inspection work related to this communication will be paid from the Sewer Fund Operating Budgets (Professional Services Accounts 516020) of ECSD Nos. 2 & 3.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order NC-4 to N&C to provide resident engineering services. N&C will provide inspection for construction and subdivision projects in ECSD Nos. 2 & 3.

BACKGROUND INFORMATION

Your Honorable Body passed Legislative Comm. 19E-17 (2022) authorizing a 3-year Term Agreement with N&C for resident engineering / construction inspection services. 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 assistance to complete resident engineering throughout the ECSDs. Accordingly, the Department has approved work order NC-4 in the amount of $50,000.00 to provide sanitary sewer inspection for various subdivision and construction projects in ECSD Nos. 2 & 3.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

ERIE COUNTY SEWER DISTRICT NOS. 2, 3, 6 & 8
WORK ORDER NO. NC-4

ENGINEER: Nussbaumer & Clarke, Inc. (N&C)

CONTRACT DATE: December 15, 2022

1. **Title of Proposal:**
   Provide Resident Engineer for various construction and subdivision sewer installation projects in ECSD Nos. 2 & 3.

2. **Company/Address/Principal In-Charge:**
   Michael Marino, P.E.
   Nussbaumer & Clarke, Inc.
   Suite 500
   3556 Lake Shore Rd
   Buffalo, NY 14219

3. **Effective Dates of Proposal:**
   July 8, 2025

4. **Brief Description of Work for Which Proposal is Submitted:**
   The Engineer will provide construction inspection for various construction and subdivision projects in ECSD Nos. 2 & 3.

5. **Engineering Cost:**
   $50,000.00

6. **Source of Funds:**
   2025 Sewer Fund Operating Budget Professional Services Account 516020 of ECSD Nos. 2 & 3. ($35,000 from SR Budget & $15,000 from CR Budget)

7. **Project No:** NC-4

8. **Attachments:** None

9. **File:** 0.3.2. N&C (23-25) Insp

DATE: July 8, 2025 Accepted By: _____

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

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-40	COUNTY EXECUTIVE	ECSD No. 8 - Engineering Term Contract Agreement (Work Order: LAB-3)

Attachments

25COMM. 16E-40

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District No. 8 Engineering Term Contract Agreement LaBella Associates Work Order: LAB-3

Dear Honorable Members:

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

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

Sincerely yours,

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. 8 Engineer Term Contract Agreement LaBella Associates Work Order: LAB-3
Date: September 5, 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 LaBella Associates for Erie County Sewer District (ECSD) No. 8 in an amount not to exceed $34,996.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Account No. C.00071.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management (DSM) has issued work order LAB-3 to LaBella Associates to provide Construction Administration – Task 1 services, to assist with electrical system upgrades associated with the East Aurora Water Resource Recovery Facility (WRRF) in ECSD No. 8.

BACKGROUND INFORMATION

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

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. As part of work order LAB-3, LaBella Associates will provide engineering administration services including pre-construction activities and review of shop drawing submittals associated with the upgrade of various electrical components at the East Aurora WRRF in ECSD No. 8. This work order is part of a phased approach for upgrades 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.

COMPTROLLER'S OFFICE REVIEW

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

Signed _____ Date 8/1/25

Title Timothy C. Callan, Ph.D.
Deputy Comptroller

Work Order: LAB-3
Capital Account No. C.00071

ERIE COUNTY SEWER DISTRICT NO. 8
WORK ORDER NO. LAB-3

ENGINEER: **LaBella Associates**

CONTRACT DATE: **November 21, 2022**

1. **Title of Proposal:**
   Construction Administration – Electrical System Improvements at the East Aurora WRRF in ECSD No. 8.

2. **Company/Address/Principal In-Charge:**
   Michael Rogalski, P.E.
   LaBella Associates
   300 Pearl St., Suite 130
   Buffalo, NY 14202

3. **Effective Dates of Proposal:**
   July 25, 2025

4. **Brief Description of Work for Which Proposal is Submitted:**
   LaBella Associates will provide Construction Administration, Task 1 services that consists of a pre-construction activites and review of shop drawings submittals to upgrade various electrical components, including the backup generation system, at the East Aurora WRRF in ECSD No. 8. See LaBella's letter, dated July 16, 2025.

5. **Engineering Cost:** $ 34,996.00

6. **Source of Funds:** Capital Account No. C.00071

7. **Project No:** LAB-3

8. **Attachments:** LaBella's letter, dated 7/16/2025 (5 pages)

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

DATE: July 25, 2025 Accepted By: _____

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

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

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1.	CONTRACTOR'S NAME	LaBella Associates
2.	AMOUNT OF CONTRACT	$34,996.00
3.	PROJECT NUMBER	C.00071
4.	PROJECT TITLE	Engineering Term Agreement Work Order LAB-3
5.	DEPARTMENT CONTACT	Beth Pfalzer x6144

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6.	AVAILABILITY OF FUNDS	$ 503,934.39
7.	PERFORMED BY	
	Date Sent to Comptroller's Office:	August 1, 2025

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 8/1/2025

PROJECT TITLE: C.00071 ECSD #8 E Aurora Inc & Imp $4M 2008

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

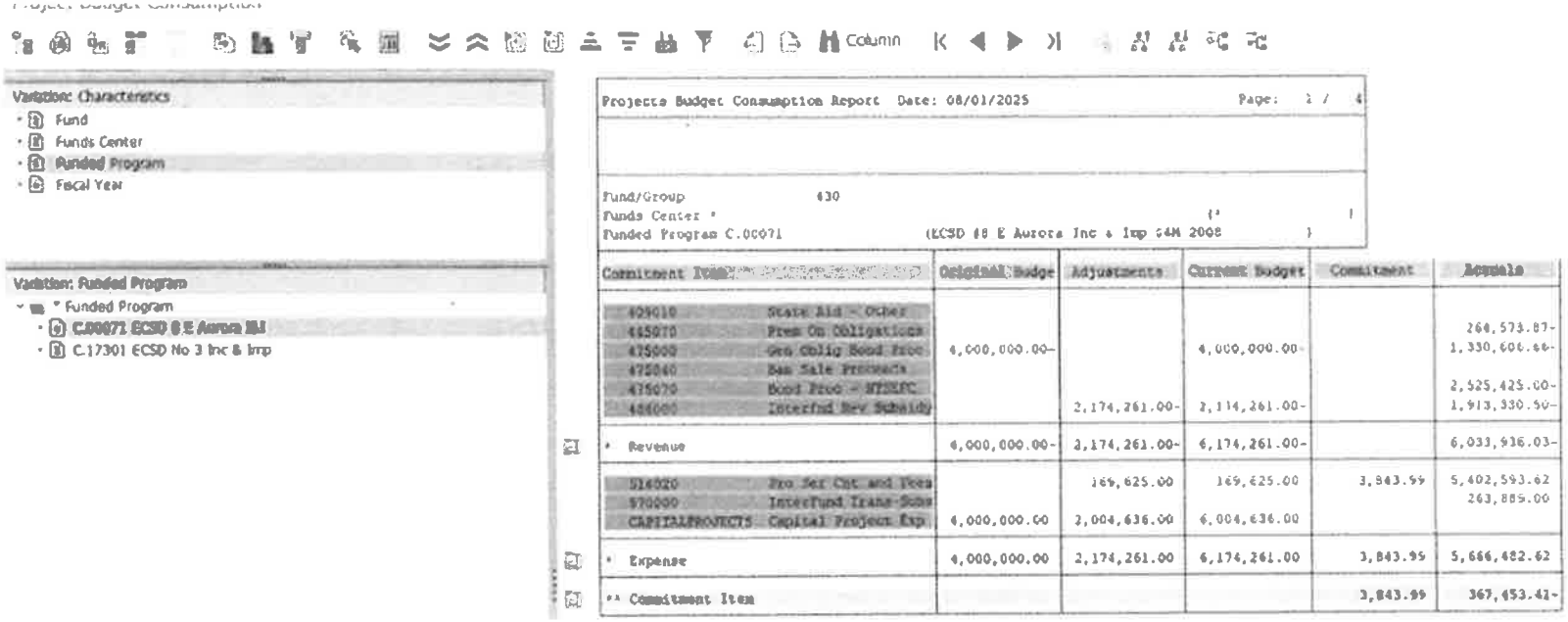
Total Project Revenues	$ 6,033,936.03
Total Project Appropriations	$ 6,174,261.00
Less: Total Expenditure To Date	$ 5,666,482.62
Less: Total Commitments	$ 3,843.99
Available Appropriations As Of Date Of Request	$ 503,934.39
Less: Contract Amount	$ 34,996.00
Net Available Appropriations	$ 468,938.39

Comments: There is $367,453.41 cash in the project.

Request Approved: Timothy C. Ali

Request Denied: _____

Date: 8/1/25



Variation: Characteristics
- Fund
- Funds Center
- Funded Program
- Fiscal Year

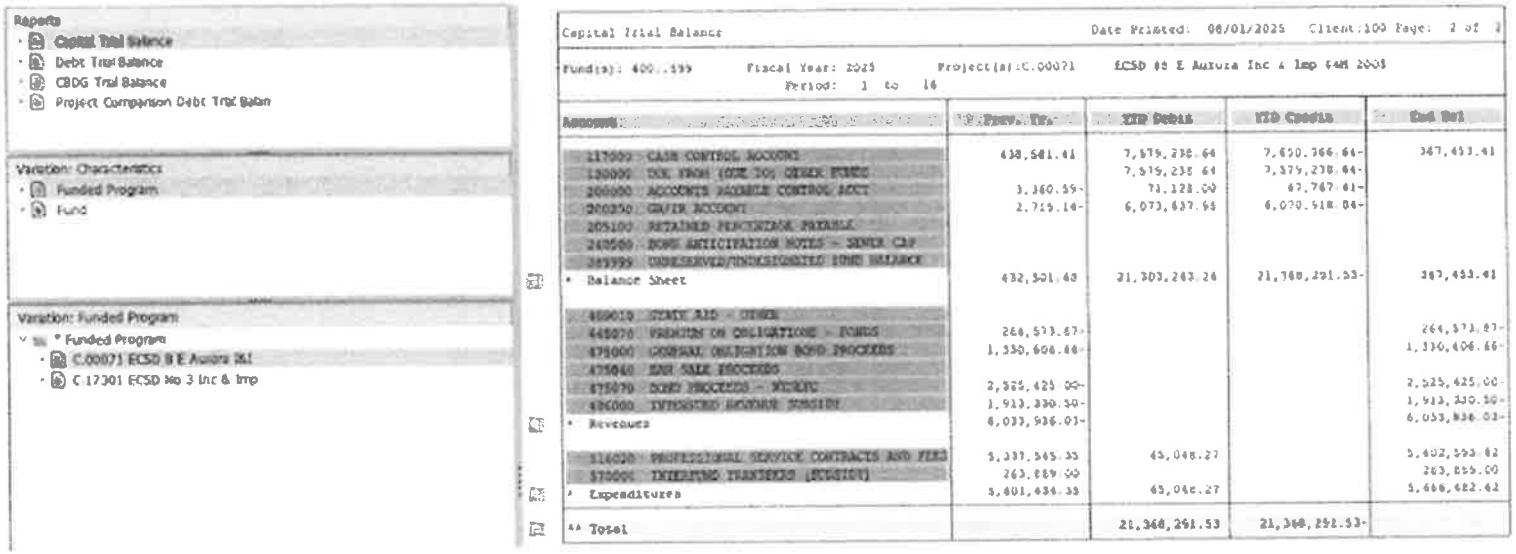
Variation: Funded Program
- * Funded Program
  - C.00071 ECSD 8 E Aurora Ikl
  - C.17301 ECSD No 3 Inc & Imp

Projects Budget Consumption Report Date: 08/01/2025 Page: 1 / 4

Fund/Group 430
Funds Center *
Funded Program C.00071 (ECSD 88 E Aurora Inc & Imp G4M 2008)

Commitment Item		Original Budget	Adjustments	Current Budget	Commitment	Actuals
409010	State Aid - Other					264,573.87-
445070	Prem On Obligations					1,330,606.66-
475000	Gen Oblig Bond Proc	4,000,000.00-		4,000,000.00-		2,525,425.00-
475040	Bnd Sale Proceeds					
475070	Bond Proc - MIREC					1,913,330.50-
486000	Interfnd Rev Subsidy		2,174,261.00-	2,174,261.00-		
* Revenue		4,000,000.00-	2,174,261.00-	6,174,261.00-		6,033,936.03-
516020	Pro Ser Cnt and Fees		169,625.00	169,625.00	3,843.99	5,402,593.62
570000	InterFund Trans-Subs					263,889.00
CAPITALPROJECTS	Capital Project Exp	4,000,000.00	2,004,636.00	6,004,636.00		
* Expense		4,000,000.00	2,174,261.00	6,174,261.00	3,843.99	5,666,482.62
** Commitment Item					3,843.99	367,453.41-

Capital Trial Balance



Reports
- Capital Trial Balance
- Debt Trial Balance
- CBDG Trial Balance
- Project Comparison Debt Trial Balan

Variation: Characteristics
- Funded Program
- Fund

Variation: Funded Program
- * Funded Program
  - C.00071 ECSD 8 E Aurora Ikl
  - C.17301 ECSD No 3 Inc & Imp

Capital Trial Balance Date Printed: 08/01/2025 Client:100 Page: 2 of 3

Fund(s): 400..499 Fiscal Year: 2025 Project(s):C.00071 ECSD 88 E Aurora Inc & Imp G4M 2008
Period: 1 to 16

Account		Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000	CASH CONTROL ACCOUNT	438,581.41	7,579,238.64	7,650,366.64-	367,453.41
130000	DUE FROM (DR DO) OTHER FUNDS		7,579,238.64	7,579,238.64-	
200000	ACCOUNTS PAYABLE CONTROL ACCT	3,360.59-	71,128.00	67,767.41-	
200250	GAIN ACCOUNT	2,719.14-	6,073,637.98	6,070,918.84-	
205100	RETAINED PERCENTAGE PAYABLE				
240500	BOND ANTICIPATION NOTES - SEWER CAP				
387999	UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet		432,501.68	21,303,243.26	21,368,291.53-	367,453.41
409010	STATE AID - OTHER				264,573.87-
445070	PREMIUM ON OBLIGATIONS - BONDS	264,573.87-			1,330,606.66-
475000	GENERAL OBLIGATION BOND PROCEEDS	1,330,606.66-			
475040	BND SALE PROCEEDS				2,525,425.00-
475070	BOND PROCEEDS - MIREC	2,525,425.00-			1,913,330.50-
486000	INTERFUND REVENUE SUBSIDY	1,913,330.50-			6,033,936.03-
* Revenues		6,033,936.03-			
516020	PROFESSIONAL SERVICE CONTRACTS AND FEES	5,337,545.35	65,048.27		5,402,593.62
570000	INTERFUND TRANSFERS (EXPENSE)	263,889.00			263,889.00
* Expenditures		5,601,434.35	65,048.27		5,666,482.62
** Total			21,368,291.53	21,368,291.53-	

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-41	COUNTY EXECUTIVE	ECSD No. 3 - Engineering Term Contract Agreement (Work Order: RAM-5)

Attachments

25COMM. 16E-41

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District No. 3 Engineer Term Contract Agreement Ramboll Americas Engineering Solutions, Inc. Work Order: RAM - 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,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3 Engineer Term Contract Agreement Ramboll Americas Engineering Solutions, Inc. Work Order: RAM - 5
Date: September 5, 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 Ramboll Americas Engineering Solutions, Inc. (Ramboll) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed $8,500.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Account No. C.17301

REASONS FOR RECOMMENDATION

The Division of Sewerage Management (DSM) has issued a work order to Ramboll to provide engineering services related to the heat exchanger retrofit project at the Southtowns Advanced Wastewater Treatment Facility (AWTF) in ECSD No. 3.

BACKGROUND INFORMATION

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

The Term Agreement was approved to provide the DSM with engineering services required to complete various initiatives throughout the ECSDs. Under this Work Order, Ramboll will be compensated for engineering services related to commissioning and closeout of the heat exchanger retrofit project at the Southtowns AWTF in ECSD No. 3. This would be the final work order issued to bring this project to completion.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

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

Signed _____ Date 8/1/25

Title Timothy C. Callan, Ph.D.
Deputy Comptroller

Work Order: RAM-5
Capital Account No. C.17301

ERIE COUNTY SEWER DSTRICT NO. 3
WORK ORDER NO. RAM-5

ENGINEER: Ramboll Americas Engineering Solutions, Inc.

CONTRACT DATE: **November 17, 2022**

1. **Title of Proposal:**
   Southtowns Advanced Wastewater Treatment Facility Heat Exchanger Retrofit Project

2. **Name, Business and Principal Address of Proposer:**
   Kim Weathers
   Ramboll
   400 Andrews Street
   Harro East Building- Suite 710
   Rochester, NY 14604

3. **Effective Dates of Proposal:**
   July 25, 2025

4. **Brief Description of Work for Which Proposal is Submitted:**
   The engineer will provide engineering services related to commissioning and closeout of the heat exchanger retrofit project at the Southtowns Advanced Wastewater Treatment Facility, as detailed in the attached Ramboll letter, dated 7/17/25.

5. **Engineering Cost:**
   $8,500.00

6. **Source of Funds:**
   Capital Account No. C.17301

7. **Project No:** RAM-5

8. **Attachments:** Ramboll letter dated 7/17/25 (4 pages)

9. **File:** 0.3.2. Ramboll (23-25)

DATE: July 25, 2025 Accepted By: _____

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

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

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Ramboll Americas Eng. Solutions, Inc.
2. AMOUNT OF CONTRACT	$8,500.00
3. PROJECT NUMBER	C.17301
4. PROJECT TITLE	Engineering Term Agreement Work Order RAM-5
5. DEPARTMENT CONTACT	Beth Pfalzer x6144

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$4,214,692.05
7. PERFORMED BY	
Date Sent to Comptroller's Office:	August 1, 2025

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 8/1/2025

PROJECT TITLE: C.17301 - ECSD No. 3 Inc & Imp. 10.5M

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$	1,731,913.62
Total Project Appropriations	$	15,648,760.00
Less: Total Expenditure To Date	$	9,452,144.62
Less: Total Commitments	$	1,981,923.33
Available Appropriations As Of Date Of Request	$	4,214,692.05
Less: Contract Amount	$	8,500.00
Net Available Appropriations	$	4,206,192.05

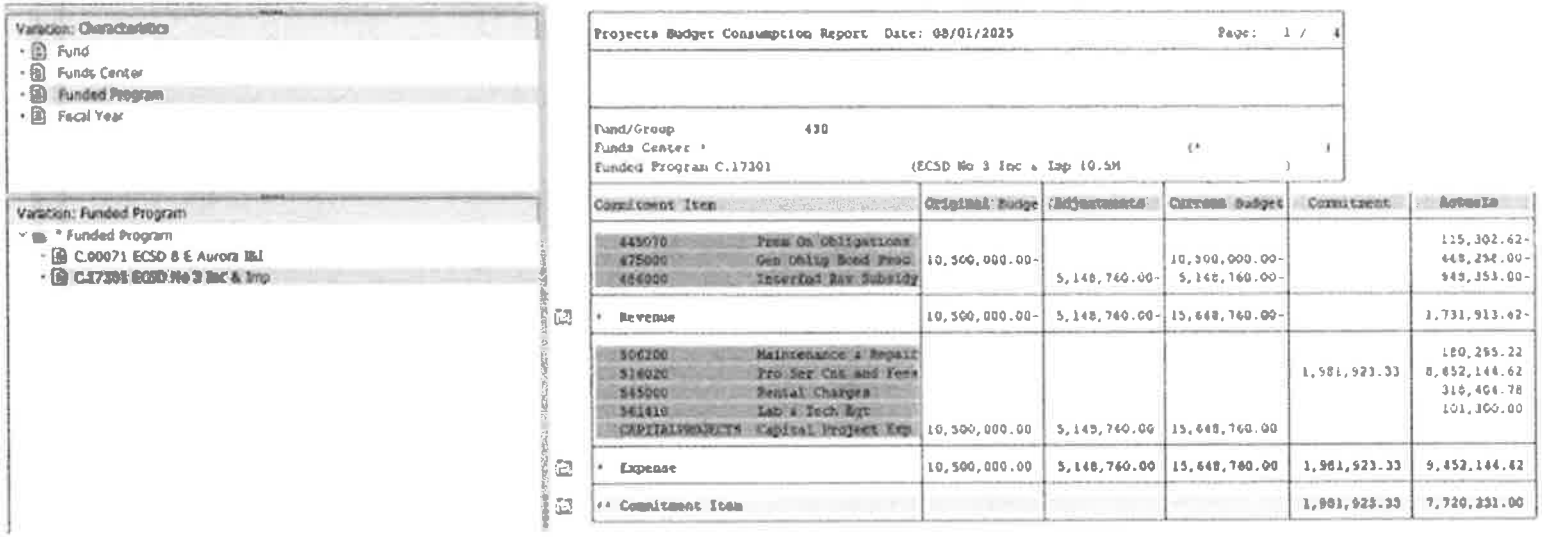
Comments: There is no cash within the project.

Request Approved: Tim Carl

Request Denied: _____

Date: 8/1/25

Project Budget Consumption

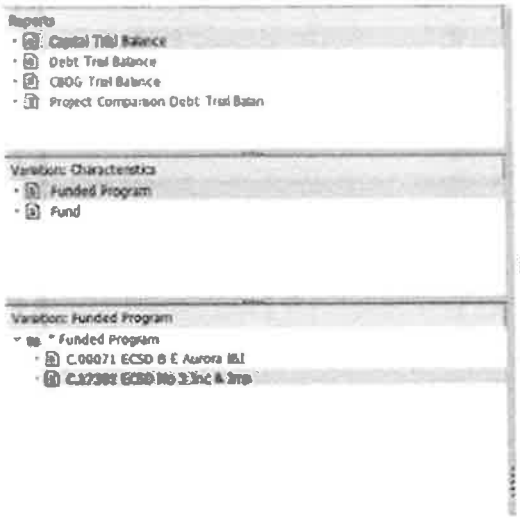


Projects Budget Consumption Report Date: 08/01/2025 Page: 1 / 4

Fund/Group 430
Funds Center *
Funded Program C.17301 (ECSD No 3 Inc & Imp 10.5M)

Commitment Item		Original Budge	Adjustments	Current Budget	Commitment	Actuals
445070	Prem On Obligations					115,302.62-
475000	Gen Oblig Bond Proc	10,500,000.00-		10,500,000.00-		648,258.00-
486000	Interfund Rev Subsidy		5,148,760.00-	5,148,760.00-		948,353.00-
* Revenue		10,500,000.00-	5,148,760.00-	15,648,760.00-		1,731,913.62-
506200	Maintenance & Repair					180,295.22
516020	Pro Ser Cnt and Fees				1,981,923.33	8,852,144.62
545000	Rental Charges					318,404.78
561410	Lab & Tech Eqt					101,300.00
CAPITALPROJECTS	Capital Project Exp	10,500,000.00	5,148,760.00	15,648,760.00		
* Expense		10,500,000.00	5,148,760.00	15,648,760.00	1,981,923.33	9,452,144.62
** Commitment Item					1,981,923.33	7,720,231.00

Capital Trial Balance



Capital Trial Balance Date Printed: 08/01/2025 Client:100 Page: 2 of 2

Fund(s): 400..599 Fiscal Year: 2025 Project(s):C.17301 ECSD No 3 Inc & Imp 10.5M
Period: 1 to 16

Account		Beg. Bs.	YTD Debit	YTD Credit	End Bal
113000	CASH CONTROL ACCOUNT		10,025,979.56	10,025,979.56-	
130000	DUE FROM (FOR IGS OTHER FUNDS	6,800,553.14-	5,820,535.85	10,025,979.56-	7,405,594.31-
200000	ACCOUNTS PAYABLE CONTROL ACCT	175,686.75-	605,443.87	829,756.89-	
200200	GR/IR ACCOUNT	6,125.14-	5,314,406.98	5,524,219.74-	316,939.92-
205100	RETAINED PERCENTAGE PAYABLE	3,172.01-		124.26-	3,296.27-
389999	UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet		6,985,535.07-	20,271,364.08	30,006,060.01-	7,725,831.00-
445070	PREMIUM ON OBLIGATIONS - BONDS	115,302.62-			115,302.62-
475000	GENERAL OBLIGATION BOND PROCEEDS	648,258.00-			648,258.00-
486000	INTERFUND REVENUE SUBSIDY	948,353.00-			948,353.00-
* Revenues		1,731,913.62-			1,731,913.62-
506200	MAINTENANCE & REPAIR SUPPLIES	180,295.22			180,295.22
516020	PROFESSIONAL SERVICE CONTRACTS AND FEES	8,117,448.69	734,820.19	124.26-	8,852,144.62
545000	RENTAL CHARGES	318,404.78			318,404.78
561410	LAB & TECHNICAL EQUIPMENT	101,300.00			101,300.00
* Expenditures		8,717,448.69	734,820.19	124.26-	9,452,144.62
** Total			30,006,184.27	30,006,184.27-	

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-42	COUNTY EXECUTIVE	ECSD No. 1 - Engineering Term Contract Agreement (Work Order: AECOM-3)

Attachments

25COMM. 16E-42

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Erie County Sewer District No. 1 Engineering Term Contract Agreement AECOM USA, Inc. Work Order: AECOM-3

Dear Honorable Members:

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

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
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. 1 Engineer Term Contract Agreement AECOM USA, Inc.Work Order: AECOM-3
Date: September 5, 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 AECOM USA, Inc. for Erie County Sewer District (ECSD) No. 1 in an amount not to exceed $8,000.54.

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. 1 Professional Services Account No. 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order AECOM-3 to AECOM USA, Inc. to provide Engineering Services associated with the preparation of an easement map for ECSD No. 1 to acquire a permanent easement over a force main pipe on a parcel of land owned by the State of New York.

BACKGROUND INFORMATION

Your Honorable Body passed Legislative Comm. 16E-11 (2022) authorizing a 3-year Term Agreement with AECOM USA, 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. AECOM USA, Inc. will prepare and provide an easement map for ECSD No. 1 to acquire a permanent easement over an existing force main pipe on a parcel of land owned by the State of New York.

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. 1
WORK ORDER NO. AECOM - 3

ENGINEER: **AECOM USA, Inc.**

CONTRACT DATE: **November 17, 2022**

1. **Title of Proposal:**
   Frank Lloyd Wright Boathouse Pumping Station Force Main Easement Map

2. **Company/Address/Principal In-Charge:**
   Jeffrey Tudini, P.E.
   AECOM USA, Inc.
   50 Lakefront Blvd
   Suite 111
   Buffalo, NY 14202

3. **Effective Dates of Proposal:**
   August 21, 2025

4. **Brief Description of Work for Which Proposal is Submitted:**
   AECOM USA, Inc. will prepare and provide an easement map to allow ECSD No. 1 to acquire a permanent easement over a force main pipe on a parcel of land owned by the State of New York.

5. **Engineering Cost:**
   $8,000.54

Source of Funds: ECSD No. 1 Professional Services Account No. 516020.

6. **Project No:** AECOM-3

7. **Attachments:** AECOM letter dated 8/19/2025 (6 pages)

8. **File:** 0.3.2. AECOM (23-25) Eng

DATE: August 21, 2025

Prepared By: _____
Matt Salah, P.E.

Accepted By: _____

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-43	COUNTY EXECUTIVE	CPS Authorization to Enter into Phase Two of CAD & RMS Replacement

Attachments

25COMM. 16E-43

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Central Police Services Authorization to Enter into Phase Two of Computer Aided Dispatch (CAD) and Records Management System (RMS) Replacement

Dear Honorable Members:

Please find enclosed a resolution from the Department of Central Police Services seeking legislative authorization to enter phase two with Hexagon in the amount of $3,800,000 for implementation, configuration, and replacement of Computer Aided Dispatch (CAD) and Records Management System (RMS) for Central Police Services.

Should your Honorable Body require further information, I encourage you to contact Commissioner Brian G. Ross. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
County Executive

MCP/tcc

cc. Brian G. Ross, Commissioner of Central Police Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Central Police Services
Re: Central Police Services Authorization to enter phase two for Computer Aided Dispatch (CAD) and Records Management System (RMS)
Date: September 5, 2025

SUMMARY

The resolution requests authorization to enter phase two with Hexagon to install, configure, and replace Computer Aided Dispatch and the Records Management System

FISCAL IMPLICATIONS

Central Police Services currently has a total of $3,800,000 in existing funds for phase two implementation, configuration, and replacement of Computer Aided Dispatch (CAD) and Records Management System (RMS) for Central Police Services.

REASONS FOR RECOMMENDATION

The CAD and RMS systems, which are maintained by Central Police Services, are outdated and unable to keep up with modern technological advances.

BACKGROUND INFORMATION

The Department of Central Police Services maintains a comprehensive law enforcement records management system, "CHARMS" that is utilized by all local Erie County law enforcement agencies.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this request would restrict the ability of the CAD/RMS system to handle future emergency communications in Erie County, thereby not providing the citizens of Erie County with the most up-to-date emergency communication system.

STEPS FOLLOWING APPROVAL

Central Police Services will work with Hexagon and the local PSAP's to implement the new CAD and RMS systems throughout Erie County. Certified copies of the resolution shall be sent to the County Executive's Office, Bureau of Purchase, Division of Budget & Management, Comptroller's Office and Central Police Services, attention: Antonio Morreale.

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 from the 2025 bond sale. A.25011

Timothy C Callan 7/15/25

Timothy C. Callan
Deputy Comptroller Comptroller's Office

RESOLUTION SUBMITTED BY:
DEPARTMENT OF CENTRAL POLICE SERVICES

RE: Authorization to enter phase two with Hexagon

WHEREAS, Erie County Central Police Service has the responsibility of maintaining the countywide Computer Aided Dispatch (CAD) and Records Management System (RMS); and

WHEREAS, Computer Aided Dispatch (CAD) and Records Management System (RMS) are critical parts of the overall public safety operation of Erie County; and

WHEREAS, Central Police Services issued RFP 2023-002VF for Software Replacement for Public Safety Services, and Hexagon was selected to replace the existing home-grown CAD/RMS (Charms) system; and

WHEREAS, Central Police Services requests authorization to enter phase two with Hexagon to replace the CAD and RMS system including Professional services; and

WHEREAS, there are sufficient funds received in Capital Projects Fund, A.25011 for $3,800,000 (Replacement of Computer Aided Dispatch and Record Management Systems) and the Central Police Services/E-911 budget to provide the initial launch of phase two.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into the phase two contract with Hexagon for the proprietary installation, configuration, and maintenance of the CAD/RMS system replacement in the amount of $3,800,000; and it be further

RESOLVED, that sufficient funds to cover the cost of this implementation already exist in Central Police Services' Capital Project A.25011, Fund 410, Fund Center 16500; and be it further resolved

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, Comptroller's Office, Division of Budget and Management, Division of Purchase, and Department of Central Police Services, attention: Antonio Morreale

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: Hexagon
2. AMOUNT OF CONTRACT: $3,800,000
3. PROJECT NUMBER: A.25011
4. PROJECT TITLE: Replacement of the Police, Fire, and Medical Computer Aided Dispatch and Record Management System
5. DEPARTMENT CONTACT: Brian G. Ross (CPS Commissioner) and/or Anita Ingram (Accountant)

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS: $ 3,800,000
7. PERFORMED BY: [signature]

Date Sent to Comptroller's Office: July 15, 2025

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 7/15/2025

PROJECT TITLE: A.25011 2025 Repl Poli, Fire, Med Cmp Sys Part 2

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$	3,800,000.00
Total Project Appropriations	$	3,800,000.00
Less: Total Expenditure To Date	$	-------
Less: Total Commitments	$	
Available Appropriations As Of Date Of Request	$	3,800,000.00
Less: Contract Amount	$	3,800,000.00
Net Available Appropriations	$	

Comments:

This will be a cash advance against the 2025 bond sale.

Request Approved: [signature]

Request Denied: .....

Date: 7/15/25

Projects Budget Consumption Report Date: [illegible] Page: 1

Fund Group
Funds Center *
Funded Program A.C5011 2015 Repl Poli, Fire, Med Cmp Sys Part 2)

Commitment Item		Original Budge	Adjustments	Current Budget	Commitment	Actuals
475000	Gen Oblig Bond Proc	[illegible]		[illegible]		
Revenue		[illegible]		[illegible]		
CAPITALPROJECTS	Capital Project Exp	[illegible]		[illegible]		
Expense		[illegible]		[illegible]		
Commitment Item						

Projects Budget Consumption Report Date: [illegible] Page: 2 /

Fund Group
Funds Center *
Funded Program A.C5011 2015 Repl Poli, Fire, Med Cmp Sys Part 2)

Commitment Item		Consumable Bud	Consumed Budge	Available Budg
475000	Gen Oblig Bond Proc	[illegible]		[illegible]
Revenue		[illegible]		[illegible]
CAPITALPROJECTS	Capital Project Exp	[illegible]		[illegible]
Expense		[illegible]		[illegible]
Commitment Item				

DEPARTMENT OF CENTRAL POLICE SERVICES

Recommendation for RFP 2023-002VF: Replacement of the Police, Fire, and Medical Computer Aided Dispatch and Record Management System.
Date: 7/15/2025

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 the Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

Response Alphabetical order	**Functionality**	**Interoperability**	**Interface and Report Writing tools**	**Mapping**	**Configurability**	**Data Conversion/ Warehouse**	**Total Scoring**
Agency	**Max Possible=5**	**Max Possible=5**	**Max Possible=5**	**Max Possible=5**	**Max Possible=5**	**Max Possible=5**	**Max Possible=5**
Hexagon	4.25	4	4.5	5	5	4	26.75
Motorola	4.25	3	3.5	3	4	3.75	21.50
Tyler	4	3.25	3.5	5	3	4	22.75

It is recommended that Hexagon provide Computer Aided Dispatch and Records Management System services to Central Police Services. Supporting documentation is included in this packet.

Central Police Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Director of Information Services Signature	Printed Name Marlaine Hoffman	Date 7/15/2025
Director of 911 Communications Signature	Printed Name Lisa Sears	Date 7/15/2025
Commissioner of Central Police Services Signature	Printed Name Brian G. Ross	Date 7/15/2025
Deputy County Executive Signature	Printed Name Lisa Chimera	Date 7/15/2025

Once reviewed and approved, please return to Brian G. Ross, Commissioner of Central Police Services, at Brian.Ross@erie.gov for processing. Thank you.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-44	COUNTY EXECUTIVE	Acceptance of State Aid for Youth Employment Programs

Attachments

25COMM. 16E-44

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: Acceptance of State Aid for Youth Employment Programs (YEP)

Dear Honorable Members:

The Department of Social Services has been awarded $5,219,832 in 100% State funds to administer a Youth Employment Program (YEP) to support a reduction in gun involved violence as part of the New York State Gun Involved Violence Elimination (GIVE) Initiative. This proposed resolution authorizes the Department to amend the 2025 Adopted Budget and to enter into contract with Career Connection Network as the lead agency for this program funding.

We would also like to request that the Erie County Legislature waive Erie County Administrative Code Section 26.08 to enter into the contract with Career Connection Network as they successfully worked with the Department of Social Services during the pilot program with a short turn around.

Should your Honorable Body require further information, I encourage you to contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure
cc: Commissioner of Social Services Karen Rybicki

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services
Re: Acceptance of State Aid for Youth Employment Program (YEP)
Date: September 5, 2025

SUMMARY

This proposed resolution authorizes the Department of Social Services to amend the 2025 Adopted Budget and enter into contract with Career Connection Network as the lead agency for the Youth Employment Program (YEP).

FISCAL IMPLICATIONS

This resolution authorizes the acceptance of $5,219,832 of State funds and to enter into a contract with Career Connection Network in the amount of $5,109,832 for the provision of services for the Youth Employment Program (YEP).

REASONS FOR RECOMMENDATION

The YEP is an important platform which is intended to help reduce community gun violence and youth criminal justice involvement by providing year-round employment opportunities. Research shows vulnerable at-risk and unemployed youth can face struggles later in life including poverty, dependence on public assistance programs and criminal justice involvement. In addition, youth exposed to trauma and violence may suffer long term harmful effects including barriers to successful employment and financial prospects later in life. These funds will support the establishment of a program which includes employment, education and/or career exploration opportunities for TANF-eligible youth from low-income households. This funding is further intended to support employment programs for youth at risk of gun violence as part of a statewide gun violence reduction intervention model. The goal of the Department of Social Services is to provide services to 350-400 youth on a rolling enrollment basis from September 1, 2025 through June 30, 2026 at an hourly rate of $16.50.

CONSEQUENCES OF NEGATIVE ACTION

These important services could not be provided.

STEPS FOLLOWING APPROVAL

The 2025 adopted budget will be amended and a contract established with Career Connection Network as the lead agency for the Youth Employment Program.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

Re: Acceptance of State Aid for Youth Employment Program (YEP)

WHEREAS, the Youth Employment Program (YEP) is an important platform intended to help reduce community gun violence and youth criminal justice involvement by providing year-round employment opportunities; and

WHEREAS, these funds will support the establishment of a program which includes employment, education and/or career exploration opportunities for TANF-eligible youth from low-income households; and

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

WHEREAS, Career Connection Network successfully partnered with the Department of Social Services for the pilot portion of this program and due to the short turnaround of time to implement the current funding we would like to request that the Erie County Legislature waive Erie County Administrative Code Section 26.08 to enter into the contract with Career Connection Network; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept $5,219,832 in State Aid and amend the 2025 General Fund Budget (Fund110, Funds Center 120) as follows:

Department of Social Services
Fund 110, Funds Center 120

ACCOUNT	REVENUE	CHANGE
409000	State Aid Revenue	$5,219,832
	TOTAL	$5,219,832

ACCOUNT	APPROPRIATION	CHANGE
516461	Youth Employment Program	$5,109,832
502000	Fringe Benefits	$ 110,000
	TOTAL	$5,219,832

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with Career Connection Network in the amount of

$5,109,832 for the provision of services for the Youth Employment Programs (YEP), waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given to the 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 shall be forwarded to the Erie County Executive's Office, Comptroller's Office, Department of Social Services, and Division of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-45	COUNTY EXECUTIVE	Acceptance of State Aid for Adoption & Legal Guardianship Incentive Funds for Recruitment Activities

Attachments

25COMM. 16E-45

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: Acceptance of State Aid for Adoption and Legal Guardianship Incentive Funds for Recruitment Activities

Dear Honorable Members:

The Department of Social Services has been awarded $25,000 in 100% State funds to aid foster/adoptive parent and legal guardianship recruitment activities to increase permanency outcomes. This proposed resolution authorizes the Department of Social Services to amend the 2025 Adopted Budget and to contract with Family Help Center as the lead agency for this program funding.

We would also like to request that the Erie County Legislature waive Erie County Administrative Code Section 26.08 to enter into contract with Family Help Center as there is a short turn around time to use these funds.

Should your Honorable Body require further information, please contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

cc: Karen Rybicki, Commissioner of Social Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services
Re: Acceptance of State Aid for Adoption and Legal Guardianship Incentive Funds for Recruitment Activities
Date: September 5, 2025

SUMMARY

This proposed resolution authorizes the Department of Social Services to accept 100% State funding in the amount of $25,000 to foster/adoptive parent and legal guardianship recruitment activities to increase permanency outcomes.

FISCAL IMPLICATIONS

This resolution authorizes the acceptance of $25,000 of State funds and to enter into a contract with Family Help Center in the amount of $25,000 for the provision of facilitating recruitment activities for foster/adoptive parent and legal guardianship.

BACKGROUND INFORMATION

The Adoption and Legal Guardianship Incentive Payments Program (AIPP) was established by the Administration for Children and Families in 1997 as part of the Adoption and Safe Families Act. The objective of the AIPP is to provide incentives to states and eligible tribes to annually increase the number of children in foster care who find permanent homes through adoption or legal guardianship. In 2014, the program was reauthorized and revised to allow incentives to be paid to jurisdictions for improved performance in both adoptions and legal guardianship of children in foster care. The program was reauthorized in 2021 as part of the Family First Prevention Services Act, signed into law in February 2018. The program recognizes states and tribes for improving their performance in finding permanent homes for children in foster care and is reauthorized annually. The AIPP is a critical investment to help Local Social Services Districts recruit and strengthen kinship foster and adoptive families and promote adoptive placements, thereby increasing the number of children and youth moving from foster care into permanent placements.

CONSEQUENCES OF NEGATIVE ACTION

These important services could not be provided.

STEPS FOLLOWING APPROVAL

The 2025 Proposed Budget will be amended and a contract will be established with Family Help Center as the lead agency for the provision of facilitating recruitment activities for foster/adoptive parent and legal guardianship.

RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

RE: Acceptance of State Aid for Adoption and Legal Guardianship Incentive Funds for Recruitment Activities

WHEREAS The New York State Office of Children and Families (OCFS) appropriated $1,475,000 from the Adoption and Legal Guardianship Incentive Payments Program (AIPP) for foster/adoptive parent legal guardianship recruitment activities to increase permanency outcomes; and

WHEREAS, the Erie County Department of Social Services has been awarded funding in the amount of $25,000; and

WHEREAS, Family Help Center has the expertise to be the lead agency for this program by facilitating programs to increase recruitment of foster/adoptive parent legal guardianship: and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept $25,000 in State Aid and amend the 2025 General Fund Budget (Fund 110, Funds Center 120) as follows:

Department of Social Services
Fund 110, Funds Center 120

ACCOUNT	REVENUE	CHANGE
407650	State Aid – Foster Care/Adopt	$25,000
	TOTAL	$25,000

ACCOUNT	APPROPRIATION	CHANGE
516010	Contract Payments Nonprofit	$25,000
	TOTAL	$25,000

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with Family Help Center in the amount of $25,000 for the provision of facilitating programs to increase recruitment of foster/adoptive parent legal guardianship, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

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

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

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-46	COUNTY EXECUTIVE	Acceptance of State Aid for the Supervision & Treatment Services for Juveniles Program Funding

Attachments

25COMM. 16E-46

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Acceptance of State Aid for the Supervision and Treatment Services for Juveniles Program (STSJP) Funding

Dear Honorable Members:

The Department of Social Services – Youth Bureau is seeking approval to accept State Aid for the Supervision and Treatment Services for Juveniles Program (STSJP) funding from the New York State Office of Children and Family Services (OCFS) in the amount of $1,051,384 and to enter into contract with community providers to service eligible youth.

Should your Honorable Body require any further information, please contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration of this request.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Social Services -Youth Bureau
Re: Acceptance of State Aid for the Supervision and Treatment Services for Juveniles Program (STSJP) Funding
Date: September 5, 2025

SUMMARY

Legislative authorization is requested to accept $1,051,384 in State Aid for the Supervision and Treatment Services for Juveniles Program (STSJP) funding from the New York State Office of Children and Family Services (OCFS) to enter into contract with community providers to service Youthful Offenders (YO), Adolescent Offenders (AO), Juvenile Offenders (JO), Juvenile Delinquents (JD), and Person in Need of Supervision (PINS) who enter the youth justice system, are remanded to detention, and/or are residentially placed.

FISCAL IMPLICATIONS

The funding for Supervision and Treatment Services for Juveniles Program (STSJP) is derived from 62% New York State Aid while funding for Supervision and Treatment Services for Juveniles Program Raise the Age (STSJP-RTA) is derived from 100% New York State Aid.

REASONS FOR RECOMMENDATION/BACKGROUND INFORMATION

The Erie County Department of Social Services, through the New York State Office of Children and Family Services, has been awarded $1,051,384 to provide additional Supervision and Treatment Services for Juveniles Program (STSJP) services. The Department of Social Services Youth Bureau seeks to enter into contract with community providers to provide services to Youthful Offenders (YO), Adolescent Offenders (AO), Juvenile Offenders (JO), Juvenile Delinquents (JD), and Persons in need of Supervision (PINS) who have entered the youth justice system, are remanded to detention, and/or are residentially placed. These services include Early Intervention, Alternatives to Detention Programming, linkages to Workforce Development, high school equivalency, and case management.

CONSEQUENCES OF NEGATIVE ACTION

We would be unable to provide necessary services to at risk youth in our County.

STEPS FOLLOWING APPROVAL

The Department of Social Services – Youth Services Division will work with the Division of Budget and Management to amend the 2025 Adopted Budget and will then enter into contract with community providers to provide services to at risk youth.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

Re: Acceptance of State Aid for the Supervision and Treatment Services for Juveniles Program (STSJP) Funding

WHEREAS, a grantmaking fund was created under Office of Children and Family Services (OCFS) for the purpose of providing annual awards to incentivize local programs to divert youth from detention and residential care; and

WHEREAS, these awards are designed to play a key role in transforming New York State's juvenile justice system; and

WHEREAS, the Erie County Department of Social Services – Youth Bureau has been awarded $1,051,384 by the New York State Office of Children and Family Services (OCFS) as Supervision and Treatment Services for Juveniles Program (STSJP) funding to offer programming to at risk youth; and

WHEREAS, The Department of Social Services -Youth Bureau issued a Request for Proposal (RFP #2022-017VF) to interested parties; and

WHEREAS, recommendations were approved by the New York State Office of Children and Family Services (OCFS) in the annual STSFP and STSJP Raise the Age plans; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to accept New York State Supervision and Treatment Services for Juveniles Program (STSJP) funds for community providers to provide services to at risk youth and the 2025 Adopted Budget be amended as follows:

Department of Social Services
Fund 110, Funds Center 12530

ACCOUNT	REVENUE	CHANGE
408061	STSJP - RTA	$ 423,841
408065	Yth-Supervision	$ 627,543
	TOTAL	$1,051,384

ACCOUNT	APPROPRIATION	CHANGE
502000	Fringe Benefits	($ 31,787)
517802	STSJP – RTA	$ 386,796
517879	Supervision/Treatment	$ 696,375
	TOTAL	$1,051,384

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with community providers to service at risk youth in Erie County at an amount not to exceed $1,083,171; and be it further

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

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

RFP 2022-017VF	2024-25	2025-26 Allocation
Agency Name	Amount Awarded	Suggested Distribution
STSJP		
Together for Youth (formerly Berkshire Farms)	$201,715	$201,715
Youth Advocates	$172,000	$172,000
New Directions Youth and Family Services	$135,710	$135,710
Baker Hall dba OLV Human Services	$186,950	$186,950
TOTAL	$696,375	$696,375
STSJP-RTA		
Together for Youth (formerly Berkshire Farms)	$101,715	$101,715
Youth Advocates	$109,371	$109,371
New Directions Youth and Family Services	$35,710	$35,710
Buffalo Urban League	$56,000	$56,000
Matt Urban	$84,000	$84,000
TOTAL	$386,796	$386,796

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-47	COUNTY EXECUTIVE	Transfer of Funds - Operating Budget Department of Social Services

Attachments

25COMM. 16E-47

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Transfer of Funds – Operating Budget Department of Social Services

Dear Honorable Members:

Enclosed please find a proposed resolution from the Erie County Department of Social Services requesting authorization to amend its 2025 General Fund Budget in the amount of $200,000 to purchase 500 HP Pro t550 Thin Client computers to replace aging equipment.

Should your Honorable Body require further information, I encourage you to contact Karen Rybicki, Commissioner of the Department of Social Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mmk
Enclosure

cc: Karen Rybicki, Commissioner of Social Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Social Services
Re: Transfer of Funds – Operating Budget Department of Social Services
Date: September 5, 2025

SUMMARY

The Department of Social Services is requesting authorization to amend its 2025 General Fund Budget in order to purchase 500 HP Pro t550 Thin Client computers to replace aging equipment that will no longer be compatible with Erie County systems. This request encompasses approximately 45% of thin clients currently in use in the Department.

FISCAL IMPLICATIONS

The total cost of equipment is $200,000. Sufficient funds will be moved from Fund 110, Funds Center 120, Account 530000 – Other Expenses into Account 561410 – Lab & Technical Equipment to purchase 500 HP Pro t550 Thin Client computers.

REASONS FOR RECOMMENDATION

We are seeking approval of this resolution so that the Department of Social Services can replace outdated HP Pro t530 Thin Client computers with HP Pro t550 Thin Client computers to ensure that our equipment stays compatible with Erie County systems.

BACKGROUND INFORMATION

The Department of Social Services is in need of upgraded computer equipment that will allow us to stay compatible with Erie County systems. The HP Pro t530 computers will soon fall out of warranty, which will prove costly if they begin to fail. Another challenge we will be facing is rising costs due to higher tariffs.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Social Services would be unable to purchase the needed upgraded computers for use by staff to effectively perform their duties.

STEPS FOLLOWING APPROVAL

The Department of Social Services will work with the Division of Budget and Management to execute the budget modification and then purchase the necessary equipment.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

Re: Transfer of Funds – Operating Budget Department of Social Services

WHEREAS, the Department of Social Services is in need of equipment to efficiently perform our job duties; and

WHEREAS, the Department of Social Services would like to purchase 500 HP Pro t550 Thin Client computers; and

WHEREAS, the funds needed for these purchases are included in the Department of Social Services' 2025 General Fund Budget (Fund 110, Funds Center 120); and

WHEREAS, purchase of this equipment will benefit various areas throughout the Erie County Department of Social Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services' 2025 General Fund Budget (Fund 110, Funds Center 120) to be amended as follows:

Department of Social Services
Fund 110, Funds Center 120

ACCOUNT	APPROPRIATION	CHANGE
561410	Lab & Technical Equipment	$200,000
530000	Other Expenses	($200,000)
	TOTAL	$ 0

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 Law, Department of Social Services, and the Division of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-48	COUNTY EXECUTIVE	Live Well Erie Initiatives 2025

Attachments

25COMM. 16E-48

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: Live Well Erie Initiatives 2025

Dear Honorable Members:

The Department of Social Services is seeking approval to release funding and execute contracts with Live Well Erie partner organizations in the amount of $391,415. These funds will be used to promote healthy outcomes for children, working families, and older adults living in Erie County.

Should your Honorable Body require further information, please contact Commissioner Karen Rybicki at the Department of Social Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tcc
Enclosure

cc: Karen Rybicki, Commissioner, Department of Social Services

MEMORANDUM

To: Honorable Member of the Erie County Legislature
From: Erie County Department of Social Services
Re: Live Well Erie Initiatives 2025
Date: September 5, 2025

SUMMARY

This proposed resolution authorizes the County Executive to enter into the following contracts relating to the Live Well Erie Initiatives Allocation:

• Belmont Housing Resources for WNY, Inc.	$40,000
• Learning Disabilities Association of WNY Inc.	$40,000
• Center for Elder Law and Justice	$40,000
• Metro Community Development Association	$40,000
• Family Help Center	$40,000
• Green Options Buffalo	$34,960
• Say Yes Buffalo Scholarship, Inc.	$36,455
• Stitch Buffalo Inc.	$40,000
• The Rural Outreach Center	$40,000
• Westside Community Services	$40,000
	$391,415

FISCAL IMPLICATIONS

Budgetary appropriations of $391,415 are available in Fund 110, Cost Center 120, GL Account 516330 – Live Well Erie.

REASONS FOR RECOMMENDATION

By supporting these organizations, we can help address the social determinants of health that often disproportionately affect vulnerable populations. By providing funding for programs that focus on access to healthcare, healthy food options, and preventative care, we can help reduce health disparities and improve overall well-being in the community.

BACKGROUND INFORMATION

Live Well Erie is a broad-based, data-driven initiative involving numerous partners in the public, private, and non-profit sectors collaborating to achieve greater health outcomes and improving the overall quality of life for its residents. The Live Well Erie RFP (2025-013VF) was posted on May 12, 2025, and reviewed by a panel of seven representatives from diverse Erie County departments, including Social Services, Public Advocacy, the Office for People with Disabilities, Health Equity, the Office for the Aging, Youth Services, and Environmental Planning.

CONSEQUENCES OF NEGATIVE ACTION

Live Well Erie initiatives will not be supported and therefore cannot improve healthy outcomes for County residents.

STEPS FOLLOWING APPROVAL

The 2025 Adopted Budget will be amended and contracts with community partners will be executed, and Live Well Erie will begin to improve the social determinants of health within vulnerable communities.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES

RE: Live Well Erie Initiatives 2025

WHEREAS, Live Well Erie is a health and human services initiative created by the County Executive in September of 2019; and

WHEREAS, The Live Well Erie Vision is organized around the singular idea that in the new Erie County we will leave no one behind and that all residents will have the chance to realize their full potential; and

WHEREAS, Live Well Erie was designed to uplift three crucial pillars of our community: children, working families, and older adults; and

WHEREAS, by extending support to these vulnerable populations, it aims to foster a thriving environment where every individual, regardless of age or circumstance, can access the resources they need to lead fulfilling lives; and

WHEREAS, Live Well Erie is supporting children by providing resources and programs to ensure children have access to quality education, healthcare, and opportunities for healthy development; and

WHEREAS, assisting Working Families by implementing initiatives to support working families, such as affordable housing options, childcare assistance, and job training programs to promote financial stability and upward mobility; and

WHEREAS, empowering older adults by offering services and support tailored to the needs of older adults, including healthcare resources, social engagement opportunities, and assistance with navigating aging-related challenges, to promote healthy and active aging within the community; and

WHEREAS, Live Well Erie Initiatives issued an RFP (2025-013VF) to qualified not-for-profit agencies to propose transformational projects that empower those living in or at risk of falling into poverty. Sixty-nine responses were received, and the scoring committee has recommended ten projects; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to enter into contracts in the amount of $391,415 with awarded local agencies to provide services; and be it further

RESOLVED, that sufficient funding is available for these contracts within the Department of Social Services' 2025 Operating Budget (Fund 110, Funds Center 120) Account 516330 – Live Well Erie; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to make any additional budget adjustment which may be required in order 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 Social Services and Division of Budget and Management.

Department of Social Services

Recommendation for RFP#: 2025-013VF
Date: 8/14/25

The review panel has completed its task of evaluating the proposals for the above-named RFP, the proposals were graded individually by each panel member as well as by Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

Round 1

Organization Name	Final Score	Requested Amount	Recommended Award
Stitch Buffalo Inc.	11.66667	$40,000.00	$40.000
Center for Elder Law Justice	11.33333-	$40.000.00	$40.000
United Way of Buffalo & Erie County	11	$39.515.00	0
Belmont Housing	11	$40,000.00	$40,000
Family Help Center	11	$40.000.00	$40.000
Rural Transit Service	10.83333	$40,000.00	0
Leaming Disabilities Association of WNY Inc.	10.66667	$40.000.00	$40,000
Research Foundation	10.66667	$40,000.00	0
Say Yes Buffalo Scholarship Inc. - Boys and Men of Color Initiative	10.66667	$36.455.00	$36,455
Westside Community Services	10.33333	$40,000.00	$40,000
The Rural Outreach Center	10.33333	$40.000.00	$40.000
EPIC	10.16667	$40,000.00	0
Say Yes Buffalo Scholarship Inc. - Healthy Homes Initiative	10	$40.000.00	0

Buffalo Toronto Public Media	10	$40,000.00	0
Buffalo Urban League	10	$40,000.00	0
Metro Community Development Association	10	$40,000.00	$40,000
Green Options Buffalo	10	$34,959.87	$34,960
Horizon Health	10	$40,000.00	0
Journeys End	10	$39,774.00	0
Parachute Credit Counseling	10	$24,093.00	0
Prevention Council	10	$35,000.00	0
Salvation Army	10	$40,000.00	0
YMCA Buffalo Niagara	10	$40,000.00	0
Homespace	10	$40,000.00	0
Grassroots Gardens	9.833333	$40,000.00	0
Harvest House	9.833333	$40,000.00	0
Family Promise ofWNY	9.833333	$36,000.00	0
VIA - (Visually Impaired Advancement)	9.666667	$39,899.00	0
Buffalo Prenatal Perinatal Network	9.666667	$40,000.00	0
Erie County Restorative Justice Coalition	9.666667	$39,886.00	0
FeedMore	9.666667	$40,000.00	0
Partnership for the Public Good	9.666667	$35,000.00	0
Literacy Buffalo Niagara	9.5	$30,000.00	0
Buffalo Strings Works	9.333333	$39,420.00	0
South Buffalo Community Association	9.333333	$40,000.00	0
African American Cultural Center	9	$40,000.00	0
Big Brother Big Sister	9	$40,000.00	0
Childcare Resource Network	9	$40,000.00	0
Compeer Buffalo International	9	$35,000.00	0
Just for Kids (Childcare Network of the Niagara Frontier)	9	$35,000.00	0
Most Valuable Parent (MVP)	9	$40,000.00	0
Peaceprints ofWNY	9	$40,000.00	0
Pride Center	9	$10,000.00	0

YWCAWNY	9	$40,000.00	0
Karen Society of Buffalo	8.666667	$38,394.00	0
Peace of the City	8.666667	$40,000.00	0
Project Mona's House	8.666667	$40,000.00	0
Read to Succeed	8.666667	$40,000.00	0
WHJESP	8.666667	$40,000.00	0
Save Our Youth	8.5	$40,000.00	0
Feed 716	8.333333	$25,000.00	0
Girls Scouts ofWNY	8.333333	$19,036.00	0
Mother Earth Literacies	8.333333	$40,000.00	0
No Wound Untreated Inc.	8.333333	$40,000.00	0
Refugee and Immigrant Self-Empowerment (RISE)	8.166667	$40,000.00	0
Olive Tree	8	$40,000.00	0
Bits and Bytes STEM	8	$40,000.00	0
Love Alive Fellowship	8	$40,000.00	0
The Trading Post	7.833333	$13,560.00	0
Seneca Street CDC	7.666667	$40,000.00	0
Empowerment Temple	7.333333	$40,000.00	0
Lackawanna Housing Development Corporation	7.333333	$40,000.00	0
Accessible Academics Inc.	7	$40,000.00	0
The Research Foundation for the State University of New York	7	$40,000.00	0
Azeem Foundation 2 - Capacity Building	6.666667	$40,000.00	0
Every Bottom Covered	6.666667	$40,000.00	0
Lackawanna Library (Lackawanna CDC)	5.666667	$40,000.00	0
Miss Alternative Buffalo	5.5	$40,000.00	0
Azeem Foundation	4.333333	$40,000.00	0

Round 2

Organization Name	Final Score	Requested Amount	Recommended Award
Stitch Buffalo Inc.	11.67	$40,000.00	$40,000
Center for Elder Law Justice	11.33	$40,000.00	$40,000
Belmont Housing Resources for WNY Inc.	11.33	$40,000.00	$40,000
Family Help Center	11.33	$40,000.00	$40,000
Leaming Disabilities Association ofWNY Inc.	11	$40,000.00	$40,000
Say Yes Buffalo Scholarship, Inc. Boys and Men of Color Initiative	11	$36,455.00	$36,455
Westside Community Services	11	$40,000.00	$40,000
The Rural Outreach Center	11	$40,000.00	$40,000
Metro Community Development Association	10.67	$40,000.00	$40,000
Green Options Buffalo	10.67	$34,959.87	$34,960
United Way of Buffalo & Erie County	10.33	$39,515.00	0
Rural Transit Service	10.33	$40,000.00	0
Research Foundation	10.33	$40,000.00	0
EPIC	10.167	$40,000.00	0
Say Yes - Healthy Homes Initiative	10	$40,000.00	0
Buffalo Toronto Public Media	10	$40,000.00	0
Buffalo Urban League	10	$40,000.00	0
Horizon Health	10	$40,000.00	0
Journeys End	10	$39,774.00	0
Parachute Credit Counseling	10	$24,093.00	0

It is recommended that Belmont Housing Resources For WNY, Inc., Beyond Support ofWNY, Center for Elder Law and Justice, Family Help Center, Go Bike, Metro Community Development Corp. d/b/a Delevan Grider Community Center, Say Yes- Boys and Men of Color Initiative, and Rural Outreach Affordable Housing Corporation, Stitch Buffalo, Westside Community Services provide services in Erie County in 2025. Supporting documentation is included in this packet.

The Department of Social Services has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code.

Commissioner Signature	Printed Name	Date
Karen M Rybicki	Karen M Rybicki	8/20/25
Deputy County Executive Signature	Printed Name	Date
Lisa M Chimera	Lisa Chimera	8/22/25

Once reviewed and approved, please return to Margaret Krathaus at Margaret.Krathuas@erie.gov for processing, Thank you.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-49	COUNTY EXECUTIVE	Authorization to Enter into Contract with OCV, LLC

Attachments

25COMM. 16E-49

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

Re: Authorization to Enter into Contract with OCV, LLC
Immediate Consideration Requested

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Homeland Security & Emergency Services requesting authorization to contract with OCV, LLC to develop an Emergency Preparedness Smartphone Application.

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

Sincerely yours,

Mark C. Poloncarz, Esq. Erie
County Executive

MCP/crn
Enclosure

cc: Daniel Neaverth

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Homeland Security & Emergency Services
Re: Authorization to Enter into Contract with OCV, LLC
Date: September 5, 2025

SUMMARY

This proposed resolution authorizes the Department of Homeland Security and Emergency Services to contract with OCV, LLC to develop an Emergency Preparedness Smartphone Application.

FISCAL IMPLICATIONS

The New York State Department of Homeland Security and Emergency Services provided The County of Erie with funds in the State Homeland Security Program Grant SHSP, Fund 281, Funds 16700, to be utilized for law enforcement operations, training, and equipment. There is no county match for these funds.

REASONS FOR RECOMMENDATION

The Erie County Department of Homeland Security & Emergency Services as the fiduciary agency has determined that OCV, LLC will be able to provide the requested software in a timely and efficient manner. As a result of a request for proposal OCV, LLC was deemed the most competent firm to accomplish this task.

BACKGROUND INFORMATION

The Erie County Department of Homeland Security & Emergency Services manages the ReadyErie smartphone application for public notification. The smartphone application has been an extremely useful tool in disaster preparation and response since 2016. During the most recent biennial review of the service, several deficiencies were noted by staff and the decision to re-bid the contract with updated parameters to better serve the community as advancements in technology have advanced capabilities.

CONSEQUENCES OF NEGATIVE ACTION

Without this Legislation, urgent and emergent information may not be successfully conveyed to the public.

STEPS FOLLOWING APPROVAL

The Department of Homeland Security and Emergency Services will work with Erie County Bureau of Purchase to issue a purchase order, followed by the department scheduling development to be completed in 2025.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF EMERGENCY SERVICES

RE: Authorization to Enter into Contract with OCV, LLC

WHEREAS, the Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for communications in emergency response; and

WHEREAS, the Department of Homeland Security & Emergency Services receives annual, overlapping State Homeland Security Program Grants, where the 2023-2027 grant is currently active, 2025-2028 grant is in process; and

WHEREAS, the Department of Homeland Security & Emergency Services issued a Request for Proposal (RFP) in June of 2025 RFP #2025-036VF; and

WHEREAS, OCV, LLC has been identified as an appropriate and competent provider of the requested communications platform; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract with OCV, LLC to develop the communications software for emergency response to domestic terrorism incidents; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract with OCV, LLC in an amount not to exceed $130,000 for the development, marketing, annual support and maintenance of communications software for the purposes of public awareness for 6-years; and be it further

RESOLVED, that sufficient funding exists to cover this expense in overlapping State Homeland Security Program (SHSP) grants (Fund 281, Funds Center 16700) in Account 516020 Professional Services, Contracts & Fees; and be it further

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

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

Department of Homeland Security & Emergency Services

Recommendation for RFP# 2025-036VF

Date: 08/05/2025

The review panel has completed its task of evaluating the proposals for the above named RFP. The proposals were graded individually by each panel member as well by Administration as to compliance with the RFP requirements and fiscal compliance/soundness.

Emergency Preparedness Smartphone Application
Submission Committee Member Rankings

Proposer (alphabetical order)	End User Interface Options	Technical Capabilities	Administrative Portal & Tech Support	ADA Compliance	Marketing	Cost	Percentage of M/WBE Participation	Weighted Average Qualifications Score
	Weight = 30%	Weight = 30%	Weight = 15%	Weight = 10%	Weight = 5%	Weight = 5%	Weight = 5%	
	Committee Raw Score	Committee Raw Score	Committee Raw Score	Committee Raw Score	Committee Raw Score	Committee Raw Score	Committee Raw Score	
Nelium Food Software	14	19	23	24	34	34	0	18.1
OCV, LLC	32	32	31	37	35	35	0	31.05
Skill Center	9	15	9	8	9	10	0	10.3

It is recommended that OCV, Inc. provide software development and hosting for an Emergency Preparedness Smartphone Application. Supporting documentation is included in this packet.

The Department of Homeland Security & Emergency Services has complied with all applicable provisions of section 26.08 of the Erie County Administrative Code.

Committee Chair Signature	Printed name	Date
	Darien Pratchett	08/05/2025
Commissioner Signature	**Printed name**	**Date**
	Daniel Neaverth	08/05/2025
Deputy County Executive Signature	**Printed name**	**Date**
	Lisa Chimera	08/05/2025

Once reviewed and approved, please return to Carraugh Nowak at Carraugh.nowak@erie.gov for processing, thank you.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-50	COUNTY EXECUTIVE	Authorization to Accept FEMA Aid for DR 4472, PW 494 - Times Beach Boardwalk Project

Attachments

25COMM. 16E-50

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 5, 2025

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

RE: Authorization to Accept FEMA Aid for DR 4472, PW 494 - Times Beach Boardwalk Project
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Erie County Department of Parks, Recreation & Forestry authorizing the County Executive or Deputy County Executive to accept Federal Emergency Management Agency (FEMA) funding for the Times Beach Boardwalk Project as a result of 2019 Lake Erie Seiche Disaster Declaration at the Times Beach Nature Preserve.

Should your Honorable Body require further information, I encourage you to contact Commissioner Troy Schinzel at the Department of Parks, Recreation & Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/wp
Enclosure

cc: Troy Schinzel, Commissioner - Department of Parks, Recreation & Forestry

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Parks, Recreation and Forestry
Re: Authorization to Accept FEMA Aid for DR 4472, PW 494 - Times Beach Boardwalk Project
Date: September 5, 2025

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Erie County Department of Parks, Recreation and Forestry authorizing the County Executive or Deputy County Executive to accept Federal Emergency Management Agency (FEMA) reimbursements concerning the storm surge and seiche that occurred on October 31, 2019, DR 4472, PW 494 specific to the Times Beach Nature Preserve Boardwalk. It is also seeking authorization for the County Executive or Deputy County Executive to execute an agreement with Rodriquez Construction Group to perform the work for this project.

FISCAL IMPLICATIONS

There will be zero cost the County for this project. The approved project from FEMA is for $702,000 of which FEMA will provide $526,500 as the standard 75% Federal share. The County has received authorization to utilize pre-existing State funding provided by the Dormitory Authority of the State of New York (DASNY) originally accepted as a Department of Parks, Recreation & Forestry grant (Fund 281, Funds Center 16410) 164TBDASNY2325 as COMM 5E-12 (2023) for the $175,500 25% local share match for the project.

REASONS FOR RECOMMENDATION

Approval of this resolution will enable the Department of Parks, Recreation and Forestry to accept FEMA reimbursements for FEMA approved Project DR 4472, PW 494. In addition, it will allow for timely contracting for construction services for this project.

BACKGROUND INFORMATION

On October 31, 2019, Erie County experienced a Lake Erie seiche event spurring a seven-foot increase in water levels along the many parts of the Lake Erie shoreline. The seiche event damaged the boardwalk at Times Beach Nature Preserve, which is maintained by Erie County Parks. This damage became eligible for federal funding with an official disaster declaration by the Federal Emergency Management Agency in December 2019, designated as DR 4472.

The initial project concept was to repair the damaged portions of the boardwalk. However, subsequent storm seiches resulted in additional damage to the boardwalk, and it is now beyond repair. In 2024, a request to FEMA for an alternate project, which was for the removal of the boardwalk in its entirety and the installation of new fencing around the perimeter of the park was submitted. In 2025, this alternate project was approved by FEMA.

CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, Erie County will be unable accept FEMA funding or improve the natural and safety conditions of Times Beach Nature Preserve.

STEPS FOLLOWING APPROVAL

The County Executive or Deputy County Executive will be able to accept Federal and State aid reimbursements for FEMA approved work related to DR 4472, PW 494, a project budget will be established, and an agreement for professional services will be executed with Erie County's General Contractor.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION AND FORESTRY

RE: Authorization to Accept FEMA Aid for DR 4472, PW 494 - Times Beach Boardwalk Project

WHEREAS, the storm surge and seiche that occurred on October 31, 2019 was declared a Federal disaster and designated by the Federal Emergency Management Agency (FEMA) as DR 4472; and

WHEREAS, DR 4472 damaged facilities under the jurisdiction of Erie County Department of Parks, Recreation and Forestry (Parks) at Times Beach Nature Preserve; and

WHEREAS, FEMA has approved an alternate project under Project PW 494 for a cost of $702,000 to remove the damaged boardwalk and to replace sections of the damaged fence; and

WHEREAS, the work under this project approved by FEMA is eligible for Federal reimbursement of 75% of the FEMA approved project cost, and

WHEREAS, Erie County will be responsible for 100% of the non-federal share of approved project cost and 100% of any overruns; and

WHEREAS, Erie County has received authorization to utilize pre-existing State aid funding in grant 164TBDASNY2325 towards the $175,500 local share match requirement; and

WHEREAS, the project will be completed by Rodriguez Construction Group, currently under contract with Parks in accordance with New York State Municipal Law 103.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or the Deputy County Executive to enter into contract with the Federal Emergency Management Agency (FEMA) to accept $526,500 in Federal reimbursement for DR 4472, PW494 Times Beach Boardwalk Project; and be it further

RESOLVED, that authorization is hereby given to transfer $500,000 in State Aid made available by the Dormitory Authority of the State of New York and originally authorized by COMM 5E-12 (2023) in the Department of Parks, Recreation & Forestry (Fund 281, Funds Center 16410) grant 164TBDASNY2325 to be partially used as the 25% local match requirement for FEMA DR 4472, PW494 Times Beach Boardwalk Project; and be it further

RESOLVED, that authorization is hereby given to make $1,026,500 in funding available as Department of Parks, Recreation & Forestry (Fund 410, Funds Center 16410) Capital Project A.25XXX – Times Beach Boardwalk Project as follows:

Project A.25XXX

Times Beach Boardwalk Project
Fund 410, Funds Center 16410

REVENUES	**BUDGET**
409040 State Aid – Capital Grant	$ 500,000
412540 Federal Aid – FEMA	$ 526,500
	$1,026,500
APPROPRIATIONS	
Capital Project Expense	$1,026,500
TOTAL	$1,026,500

and be it further

RESOLVED, that authorization is hereby given to enter into contract with and accept additional aid from FEMA or the State Emergency Management Office (SEMO) specific to the DR 4472, PW494 Times Beach Boardwalk project as it is made available into Department of Park, Recreation & Forestry (Fund 410, Funds Center 16410) Capital Project A.25XXX – Times Beach Boardwalk Project; and be it further

RESOLVED, that the County Executive is hereby authorized to execute agreements related to this FEMA authorized project within the project amounts so authorized; and be it further

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

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-51	SHERIFF	Translation Services for ECHC & ECCF

Attachments

25COMM. 16E-51

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

September 3, 2025

The Honorable
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Re: Translation Services for Erie County Holding Center and Erie County Correctional Facility

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum requesting authorization to utilize CyraCom International, Inc. for translation services at the Erie County Holding Center and Erie County Correctional Facility.

Representatives of my office will be made available to answer any questions you may have.

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Translation Services for Erie County Holding Center and Erie County Correctional Facility
Date: September 3, 2025

Summary of Recommended Action

This resolution will authorize the Purchasing Director to create the documents necessary for the Erie County Sheriff's Office to utilize CyraCom International, Inc. for translation services at the Erie County Holding Center and Erie County Correctional Facility for the remainder of FY2025.

Fiscal Implications of Proposal

Funds for translation services will be expended from the Erie County Sheriff's Office, Jail Management Division operating budget (Fund 110, Funds Center 116), GL #516020 – Professional Services Contracts and Fees.

Reasons for Recommendation

Per Section 7030.2 of the New York State Commission of Correction Minimum Standards and Regulations for County Jails and Penitentiaries:

> Each local correctional facility shall employ procedures designed to reasonably ensure that non-English speaking prisoners understand all written and oral communications from facility staff members, including but not limited to orientation procedures, health services procedures, facility rules and disciplinary procedures, and the provisions of this Subtitle.

Pursuant to this regulation, the Erie County Sheriff's Office has utilized CyraCom International, Inc. (previously known as Voiance) for translation services for the last several years. While we have not done so yet, we are likely to surpass the $5,000 threshold for the year. Legislative approval will be necessary to pay our remaining invoices for FY2025.

Consequences of Negative Action

The Erie County Sheriff's Office will be unable to pay CyraCom International, Inc. for translation services.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Translation Services for Erie County Holding Center and Erie County Correctional Facility

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

WHEREAS, Section 7030.2 of the New York State Commission of Correction Minimum Standards for County Jails and Penitentiaries requires the Erie County Sheriff's Office to ensure non-English speaking incarcerated individuals understand all communications from staff at the Erie County Holding Center and Erie County Correctional Facility; and

WHEREAS, pursuant to these requirements, the Erie County Sheriff's Office has utilized CyraCom International, Inc. for translation services at the Erie County Holding Center and Erie County Correctional Facility for the past several years.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office is authorized to engage CyraCom International, Inc. for translation services at the Erie County Holding Center and Erie County Correctional Facility for FY2025, retroactive to January 1, 2025, in order to assure the continuation of translation services for incarcerated individuals; and be it further

RESOLVED, the Erie County Legislature waives the procedures, as impractical, provided for in Section 26.08 of the Erie County Administrative Code for the purposes of translation services at the Erie County Sheriff's Office, Jail Management Division facilities; and be it further

RESOLVED, the Purchasing Director is authorized to create the documents necessary to effectuate this resolution; and be it further

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-52	SHERIFF	Aviation Unit Training

Attachments

25COMM. 16E-52

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

September 3, 2025

The Honorable
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Re: Aviation Unit Training

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum requesting authorization for the Erie County Sheriff's Office to engage Tactical Flight Operations, Inc. for Aviation Unit training.

Representatives of my office will be made available to answer any questions you may have.

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Aviation Unit Training
Date: September 3, 2025

Summary of Recommended Action

This resolution will authorize the Purchasing Director to create the documents necessary for the Erie County Sheriff's Office to engage with Tactical Flight Operations, Inc. to provide two (2) trainings to the Aviation Unit:

- 2-day course on Sideshow/Street Racing Enforcement at a cost of $10,000.00
- 5-day course on Tactical Flight Officer (TFO) tactics at a cost of $25,000.00

Fiscal Implications of Proposal

Funding is currently available in the Erie County Sheriff's Office, Police Services Division training and education operating budget (Fund 110, Funds Center 11510), GL #510200.

Reasons for Recommendation

Illegal sideshows, which refer to illegal demonstrations in which operators of motor vehicles may gather to perform dangerous stunts, and street racing presents a unique challenge to law enforcement. This module covers the dangers of such events, tactics that can be used by law enforcement to address them and officer safety in enforcement. The Erie County Sheriff's Office Aviation Unit will benefit from learning this information.

TFO training includes instruction on the basic fundamentals of aerial law enforcement tactics, including equipment proficiency, landmark identification and coordination of ground units.

Consequences of Negative Action

The Erie County Sheriff's Office Aviation Unit would forfeit the opportunity to engage in this necessary training.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Aviation Unit Training

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

WHEREAS, the Erie County Sheriff's Office includes a highly skilled Aviation Unit, which is responsible for aerial patrol of Erie County; and

WHEREAS, sideshows and illegal street races are a growing concern of law enforcement, as they present a dangerous environment for drivers and pedestrians on streets and in parking lots; and

WHEREAS, airborne law enforcement operations offer a useful asset to deter and respond to sideshows and illegal street races; and

WHEREAS, a skilled Tactical Flight Officer (TFO) is a necessary component of the Aviation Unit's flight crews, as they operate important tactical equipment and coordinate with police units on the ground; and

WHEREAS, the Erie County Sheriff's Office has identified Tactical Flight Operations, Inc. as an appropriate vendor to offer sideshow/illegal street race training to the Aviation Unit; and

WHEREAS, the Erie County Sheriff's Office has also identified Tactical Flight Operations, Inc. as an appropriate vendor to offer training in TFO tactics; and

WHEREAS, sufficient funding for these trainings is available within the Erie County Sheriff's Office, Police Services Division (Fund 110, Funds Center 11510) Training and Education budget.

NOW, THEREFORE BE IT,

RESOLVED, the Erie County Sheriff's Office is authorized to engage Tactical Flight Operations, Inc. for sideshow/street racing enforcement training in an amount not to exceed $10,000.00; and be it further

RESOLVED, the Erie County Sheriff's Office is authorized to engage Tactical Flight Operations, Inc. for TFO training in an amount not to exceed $25,000.00; and be it further

RESOLVED, the Erie County Legislature waives the procedures, as impractical, provided for in Section 26.08 of the Erie County Administrative Code for the purposes of sideshow/street racing enforcement training and TFO training; and be it further

RESOLVED, the Purchasing Director is authorized to create the documents necessary for the Erie County Sheriff's Office to engage Tactical Flight Operations, Inc. for sideshow/street racing enforcement training and TFO training; and be it further

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-53	SHERIFF	Acceptance of CREST Grant

Attachments

25COMM. 16E-53

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

September 3, 2025

The Honorable
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Re: Acceptance of CREST Grant

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum requesting authorization to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) to accept $1,000,000.00 as part of the Community Resiliency, Economic Sustainability and Technology (CREST) Program. The proposed resolution allocates this funding within the Erie County Sheriff's Office Capital Project A.24059 (Fund 410, Funds Center 115) – Sheriff's Office Helicopter Purchase.

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

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of CREST Grant
Date: September 3, 2025

Summary of Recommended Action

This resolution authorizes the County Executive and Sheriff to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) to accept $1,000,000.00 as part of the Community Resiliency, Economic Sustainability and Technology (CREST) Program. The resolution further allocates this funding within the Erie County Sheriff's Office Capital Project A.24059 (Fund 410, Funds Center 115) – Sheriff's Office Helicopter Purchase. The Erie County Sheriff's Office continues to aggressively seek grant funding opportunities for this project to lessen the burden on Erie County taxpayers. Approval of this item also provides authorization for the County Executive and Sheriff to enter into any future agreements with state or federal agencies to accept such funding for this project.

Fiscal Implications of Proposal

Allocation of this CREST funding within the Erie County Sheriff's Office Capital Project A.24059 (Fund 410, Funds Center 115) – Sheriff's Office Helicopter Purchase will result in a revised budget of $8,464,904.00 for the project. $1,000,000.00 was approved by this Honorable Body in the 2024 Capital Budget. On February 1, 2024, this Honorable Body approved a transfer of an additional $464,904.00 for this project (24COMM. 3E-17). On March 13, 2025, this Honorable Body approved the 2025 Consolidated Bond Resolution, which included a bonded component of $5,500,000.00 for this project (25COMM. 4E-20). Additionally, the Erie County Sheriff's Office anticipates receiving a trade-in value of approximately $500,000.00 for the current helicopter.

Reasons for Recommendation

While it has been a valuable asset to the Erie County Sheriff's Office and its law enforcement partners across the region, the current Air 1 is an aging helicopter. Due to its advanced age, it requires frequent service. For the Erie County Sheriff's Office Aviation Unit to remain operational for the maximum amount of time, new aircraft is required. The Erie County Sheriff's Office plans to purchase two (2) Airbus H-125 helicopters for $7,709,980.00. The CREST funding is critical to ensure that sufficient funds are available for this purchase and the associated upfit.

Consequences of Negative Action

The Erie County Sheriff's Office would forfeit $1,000,000.00 in CREST funding to be used toward the purchase of aircraft for the Aviation Unit.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of CREST Grant

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

WHEREAS, the Erie County Sheriff's Office Aviation Unit is a regional asset, conducting law enforcement operations from the air and assisting law enforcement agencies across Western New York; and

WHEREAS, the Erie County Sheriff's Office is pursuing the purchase and upfit of two (2) Airbus H-125 helicopters for its Aviation Unit; and

WHEREAS, the Erie County Legislature previously approved $1,464,904.00 for this capital project; and

WHEREAS, the Erie County Legislature has also approved the 2025 Consolidated Bond Resolution, which included a bonded component of $5,500,000.00 for this project; and

WHEREAS, the Erie County Sheriff's Office anticipates receiving a trade in value of approximately $500,000.00 for the current Air 1 helicopter; and

WHEREAS, the Dormitory Authority of the State of New York (DASNY) has awarded the Erie County Sheriff's Office $1,000,000.00 as part of the Community Resiliency, Economic Sustainability and Technology (CREST) Program; and

WHEREAS, the CREST funding is to be allocated toward the "purchase of emergency helicopter and equipment"; and

WHEREAS, the Erie County Sheriff's Office continues to aggressively pursue grant funding to be used for this capital project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Executive and Sheriff enter into contract with the Dormitory Authority of the State of New York (DASNY) of to acccpt $1,000,000.00 in Community Resiliency, Economic Sustainability, and

Technology Program (CREST) grant funding to be included in the existing Sheriff's Office (Fund 410, Funds Center 115) Capital Project A.24059 – Sheriff's Office Helicopter Purchase as follows:

Project A.24059
Sheriff's Office Helicopter Purchase
Fund 410, Funds Center 115

REVENUES	**BUDGET**	**CHANGE**	**REVISED BUDGET**
409040 State Aid – Capital Grant	0	1,000,000	1,000,000
475000 General Obligation Bond Proceeds	5,500,000	0	5,500,000
479100 Other Contributions	500,000	0	500,000
486000 Interfund Revenue Subsidy	1,464,904	0	1,464,904
	7,464,904	1,000,000	8,464,904
APPROPRIATIONS			
Capital Project Expense	7,464,904	1,000,000	8,464,904
TOTAL	7,464,904	1,000,000	8,464,904

and be it further

RESOLVED, that authorization is hereby given for the Erie County Executive and Sheriff to enter into contract with and accept additional funds from any other State or Federal agencies related to the Helicopter Purchase project and modify Capital Project A.24059 accordingly; and be it further

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-54	SHERIFF	Acceptance of Byrne State Crisis Intervention Program Grant

Attachments

25COMM. 16E-54

JOHN C. GARCIA
SHERIFF
WILLIAM J. COOLEY
UNDERSHERIFF

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

SHERIFF OF ERIE COUNTY

September 4, 2025

The Honorable
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Re: Acceptance of Byrne State Crisis Intervention Program (SCIP) Grant

Honorable Members:

Attached, please find a proposed resolution and accompanying memorandum authorizing acceptance of the Byrne State Crisis Intervention Program (SCIP) Grant in the amount of $21,557.50.

Representatives of my office will be made available to answer any questions you may have.

Very Truly Yours,

John C. Garcia
Sheriff of Erie County

Attachments

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Sheriff's Office
Re: Acceptance of Byrne State Crisis Intervention Program (SCIP) Grant
Date: September 4, 2025

Summary of Recommended Action

This resolution authorizes the Sheriff and County Executive to enter into an agreement with the New York State Division of Criminal Justice Services to accept the Byrne State Crisis Intervention Program (SCIP) Grant. Per the Grant Award Notice, this award in the amount of $21,557.50 will be used to "support training, travel and registration costs and evidence storage" for the Erie County Sheriff's Office. Specifically, these funds will be utilized to install a climate control system in the evidence storage area of the Erie County Sheriff's Office's facility at 13 Centre Drive in Orchard Park.

Fiscal Implications of Proposal

Acceptance of this funding has no impact on county tax dollars. While there is no requirement that the county provide matching funds to receive this grant, there is an additional cost of approximately $65,829.50 to complete the HVAC project. This money has been allocated in the 2025 Erie County Sheriff's Office budget.

Reasons for Recommendation

Established by the Bipartisan Safer Communities Act, the Byrne State Crisis Intervention Program (SCIP) aims to support crisis intervention court proceedings and related initiatives. Through this program, the Bureau of Justice Assistance, through the New York State Division of Criminal Justice Services, has awarded the Erie County Sheriff's Office $21,557.50.

Consequence of Negative Action

The Erie County Sheriff's Office will forfeit $21,557.50 in grant funding.

Steps Following Approval of Measure

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

A RESOLUTION SUBMITTED BY:
ERIE COUNTY SHERIFF'S OFFICE

Re: Acceptance of Byrne State Crisis Intervention Program (SCIP) Grant

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

WHEREAS, the Bureau of Justice Assistance, through the New York State Division of Criminal Justice Services, has awarded the Erie County Sheriff's Office $21,557.50 as part of the Byrne State Crisis Intervention Program; and

WHEREAS, the Erie County Sheriff's Office intends to use this funding to install a climate control system in its evidence storage room at 13 Centre Drive in Orchard Park; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and Sheriff to enter into an agreement with the New York State Division of Criminal Justice Services to accept $21,557.50 as part of the Byrne State Crisis Intervention Program; and be it further;

RESOLVED, the Director of Budget and Management shall allocate the funding within the Erie County Sheriff's Office, Police Services Division general fund (Fund 110, Funds Center 11510) as follows:

APPROPRIATIONS	INCREASE
516020 – Professional Services Contracts & Fees	$21,557.50
Total	$21,557.50

REVENUES	INCREASE
409000 – State Revenue	$21,557.50
Total	$21,557.50

and be it further

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

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

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

FISCAL IMPACT: As Indicated

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-55	ST. JEAN TARD	Request for Independent Investigation into the Granville Case

Attachments

25COMM. 16E-55

EC LEG SEP 9 '25 AM8:20

Erie County Legislature

HON. TAISHA ST. JEAN TARD
2ND DISTRICT LEGISLATOR

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

Buffalo, NY 14202
716/858-8869
FAX: 716/858-8895

Attorney General Letitia James
Office of the New York State Attorney General
The Capitol
Albany, NY 12224-0341

Sepetember 9, 2025

Re: Request for Independent Investigation into the Granville Case

Attorney General James:

As the Erie County Legislator representing District 2, I am writing to formally request an independent investigation by your office into the circumstances surrounding the case of DJ Granville. Given the serious nature of this case, I believe an impartial and thorough review is critical to ensure transparency, accountability, and justice.

On August 15th, DJ Granville entered a plea for two criminal misdemeanors. The Buffalo Police Department and the Erie County Sheriff's Department have confirmed that they are conducting their own internal investigations. However, due to the Buffalo Police Department's lack of cooperation with the Niagara County District Attorney's Office, the City of Buffalo Common Council Members have joined in requesting that your office take over this investigation. I strongly support their request.

Numerous constituents are deeply troubled by how this case has been handled to date. To uphold public trust and maintain the integrity of our justice system, I strongly urge your office to assume full oversight of this investigation, independent of local agencies. Your office's expertise in handling complex and sensitive matters will restore confidence in our community that this case will be reviewed without bias.

The people of Erie County deserve a justice system that operates with integrity, ensuring that all individuals receive due process and that any wrongdoing is appropriately addressed. For these reasons, I respectfully request that your office immediately assume jurisdiction over this matter and conduct a comprehensive investigation.

Please let me know how my office can support this effort and what steps are needed to facilitate your involvement. I appreciate your leadership and commitment to upholding justice for all New Yorkers and look forward to your response.

Sincerely,

Taisha St. Jean Tard
2nd District Erie County Legislator

Website: http:// www4.erie.gov/tard/ . E-Mail: Taisha.St.JeanTard@erie.gov

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-56	DISTRICT ATTORNEY	Victim Witness Assistance Grant

Attachments

25COMM. 16E-56

OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

MICHAEL J. KEANE
DISTRICT ATTORNEY

GARY W. HACKBUSH
FIRST DEPUTY DISTRICT ATTORNEY

September 9, 2025

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

Re: Victim Witness Assistance Grant
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and memorandum from the District Attorney's Office requesting position changes and budget revisions in the Victim Witness Assistance Grant Budget.

Thank you for your immediate consideration of this matter. If your Honorable Body requires any further information, kindly contact our office and we will be happy to accommodate your request.

Very truly yours,

MICHAEL J. KEANE
DISTRICT ATTORNEY

MJK/lh

MEMORANDUM

To: Erie County Legislature
From: Michael J. Keane, District Attorney
Date: September 9, 2025
Re: Victim Witness Assistance Grant
Immediate Consideration Requested

I. Summary of Recommended Action

The proposed resolution and accompanying memorandum request authorization to reallocate funds and adjust positions in the Victim Witness (V/W) Assistance Grant for the 2025 to 2026 grant year, in accordance with the final approved grantor contract.

II. Fiscal Implications of Proposal

Funds in the approved 2025 Erie County District Attorney's Victim Witness Assistance Grant budget are being reallocated to properly reflect the increased funding levels of $61,787 awarded by the grantor. This funding is allowing us to increase the salary of our Project Coordinator from a JG 12 to a JG 13 in accordance with the objectives outlined in the grant application.

- Grant Duration: 3 years (10/1/25 - 9/30/28)
- Differential salary from originally budgeted: $8,796 (Project Coordinator JG 12 to JG 13)
- Funding Source: New York State Office of Victim Services
- This grant continues to require a 20% match of county tax dollars

The increased funding levels in conjunction with employee turnover will result in overall savings in county share of $80,553 than what was originally appropriated.

III. Reason for Recommendation and Background of Proposal

NYS Office of Victim Services has awarded the District Attorney's Office $720,871 per year starting October 1, 2025 through September 30, 2028 to fund our recently submitted grant proposal for our Victim Witness Assistance Program. This award represents funding levels higher than those received in previous years. This new round of funding is enabling us to enhance our current V/W program which funds ten civil service positions. Our awarded grant proposal restructures our program to fulfill grant objectives and better meet the needs of our large victim population. The proposal included the salary increase for the Project Coordinator (JG 12 to JG 13) given the duties and supervisory functions of this position.

IV. Consequences of Negative Action

This recommendation will allow the Victim Witness Assistance Grant amounts as listed in the 2025 Budget Book B to be realigned with the final grantor approved appropriation levels. Failure to approve this request would result in a reduction of needed services to crime victims in Erie County.

V. Steps Following Approval of Measure

The District Attorney's Office will work with the Division of Budget and Management and the Comptroller's Office to implement this proposal.

RESOLUTION SUBMITTED BY THE DISTRICT ATTORNEY

Re: District Attorney's Office
Victim Witness Assistance Grant

WHEREAS, the District Attorney through the Victim Witness Assistance Grant provides crime victim services to the residents of Erie County; and

WHEREAS, the Erie County Legislature has already approved the District Attorney's Victim Witness Assistance Grant Budget in Book B for 2025; and

WHEREAS, the contract received from the New York State Office of Victim Services authorizes funding levels different from the adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that effective October 1, 2025, authorization is hereby provided to reallocate position #7590 of Project Coordinator Victim/Witness Program from JG 12 to JG 13; and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Victim Witness Assistance Grant to match authorized state funding levels, to be adjusted as follows:

VICTIM WITNESS ASSISTANCE GRANT
114VICTIMWTNSS2526
October 1, 2025 – September 30, 2026

	ORIGINAL	CHANGE	FINAL
Revenue			
414000 Federal Aid	$ 659,084	$ 61,788	$ 720,872
479000 County Share Contribution	462,702	(80,553)	382,149
Total Revenue	$1,121,786	$ 18,765	$1,103,021

	ORIGINAL	CHANGE	FINAL
Appropriation			
500000 Full Time Salaries	$ 705,214	($28,998)	$ 676,216
500350 Other Employee Payments	9,100	- 0 -	9,100
501000 Overtime	5,000	- 0-	5,000
502000 Fringe Benefits	401.972	(9,767)	392,205
510000 Local Mileage Reimbursement	500	- 0 -	500
530000 Other Expenses	- 0 -	20,000	20,000
Total Appropriations	$1,121,786	($18,765)	$1,103,021

and be it further

RESOLVED, that during the grant fiscal year, the Director of Budget and Finance is hereby authorized to adjust budgets to comply with grantor approved funding levels; and be it further,

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Erie County Comptroller, Erie County Personnel and the Director of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16E-57	DISTRICT ATTORNEY	Traffic Safety Resource Prosecutor Grant

Attachments

25COMM. 16E-57

OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

MICHAEL J. KEANE
DISTRICT ATTORNEY

GARY W. HACKBUSH
FIRST DEPUTY DISTRICT ATTORNEY

September 9, 2025

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

Re: Traffic Safety Resource Prosecutor Grant
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and memorandum from the District Attorney's Office requesting authorization to accept grant funding in the amount of $261,433 from the NYS Governor's Traffic Safety Committee.

Thank you for your immediate consideration of this matter. If your Honorable Body requires any further information, kindly contact our office and we will be happy to accommodate your request.

Respectfully Submitted,

MICHAEL J. KEANE
DISTRICT ATTORNEY

MJK/lh

MEMORANDUM

To: Erie County Legislature
From: Michael J. Keane, District Attorney
Date: September 9, 2025
Re: Traffic Safety Resource Prosecutor Grant
Immediate Consideration Requested

I. Summary of Recommended Action

The proposed resolution requests authorization to enter into a contract with the NYS Governor's Traffic Safety Committee to accept grant funding in the amount of $261,433 for the NYS Traffic Safety Resource Prosecutor program.

II. Fiscal Implications of Proposal

The NYS Governor's Traffic Safety Committee (GTSC) has awarded a second year of funding to the District Attorney's Office in the amount of $261,433 for the grant year October 2025 to September 2026. These monies will continue to fund an Assistant District Attorney VI (MC – JG 17) to serve as one of two Traffic Safety Resource Prosecutors in New York state. There will be no cost to County taxpayers

- Grant Duration: 1 year – 10/1/25 – 9/30/26
- Funding Source: NYS Governor's Traffic Safety Committee
- Annualized salary: $152,853 (10/1/25-9/30/26)

III. Reason for Recommendation and Background of Proposal

The overall purpose of the Governor's Traffic Safety Committee (CTSC) grant program is to provide funds to support projects that improve highway safety and reduce deaths and serious injuries due to crashes. GTSC has awarded the District Attorney's Office monies to fund a Traffic Safety Resource Prosecutor, for a second year, who would oversee training throughout New York State for prosecutors and law enforcement focused on improved detection of impaired driving on our roadways, diligent and thorough investigation of cases, and the effective prosecution of cases.

IV. Consequences of Negative Action

By not accepting this grant, law enforcement throughout New York State will lack the skills necessary to effectively detect impaired drivers which could lead to more crashes and lead to more injuries and deaths on our roads.

V. Steps Following Approval of Measure

The District Attorney's Office will work with the Division of Budget and Management and the Comptroller's Office to implement this proposal.

RESOLUTION SUBMITTED BY THE DISTRICT ATTORNEY

Re: Traffic Safety Resource Prosecutor Grant

WHEREAS, the District Attorney's Office's has been awarded $261,433 under the NYS Governor's Traffic Safety Committee Highway Safety Program for the period of October 1, 2025 to September 30, 2026; and

WHEREAS, authorization is required by the Erie County Legislature for the County Executive to enter into a grant contract and accept monies to provide funding for a Traffic Safety Resource Prosecutor.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the NYS Governor's Traffic Safety Committee; and be it further

RESOLVED, that effective October 1, 2025, these monies will continue to fund position #51018706 Assistant District Attorney VI (JG 17) in fund 281, fund center 11400; and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Traffic Safety Resource Prosecutor Project:

NYS Traffic Safety Resource Prosecutor Project
October 1, 2025 to September 30, 2026
Fund: 281, Cost Center: 1140050, Grant: 114TSRP2526

Revenue	
414000 Federal Revenue	$ 261,433
Total Revenue	$ 261,433
Appropriation	
500000 Full Time Salaries	$ 152,853
502000 Fringe Benefits	61,580
510000 Local Mileage Reimb.	3,000
510100 Out of Area Travel	24,000
516020 Professional Fees	15,000
530000 Other Expenses	5,000
Total Appropriations	$261,433

and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Erie County Comptroller, the Department of Personnel and the Director of Budget and Management.

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-1	DEPUTY COMPTROLLER FOR AUDIT & CONTROL	Notification of Change in Audit Scope - Audit of the Financial Transactions in the Bank Accounts Under the Admin. Control of the ECSO

Attachments

25COMM. 16D-1

EC LEG JUL 22 '25 PM2:17

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

July 22, 2025

Honorable John C. Garcia, Sheriff
Erie County Sheriff's Office
10 Delaware Avenue
Buffalo, New York 14202

Re: Notification of Change in Audit Scope – Audit of the Financial Transactions in the Bank Accounts Under the Administrative Control of the Erie County Sheriff's Office

Dear Sheriff Garcia:

This letter serves as formal notification that the scope of the audit being conducted by the Erie County Comptroller's Office regarding the financial transactions in the bank accounts under the administrative control of the Erie County Sheriff's Office, as originally outlined in our letter dated July 17, 2024, has been revised.

The original audit scope excluded the Inmate Escrow and Inmate Commissary accounts, as these were to be covered under the Commissary Account audit. However, following extensive work and review, the auditor developed a more in-depth understanding of the operational and financial relationship between these two accounts. Based on this analysis, it was determined that the Inmate Escrow Account should be examined independently from the Commissary account to ensure a more focused and effective audit.

Accordingly, the audit scope is being updated to include only the financial transactions of the Inmate Escrow bank account under the administrative control of the Erie County Sheriff's Office. Please note that the audit period has also been revised and will now cover the period January 1, 2021 through December 31, 2023. All other aspects of the audit remain unchanged.

Should you have any questions or concerns regarding this change, please feel free to contact me at (716) 858-6927 or by email at Mary.Nytz-Hosler@erie.gov.

Thank you for your continued cooperation.

Sincerely,

Mary K. Nytz-Hosler
Deputy Comptroller for Audit and Control

cc:
Hon. Mark C. Poloncarz, Erie County Executive
Hon. Erie County Legislature
Hon. Kevin Hardwick, Erie County Comptroller
Erie County Fiscal Stability Authority

95 FRANKLIN STREET • ROOM 100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-2	DEPUTY COMPTROLLER FOR AUDIT & CONTROL	Change In Scope - EC Comptroller's Office Audit of the ECSO Commissary Fund

Attachments

25COMM. 16D-2

EC LEG JUL 22 '25 PM 2:17

ERIE COUNTY COMPTROLLER
KEVIN R. HARDWICK

July 22, 2025

Honorable John C. Garcia, Sheriff
Erie County Sheriff's Office
10 Delaware Avenue
Buffalo, New York 14202

Re: Change in Scope – Erie County Comptroller's Office Audit of the Erie County Sheriff's Office Commissary Fund

Dear Sheriff Garcia,

This letter is to inform you of a change in the scope of the Erie County Comptroller's Office audit of the Erie County Sheriff's Office Commissary Fund, as initially outlined in our prior correspondence dated July 17, 2024.

The original scope of the audit included both the Inmate Trust (Escrow) Fund and the Commissary Fund for the period January 1, 2021 through December 31, 2023. However, please be advised that the Inmate Trust (Escrow) Account will be removed from the scope of this audit. This adjustment is being made because the financial activities related to the Inmate Escrow Account will instead be included in the Financial Transactions Audit currently being conducted by our office.

Accordingly, the revised scope of this audit will be limited to the **Commissary Fund only**, and the audit objectives will be updated to reflect this change. Please note that the audit period has also been revised and will now cover the period January 1, 2021 through December 31, 2023.

Should you have any questions or concerns regarding this change, please feel free to contact me at (716) 858-6927 or by email at Mary.Nytz-Hosler@erie.gov.

Thank you for your continued cooperation.

Sincerely,

Mary K. Nytz-Hosler
Deputy Comptroller for Audit and Control

cc: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Erie County Legislature
Hon. Kevin Hardwick, Erie County Comptroller
Erie County Fiscal Stability Authority

95 FRANKLIN STREET • ROOM 100 • BUFFALO, N.Y. • 14202
PHONE: (716) 858-8400 • FAX: (716) 858-6195 • www.erie.gov/comptroller

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-3	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 3-1-2025

Attachments

25COMM. 16D-3

EC LEG JUL 28 '25 PM 11:46

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 21, 2025

VIA E-MAIL ONLY
Hon. Timothy J. Meyers, Chairman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 3-1 2025

Dear Chairman Meyers:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 3-1 2025 (3-1).

Preemption

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

Here, 3-1 does not present any direct conflicts with state statute and since the State Legislature has not taken specific action to assume sole regulatory authority on this topic, 3-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 3-1 is to ensure that County property may be free from the unauthorized dumping or placement of refuse for the protection of County property. We find the grammar and usage of 3-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 3-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 3-1 2025 is sufficient as to form.

Respectfully yours,

JEREMY C. TOTH
Erie County Attorney

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

GPK/lda

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-4	COUNTY ATTORNEY	Opinion as to Form Local Law Intro. No. 5-1-2025

Attachments

25COMM. 16D-4

ECLEG JUL 28 '25 AM11:46

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 21, 2025

VIA E-MAIL ONLY
Hon. Timothy J. Meyers, Chairman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 5-1 2025

Dear Chairman Meyers:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 5-1 2025 (5-1).

Preemption

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

Since, pursuant to New York State County Law, the State Legislature has specifically authorized counties in New York State to adopt legislation concerning the disposition of their property, 5-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 5-1 is to convey title to certain property located at 11580 Walden Avenue in the Town of Alden from Erie County to 11580 Walden Avenue LLC. We find the grammar and usage of 5-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 5-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 5-1 2025 is sufficient as to form.

Respectfully yours,

JEREMY C. TOTH
Erie County Attorney

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

GPK/lda

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-5	COMMISSIONER OF ECDSS	COMM. 12E-34 Compliance Report

Attachments

25COMM. 16D-5

CLERK LEG AUG 6 '25 AM 9:08

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

August 5, 2025

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

Dear Honorable Members:

RE: Comm. 12E-34 Compliance Report

In accordance with Comm. 12E-34, please find an update of Child Protective caseloads for the month of July.

	July	Change Since June
Caseload size at the last day of the Month	1,033	-235
Number of CPS workers assigned at least five cases last day of month	86	-7
Average number of cases per worker	12.01	-1.62
Cases Closed in Month	809	132
Intake during Month	577	-122
Overdue Investigations at the last day of month	149	-54
Timely Determinations during month	471	30

Thank you.

Sincerely,

Karen Rybicki

Karen Rybicki, Commissioner
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-6	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County

Attachments

25COMM. 16D-6

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

MEMORANDUM

TO: Olivia Owens, Clerk, Erie County Legislature

FROM: Jeremy C. Toth, Erie County Attorney

DATE: August 5, 2025

RE: Transmittal of New Claims Against Erie County

Ms. Owens:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), please find attached 17 new claims brought against the County of Erie. The claims are as follows:

Claim Name

1. Denita Jones v. County of Erie;
2. Daniel Insalaco v. County of Erie;
3. Jason Enders v. ECDSS;
4. Robbins Disaster Recovery, Inc. v. ECC and County of Erie;
5. Amelia VanDusen v. County of Erie, et al.;
6. New York Times Company, et al. v. ECSO;
7. Kimberly Jordan v. County of Erie, et al.;
8. Joseph Gephart v. County of Erie;
9. Ali Lazik v. County of Erie, et al.;
10. Estate of Kimberly Kloc v. ECMCC, et al.;
11. Arthur Urbanczyk v. County of Erie;
12. Daniel Sojcik v. County of Erie;
13. Estate of Sean Quinn v. County of Erie;
14. Peter Masak v. County of Erie, et al.;
15. Katie Wetzler/PNG of EJW v. County of Erie, et al.;
16. Ramere McIlwain v. County of Erie, et al. and
17. Lynn May v. County of Erie;

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

May 21, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Jones, Denita v. County of Erie*
Document Received:	NYS Division of Human Rights Charge of Discrimination
Name of Claimant:	Denita D. Jones PO Box 190 Buffalo, New York 14215
Claimant's attorney:	Claimant is proceeding *pro se*.

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF HUMAN RIGHTS on the Complaint of

DENITA D JONES,

Complainant,

v.

ERIE COUNTY, SHERIFF'S OFFICE,

Respondent.

COMPLAINT
Pursuant to Executive Law, Article 15

Case No.
10243571

Federal Charge No. 16GC502004

I, Denita D. Jones, charge the above-named respondent, whose address is One Sheriff's Drive, Orchard Park, NY, 14127 with an unlawful discriminatory practice relating to employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of opposed discrimination/retaliation, disability.

Date most recent or continuing discrimination took place is 2/16/2024.

The allegations are:

SEE ATTACHED

Based on the foregoing, I charge respondent with an unlawful discriminatory practice relating to employment because of opposed discrimination/retaliation, disability, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296.

I also charge the above-named respondent with violating the Americans with Disabilities Act (ADA) (covers disability relating to employment). I hereby authorize SDHR to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission (EEOC) subject to the statutory limitations contained in the aforementioned law(s).

New York State Division of Human Rights Complaint Form

Individual filing the complaint

Please provide the information requested below.

First Name

Denita

Middle Initial

D

Last Name

Jones

Street Address

[redacted]

City

[redacted]

State

[redacted]

Zip

[redacted]

RECEIVED

NOV 19 2024

Buffalo EFAX/INBOX

Are you completing this form for someone else?

No

Your complaint

Jurisdiction

Employment

Employment

Please specify where the discrimination occurred

by a Labor Organization

Are you currently working for the employer you are filing against?

Yes

Date of hire

08/06/2018

Position held or applied for

Shift supervisor

For employment and internships, how many employees does this person/company have?

20 or more

Acts of alleged discrimination: What did the person/company you are complaining against do? Check all that apply

Demoted me
Suspended me
Denied my request for an accommodation for my disability, or pregnancy-related condition
Harassed or intimidated me on any basis indicated here
Other - Write In (Required): discriminatory practices

Basis

Basis of alleged discrimination in employment:

Retaliation (if you filed a discrimination case before, were a witness or helped someone else with a discrimination case, or opposed or reported discrimination due to category listed on this page)
Disability (a physical or mental condition; includes denial of reasonable accommodation)

Please specify disability:

past injury acuired at work led to many health problems which needs extra medical requirements. Discriminatory acks was terminated in 2016 by now commissioner Maryellen Brockmyre but won my case and took test returning to work 2yrs later and she has been retailation mpractices against me every since i returned.

Please specify what you did to oppose discrimination or how you engaged in protected activity.

?

You are filing a complaint against

Entity that discriminated against you:

Name of entity

Erie County Detention Facility

Street Address

810 E Ferry

City

Buffalo

State

NY

Zip

14215

In what county or borough did the violation take place?

Erie

Phone Number

[redacted]

Email address

[redacted]

Fax Number

Company Website

Date of the most recent act of alleged discrimination

02/16/2024

Description of discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and other details. You must explain why you think these acts were discriminatory and how these acts are connected to the protected class (race, color, sex, disability, etc.) you selected previously. If you have supporting documentation or evidence, you may provide it later.

I recently sent three emails to my supervisor asking for a later shift. My current shift is 6:30-2:30pm Tuesday to Saturday. I am a shift supervisor which is a non-mandated position at Erie County detention. I recently contacted the office of disabilities regarding my medical conditions which require meds. I was hurt during a physical restraint at work in 2020 and i have a lifelong back injury that i will not have surgery on. The comp case is closed but i have physical therapy and medication to take. I also went through a domestic violence case which ended a divorce 2023 and i am on anti-depression meds. I have explained to my supervisor how i wake up in pain some morning and i have to take Motrin to move around. As everyone knows you cannot take without something on your stomach so i eat 2 slices of toast then take Motrin 800. I was requesting to come in at 7:30 instead of 6:30 am this way i am not using my fmla being late but my supervisor has an excuse every time or just simply ignores my emails. The person from office of disabilities told me to request a third time then contact him back but i decided to add in my complaint. I feel it is discriminatory practices because there is a shift supervisor who is not permeant as i am on probation who has been granted an educational shift where she does not work the shift 2-10pm she has her own shift 4-12pm and everyone in the county has 2 days off back-to-back but Kisa Walker is off tues/thurs. I am simply asking for an hour, and it will not affect anyone there is another shift supervisor working at 6:30 and an intake supervisor working until 8am. I was terminated from the county in 2016 and i fought my case through unemployment after coming to division of human rights and not being helped. I won my case and was able to re-apply for work but I waited until an exam to not return provisional and be a target. I passed my exam and returned in 2018 to the same title YDW. I worked my way to being promoted to shift supervisor in 2020 provional until the exam was offered. I was harassed by the last Deputy Commision Paul K, on several occasion but nothing never done due to Maryellen Brockmyre being the new commissioner of personal. This being who was behind my termination in 2016. So, any complaint i put in got denied or ignored. An incident took place in which i was demoted and received a 5-day suspension. The staff Marquan Dean, that i recently was made aware doing a restraint I assisted in she was seen abusing/ physically fighting a youth received no discipline still to this day. I was given a hearing where the personal supervisor stated she watched the video where i left the YDW alone with the youth in danger which was a complete lie. I lost my position for about 6 weeks and i filed a grievance which was just recently given a date to appear and a lawyer assigned to me. I feel myself and 6 others being discipline but the staff that was causing physical harm to the youth not receiving anything is discriminatory practices. I am waiting to view the incident with my attorney. The shift supervisors have complete control over the building maintaining every shift but remains at a level 10 with no raise in 5 years, but a position was just created called training manager/Quality Assurance Nicole Brancato, started at a level 10 without an exam and the supervisor of the JJC counselors Katie Walker-Brown, a level 12 and this person supervised a staff of 6 the shift supervisors have a shift of 23 or more with three times the duties. This is discriminatory practices as well. This new budget for 2025 has given the new Nicole Brancato, position a step and it has not even been a year it has exist. I have more with details, but all have to be organized and written out.

Declaration

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

Please initial:

DJ

I affirm under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Denita Jones

Enter today's date.

11/19/2024

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

April 9, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Insalaco, Daniel v. County of Erie and Erie County Sheriff's Office*
Document Received:	Notice of Claim
Name of Claimant:	Daniel J. Insalaco 896 Harvard Street Rochester, New York 14610
Claimant's attorney:	Randy C. Mallaber, Esq. William Mattar, P.C. 6720 Main Street, Suite 100 Williamsville, New York 14221-5986

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

IN THE MATTER OF THE CLAIM OF:

DANIEL J. INSALACO
896 Harvard Street
Rochester, NY 14610

Claimant,

-against-

NOTICE OF CLAIM

COUNTY OF ERIE
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF
134 West Eagle Street
Buffalo, NY 14202.

Respondent.

PLEASE TAKE NOTICE that **DANIEL J. INSALACO**, hereby makes claim against **COUNTY OF ERIE** and **ERIE COUNTY SHERIFF** and in support thereof Claimant alleges:

1. That the undersigned Claimant, DANIEL J. INSALACO, residing at 896 Harvard Street, Rochester, NY 14610, by and through his attorney, RANDY MALLABER, 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the COUNTY OF ERIE and ERIE COUNTY SHERIFF, for personal injuries, pain and suffering, general and special damages, medical expenses, and property damages sustained by him.

2. That the said injuries were sustained by DANIEL J. INSALACO on December 22, 2024 at approximately 7:45 PM on that day when he was walking in a coned off pedestrian

walkway after a Buffalo Bills game, said walkway that is owned by COUNTY OF ERIE, and monitored by ERIE COUNTY SHERIFF, their servants, agents or employees.

3. That the subject incident occurred on Abbott road approximately 100 feet north of E. Abbott Grove Ave, in the Town of Orchard Park, County of Erie, State of New York. A copy of the Police Accident Report (MV-104A), regarding the subject incident is attached hereto as **Exhibit "A"**.

4. That the Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant, DANIEL J. INSALACO, by COUNTY OF ERIE and ERIE COUNTY SHERIFF, their servants, agents or employees in, in failing to provide a safe location to transit, in failing to properly cordon off and secure a pedestrian walkway after a Buffalo Bills game, along with the other acts of negligence, carelessness and recklessness.

5. That the aforesaid COUNTY OF ERIE and ERIE COUNTY SHERIFF by and through their agents, servants and employees had actual or constructive notice of the dangerous condition in that there is an improper pedestrian/traffic plan and/or that they had insufficient and/or improperly or insufficiently trained staff to properly manage said plan.

6. That as a result of the foregoing, the Claimant, DANIEL J. INSALACO, was hit by a motor vehicle while using the pedestrian coned lane created and managed by the COUNTY OF ERIE and ERIE COUNTY HSERRIF, and Claimant sustained very serious injuries, sustaining a traumatic bilateral subarachnoid hemorrhage, right intraparenchymal hemorrhage, fractured foot and severe lacerations. and other injuries. Some of these injuries will be of a permanent or indefinite

duration, and Claimant, DANIEL J. INSALACO, has and will, in the future be forced to expend sums of money for hospitals, doctors and other medical expenses.

7. That the said injuries were occasioned solely and wholly as a result of the negligence of the COUNTY OF ERIE and ERIE COUNTY SHERIFF, and through their agents, servants and employees and without any negligence on the part of the Claimant contributing thereto.

DATED: Williamsville, New York
February 24, 2025

Randy Mallaber, Esq.
WILLIAM MATTAR, P.C.
Attorney for Claimant
Office and P.O. Address
6720 Main Street
Williamsville, NY 14221-5986
(716)633-3535

EXHIBIT A

Page 1 of 3 Pages

Local Codes: 24-037872

RNTPXXJVQPBT

☐ AMENDED REPORT

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (3/04)

1	Accident Date (Month / Day / Year)	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene ☐ / Accident Reconstructed ☐	Left Scene	Police Photos	19
2.	12 / 22 / 2024	SUNDAY	19:45	2	1	0		☒	☒ Yes ☐ No	2.

	VEHICLE 1	VEHICLE 2 ☐ BICYCLIST ☒ PEDESTRIAN ☐ OTHER PEDESTRIAN
2	VEHICLE 1 - Driver License ID Number: 125089800	State of Lic: NY
5.	Driver Name - exactly as printed on license: MAYO, ANTHONY R	
	Address (Include Number and Street): 7165 SCHULTZ RD	Apt. No.
	City or Town: NORTH TONAWANDA	State: NY Zip Code: 14120
3	Date of Birth (Month / Day / Year): 09 / 15 / 1993	Sex: M Unlicensed: ☐ No. of Occupants: 04 Public Property Damaged: ☐
20	Name - exactly as printed on registration: MAYO, ANTHONY R	Sex: M Date of Birth: 09 / 15 / 1993
4	Address (Include Number and Street): 7165 SCHULTZ RD	Apt. No. Haz. Mat. Code Released: ☐
4.	City or Town: NORTH TONAWANDA	State: NY Zip Code: 14120
5	Plate Number: KKS8031 State of Reg.: NY Vehicle Year & Make: 2022 DODG Vehicle Type: PICK Ins. Code: 240
1.	Ticket/Arrest Number(s): TPXXJTKQ96 TPXXJTKQ2Q TPXXJTKQDW
	Violation Section(s): 11923 6002A 306B

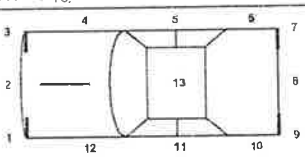
	VEHICLE 2
	VEHICLE 2 - Driver License ID Number:
	Driver Name - exactly as printed on license: INSALACO, DANIEL J
	Address (Include Number and Street): 896 HARVARD ST Apt. No.
	City or Town: ROCHESTER State: NY Zip Code: 14610
22	Date of Birth (Month / Day / Year): 02 / 22 / 1985 Sex: M Unlicensed: ☐ No. of Occupants: 01 Public Property Damaged: ☐
23	Name - exactly as printed on registration: , Sex: Date of Birth (Month / Day / Year): 1
	Address (Include Number and Street): Apt. No. Haz. Mat. Code Released: ☐
24	City or Town: State: Zip Code:
	Plate Number: State of Reg.: Vehicle Year & Make: Vehicle Type: PED Ins. Code:
	Ticket/Arrest Number(s):
25	Violation Section(s): 1.

6	VEHICLE 1	VEHICLE 2
2.	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit.	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit.
7	VEHICLE 1 DAMAGE CODES: Box 1 - Point of Impact: 3.0; Box 2 - Most Damage: 3.0; Enter up to three more damage codes: 3: 3.0, 4: 4.0, 5: 5.0	VEHICLE 2 DAMAGE CODES: Box 1 - Point of Impact; Box 2 - Most Damage; Enter up to three more damage codes: 3, 4, 5
1.	Vehicle By: BANK ST Towed To: BANK ST	Vehicle By: Towed To:

VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT

14. UNDERCARRIAGE
15. TRAILER
16. OVERTURNED
17. DEMOLISHED
18. NO DAMAGE
19. OTHER



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear End 1.	Left Turn 3.	Right Angle	Right Turn 5.	Head On 7.
Sideswipe (same direction) 2.	Left Turn 0.	4.	Right Turn 6.	Sideswipe (opposite direction) 8.

26 -

ACCIDENT DIAGRAM

See the last page of the MV-104A for the accident diagram.

9.

27 1.

28 Cost of repairs to any one vehicle will be more than $1000. ☐ Unknown/Unable to determine ☒ Yes ☐ No — 2.

Reference Marker	Coordinates (if available)	Place Where Accident Occurred
	Lattitude/Northing: 4743467	County ERIE ☐ City ☐ Village ☒ Town of ORCHARD PARK
	Longitude/Easting: 189990	Road on which accident occurred ABBOTT ROAD (Route Number or Street Name)
		at 1) intersecting street (Route Number or Street Name)
		or 2) 100 feet miles ☒ N ☐ S ☐ E ☐ W of E. Abbott Grove Ave (Milepost, Nearest Intersecting Route Number or Street Name)

29 -

Accident Description/Officer's notes

Vehicle 1 was traveling Northbound on Abbott Rd. Pedestrian was walking Northbound on Abbott Rd in a pedestrian coned lane. Vehicle 1 traveled into the pedestrian coned lane striking the pedestrian causing damage to the front headlight and side mirror of Vehicle 1. Pedestrian did sustain head and foot injuries due to being struck by Vehicle 1. The pedestrian was transported to ECMC for further treatment. Vehicle 1 left the scene and was located a short distance away by OPPD.

30

USE OTHER SIDE — N

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all involved	Date of Death Only
A	1.0	1.0	4	1.0	31	M	-	-	-	-	-	MAYO, ANTHONY R	
B	1.0	3.0	-	1.0	-	M	-	-	-	-	-	UNKNOWN, UNKNOWN	
C	1.0	5.0	4	1.0	17	M	-	-	-	-	-	MAYO, VINCENT J	
D	1.0	5.0	4	1.0	40	F	-	-	-	-	-	MELTON, ERICA M	
E	P	-	-	-	39	M	1.0	3.0	3.0	9997	1405	INSALACO, DANIEL J	
F													

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
PTLM	0084	01460			LAGODA, D	01/03/2025 11:17

Print Name in Full: D PURUCKER

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (3/04)

Local Codes: 24-032872

RNTPXXJVQPST

☐ AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene ☐ / Accident Reconstructed ☐	Left Scene	Police Photos
12	22	2024	SUNDAY	19:45	2	1	0		☒	☒ Yes ☐ No

VEHICLE

VEHICLE - Driver License ID Number	State of Lic	Driver Name - exactly as printed on license	Address (Include Number and Street)	Apt. No.	City or Town	State	Zip Code	Date of Birth Month	Day	Year	Sex	Unlicensed	No. of Occupants	Public Property Damaged	Name - exactly as printed on registration	Sex	Date of Birth Month	Day	Year	Address (Include Number and Street)	Apt. No.	Haz. Mat. Code	Released	City or Town	State	Zip Code	Plate Number	State of Reg.	Vehicle Year & Make	Vehicle Type	Ins. Code	Ticket/Arrest Number(s)	Violation Section(s)

Check if involved vehicle is: more than 95 inches wide; more than 34 feet long; operated with an overweight permit; operated with an overdimension permit.

VEHICLE 1 DAMAGE CODES

Box 1 - Point of Impact
Box 2 - Most Damage
Enter up to three more damage codes: 3 4 5

Vehicle By Towed To

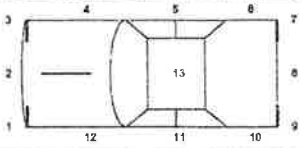
VEHICLE 2 DAMAGE CODES

Box 1 - Point of Impact
Box 2 - Most Damage
Enter up to three more damage codes: 3 4 5

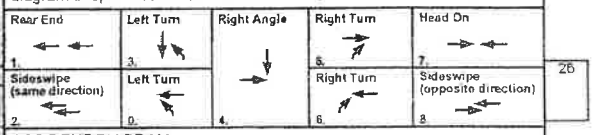
Vehicle By Towed To

VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT
14. UNDERCARRIAGE
15. TRAILER
16. OVERTURNED
17. DEMOLISHED
18. NO DAMAGE
19. OTHER



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.



ACCIDENT DIAGRAM

9

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker	Coordinates (if available)
	Latitude/Northing:
	Longitude/Easting:

Place Where Accident Occurred:

County _____ ☐ City ☐ Village ☐ Town of _____

Road on which accident occurred _____ (Route Number or Street Name)

at 1) intersecting street _____ (Route Number or Street Name)

or 2) _____ feet _____ miles ☐ N ☐ S ☐ E ☐ W of _____ (Milepost, Nearest intersecting Route Number or Street Name)

Accident Description/Officer's notes

Witness #1 - ETHAN J PANKAMO 10 MALLARD TR WATERDOWN ON (289) 838-8142

N

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all involved	Date of Death Only
A													
B													
C													
D													
E													
F													

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
PTLM	0064	01460			LAGODA, S	01/03/2025 11:17

Print Name in Full: D PURUCKER

Local Codes: 24-037872

RNTPXXJVQPBT

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

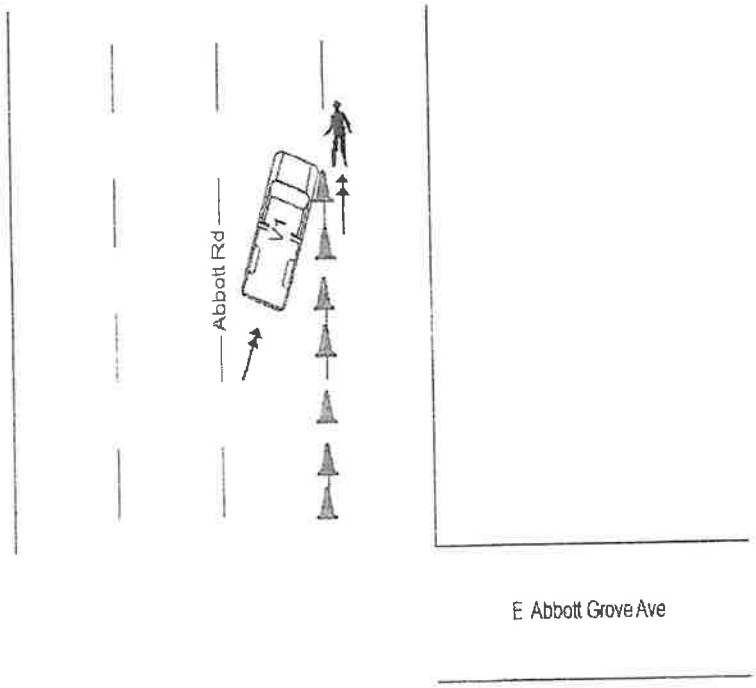
MV-104A (3/04)

☐ AMENDED REPORT

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene ☐ / Accident Reconstructed ☐	Left Scene	Police Photos
Month	Day	Year								
12	22	2024	SUNDAY	19:45	2	1	0		☒	☒ Yes ☐ No



Not to Scale



Attorney Verification

Randy Mallaber, Esq., being duly sworn, deposes and says that deponent is an attorney duly licensed to practice law in the State of New York and is the attorney for Claimant in the within action, and that your deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of deponents, except as to matters therein stated to be alleged on information and belief, and that as to those matters they believe them to be true. Your deponent makes this verification pursuant to the authority of Civil Practice Law & Rules Section 3020 (d)-3, as the Claimant does not reside in the county where your deponent has his office.

Randy Mallaber, Esq.

Sworn to before me this
25th day of February, 2025

Notary Public

Katherine E Brady
Notary Public, State of New York
Reg. No. 01GR6372387
Qualified in Erie County
Commission Expires March 19, 2026

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

April 17, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Enders, Jason v. Erie County Department of Social Services et al.*
Document Received:	Order to Show Cause
Name of Claimant:	Jason Enders
Claimant's attorney:	Timothy P. Noonan, Jr., Esq. Neighborhood Legal Services 237 Main Street, Suite 400 Buffalo, New York 14203

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: ERIE COUNTY

Jason Enders,

Petitioner,

Index No. 806492/2025

v.

Erie County Department of Social Services,

Karen Rybicki, as Commissioner of the Erie County Department of Social Services,

New York State Office of Temporary and Disability Assistance,

Barbara Guinn, as Acting Commissioner of the New York State Office of Temporary and Disability Assistance

Respondents.

ORDER TO SHOW CAUSE

On the reading and filing of the Petition of Jason Enders verified on April 16, 2025, with exhibits; the Petitioner's affirmation, the supporting affirmation of Timothy Noonan, Jr., Esq., dated April 16, 2025; and the supporting Memorandum of Law dated April 16, 2025; and after due deliberation,

Let Respondents Erie County Department of Social Services (hereinafter "ECDSS"), Karen Rybicki, New York State Office of Temporary and Disability Assistance (hereinafter "OTDA"), and Barbara Guinn show cause before this Court at a special term, Part 4, to be held at the Erie County Court House, located at 92 Franklin St, Buffalo, New York, on the 1st day of May, 2025, at 2:30 o'clock, or as soon thereafter as counsel can be heard, why an Order should not be entered granting a preliminary injunction prohibiting the

denial of Petitioner's request for a Temporary Housing Assistance (hereinafter "THA") placement with his minor child pursuant to CPLR Article 63; and

It is hereby:

ORDERED, that the Petitioner is granted status to bring this proceeding as a poor person on the ground that Petitioner has insufficient income and property to enable him to pay the costs, fees, and expenses necessary to prosecute this proceeding as attested in his attorney's certification pursuant to CPLR 1101(e).

ORDERED, that it appearing to the satisfaction of the Court that Petitioner has shown he will suffer irreparable injury, is likely to succeed on the merits, and is favored by the balance of equities, pending a hearing and determination of the application and merits of the Petition brought on hereby, Respondents are temporarily restrained from denying Petitioner's request for a THA placement with his minor child.

ORDERED, that pending a hearing and determination on the merits of the Petition brought on hereby, Respondent ECDSS is directed to immediately provide Petitioner with a THA placement for Petitioner and his minor child. Respondent ECDSS is directed to provide Petitioner with said placement until a determination is made on the merits of the Petition. Petitioner shall not be required to present at Respondent ECDSS's office to request an extension of his THA placement at any time prior to a determination on the merits of the Petition.

ORDERED, that pursuant to CPLR 6313(c), Petitioner does not need to give an undertaking.

ORDERED, sufficient reason appearing therefore, let service of a copy of this Order along with a copy of the papers on which it is granted be deemed good and sufficient service as follows:

(1) Service made personally upon Respondents ECDSS and Karen Rybicki by personal delivery to someone authorized to accept service at their offices located at 95 Franklin Street, Buffalo, New York on or before April 21, 2025;

(2) Service made personally upon Letitia James, New York State Attorney General, as counsel to Respondents OTDA and Barbara Guinn, by personal delivery to someone authorized to accept service at their offices located at 350 Main Street, #300a, Buffalo, New York 14202, on or before April 21, 2025.

(3) Service made by mail upon Respondents OTDA and Barbara Guinn by mailing in accordance with the provisions of CPLR 307(2) to Respondent OTDA's offices located at 40 North Pearl Street, Albany, New York 12207, on or before April 17, 2025.

ORDERED, that Respondents' answering papers be served upon counsel for Petitioner and provided to the Court on or before April 28, 2025.

ORDERED, that Petitioner's reply papers, if any, shall be served on counsel for Respondents and provided to the Court on or before April 30, 2025.

Signed this 16 day of April, 2025, at Buffalo, New York.

Honorable New York State Supreme Court Justice

GRANTED: APR 16 2025

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

May 8, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Robbins Disaster Recovery, Inc. v. ECC and County of Erie*
Document Received:	Summons and Complaint
Name of Claimant:	Robbins Disaster Recovery, Inc.
Claimant's attorney:	David T. Meglino, Esq. Cole Schotz P.C. 1325 Avenue of the Americas 19th Floor New York, New York 10019

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

ROBBINS DISASTER RECOVERY, LLC,

Plaintiff,

-against-

ERIE COMMUNITY COLLEGE and COUNTY OF ERIE

Defendants.

Index No.

SUMMONS

Erie County is designated pursuant to CPLR §§ 503(a) and 504(1), as the county in which the causes of action arose.

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the claims against you in the Complaint of Plaintiff, a copy of which is herewith served upon you, and to serve copies of your answer upon the undersigned as attorneys for the Plaintiff, Cole Schotz P.C., whose address is 1325 Avenue of the Americas, 19th Floor, New York, New York 10019, within twenty (20) days after service of the Complaint, exclusive of the day of service, or within thirty (30) days if the completion of service is made in any manner other than by personal delivery within the state. In case of your failure to answer the Complaint, judgment will be taken against you by default for the relief demanded therein.

Dated: New York, New York
April 25, 2025

COLE SCHOTZ P.C.

By: *Wendy Chavez*
David T. Meglino, Esq.
Wendy Chavez, Esq
Attorneys for Plaintiff
1325 Avenue of the Americas
19th Floor
New York, New York 10019
(212) 752-8000

66573/0001-49909252

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

ROBBINS DISASTER RECOVERY, LLC, Plaintiff, -against- ERIE COMMUNITY COLLEGE and COUNTY OF ERIE, Defendants.	**Index No.** **COMPLAINT**

Plaintiff Robbins Disaster Recovery, LLC, doing business as Servpro of the Seacoast ("Servpro"), by and through its attorneys, Cole Schotz P.C., as and for its Complaint against Defendants, Erie Community College ("SUNY Erie") and County of Erie ("County," collectively with SUNY Erie, the "Defendants"), states and alleges the following:

INTRODUCTION

1. This action seeks payment owed to Servpro under its contract with SUNY Erie for remediation services performed at SUNY Erie's campus located at 121 Ellicott Street, Buffalo, New York 14203 (the "Property"). SUNY Erie accepted the remediation work without objection. Despite repeated demands, SUNY Erie has wrongfully withheld payment of at least $1,577,849.54, demonstrating a clear disregard for its contractual obligations.

2. SUNY Erie's failure to pay constitutes a material breach of contract. Through this action, Servpro seeks to recover no less than $1,577,849.54, plus interest, attorneys' fees, court costs and any other costs incurred in its collection efforts.

THE PARTIES

3. At all times relevant herein, Servpro was and is a business corporation organized and existing under and by virtue of the laws of the State of New Hampshire, with its principal place of

business and post office address at 74 Industrial Park, Dover, New Hampshire, 03820. Servpro is registered and authorized to do business in New York as a foreign limited liability company.

4. Upon information and belief, at all times relevant herein, SUNY Erie is a locally-sponsored community college in Erie County, with an office located at 121 Ellicott Street, Buffalo, New York 14203.

5. Upon information and belief, the County is a municipal corporation duly organized and exiting under the laws of the State of New York, with an office located at 95 Franklin Street, Buffalo, New York 14202.

6. Upon information and belief, the County is SUNY Erie's local sponsor.

RELEVANT FACTUAL BACKGROUND

7. Robbins Disaster Recovery, LLC (defined above as "Servpro,") is the owner of a Servpro franchise that does business under the name Servpro of the Seacoast and provides remediation services for commercial and municipal property owners following natural catastrophes and large-scale commercial losses.

8. Following a freeze event, on or about December 29, 2022, Servpro and SUNY Erie entered into an Authorization and Service Contract ("Contract") pursuant to which, *inter alia*, Servpro provided water damage loss and remediation services at the Property on a time and material basis ("Work"). A copy of the Contract is attached hereto as **Exhibit A**, the terms of which are incorporated herein by reference.

9. Under Section 4 of the Contract, SUNY Erie explicitly agreed that it would instruct its insurer to pay Servpro directly. However, the Contract unequivocally establishes that SUNY Erie remains fully responsible for payment, regardless of its insurer's involvement. See **Exhibit A** at ¶ 4.

10. Servpro performed the Work, and SUNY Erie accepted it without objection.

Communications with the Insurer and Charges for Servpro's Work

11. SUNY Erie's insurer for the losses related to the Work is the Hanover Insurance Group ("Hanover").

12. SUNY Erie and its insurer, Hanover, engaged a consultant, Edward Wilson of Loss Management Solutions ("LMS") in connection with the Work, and to review and audit Servpro's bills.

13. On or about February 17, 2023, Servpro issued Invoice 17970 requesting an advance payment of $1,000,000.00 and tax of $87,000.00. A copy of Invoice 17970 is attached hereto as **Exhibit B**.

14. On or about February 24, 2023, SUNY Erie issued a payment of $1,000,000.00.

15. On or about March 8, 2023, Servpro sent SUNY Erie Invoice 18231 for the balance due in the amount of $1,923,672.96.

16. Along with Invoice 18231, Servpro sent SUNY Erie an initial Summary of Charges ("SOC") for $2,768,894.68, which detailed all of the Work performed at the Property.

17. A copy of Invoice 18231 dated March 8, 2023, and the SOC for $2,768,894.68 are collectively attached hereto as **Exhibit C**.

18. On or about May 9, 2023, per LMS's request, Servpro sent SUNY Erie a revised SOC in the amount of $3,353,242.27 ("Revised SOC") to reflect additional costs for the Work that had not been included in the initial SOC.

19. Servpro also revised Invoice 18231 to reflect the updated outstanding balance of $2,559,150.97 ("Revised Invoice 18231"). A copy of the Revised Invoice 18231 and Revised SOC are collectively attached hereto as **Exhibit D**.

20. In August 2023, LMS sent Servpro a report evaluating Servpro's bill and requesting additional information to substantiate the charges.

21. On or about August 25, 2023, SUNY Erie made a further payment of $270,826.67.

22. Over the next 18 months, the parties engaged in further discussions concerning Servpro's charges, with Servpro responding to LMS on multiple occasions with additional information and documentation related to the Work as requested.

23. As part of the discussion between the parties regarding the charges, on or about December 31, 2023, Servpro issued a credit memo to SUNY Erie in the amount of $247,720.60.

Final Invoice

24. On or about January 7, 2024, after providing additional information to LMS in response to LMS's audit, Servpro sent an email outlining the charges LMS contested and the amounts that Servpro claimed were supported and due. A copy of the email is attached hereto as **Exhibit F**.

25. Thereafter, Servpro issued a final revised invoice to reflect the revised charges, credits and SUNY Erie's interim payments, which resulted in a balance due of $1,980,640.03 ("Final Invoice"). A copy of the Final Invoice is attached hereto as **Exhibit E**.

26. On February 18, 2025, nearly two years after Servpro completed the Work and several discussions going back and forth, Hanover arbitrarily determined, without justification, that Servpro was owed only a total of $1,492,464.51 for its Work, despite overwhelming documentation supporting the full amount sought by Servpro.

27. Based on this determination, Hanover issued a payment of $221,638.00 on or about March 4, 2025, claiming this was the remaining balance owed after deducting prior payments of $1,000,000.00 and $270,826.67.

28. Servpro categorically rejects Hanover's findings and asserts that its calculations of the outstanding balance are wholly erroneous.

29. While Servpro agrees that SUNY Erie is tax exempt and that no tax is due, Servpro unequivocally maintains that the total amount due to Servpro is **$1,577,849.54** ("Final Outstanding Balance").

30. The Final Outstanding Balance is the fair and accurate representation of the amount that is due to Servpro for its Work at the Property.

31. Servpro calculated the Final Outstanding Balance as follows:

Description	Amount	Balance
Final Invoice (see Exhibit E)	$ 1,980,640.03	$ 1,980,640.03
Credit for Tax Charges	$ (181,152.49)	$ 1,799,487.54
SUNY Erie 3/4/25 Payment	$ (221,638.00)	$ 1,577,849.54

32. Defendants and Hanover wrongfully deny any further payment obligations to Servpro.

33. However, under Section 4 of the Contract, SUNY Erie expressly agreed that it "shall remain primarily liable and fully responsible for payment and agrees to make such payment in a timely manner in accordance with the terms of this Contract." See Exhibit A at ¶ 4.

34. Accordingly, Section 4 unequivocally establishes that SUNY Erie is responsible for payments to Servpro, irrespective of whether another person or entity bears legal responsibility for payment or whether SUNY Erie is entitled to reimbursement, including from its insurer. See id.

35. Further, Section 3 of the Contract mandates that SUNY Erie must cover all costs of collection, including reasonable attorneys' fees and interest, if it fails to make timely payments. Id. at ¶ 3.

36. Under these contractual obligations, Defendants are liable to Servpro for the Final Outstanding Balance, which Hanover has unjustifiably refused to pay.

37. Servpro has demanded payment following Hanover's refusal. Yet, Defendants have willfully failed and refused to pay the Final Outstanding Balance, which is lawfully owed for Servpro's Work at the Property.

38. Defendants' blatant failure, refusal and neglect to pay Servpro constitute a clear breach of their contractual obligations, without any justification or excuse.

39. Defendants are also liable for interest at the rate of 1.5% per month, plus Servpro's legal fees and costs for bringing the instant legal action under Section 3 of the Contract, or the maximum lawful interest rate permitted by applicable law.

40. Accordingly, Servpro seeks a judgment against Defendants for the full outstanding balance of at least $1,577,849.54, plus interest at the maximum legal rate, attorneys' fees and the costs of this action.

FIRST CAUSE OF ACTION
(Breach of Contract)

41. Servpro repeats and realleges each and every allegation as set forth above.

42. Servpro fully and completely performed all of its Work under the Contract, which was fully accepted without objection.

43. However, Defendants have failed and refused to pay the outstanding balance of $1,577,849.54.

44. Pursuant to Section 4 of the Contract, SUNY ERIE agreed that it "shall remain primarily liable and fully responsible for payment and agrees to make such payment in a timely manner in accordance with the terms of this Contract."

45. As such, SUNY Erie is responsible for payments to Servpro, regardless of whether it or another person or entity was legally responsible for payment or whether it was entitled to reimbursement for the costs for another entity, including its insurer. See id.

46. Pursuant to Section 3 of the Contract, SUNY Erie agreed it would be responsible to pay all costs of collections, including reasonable attorneys' fees and interest if it did not make timely payments.

47. SUNY Erie breached the Contract, including but not limited to sections 3 and 4 therein, by failing to pay Servpro all amounts due and owing under the Contract for the Work performed at the Property.

48. By reason of the foregoing, Servpro is entitled to a judgment against Defendants in an amount to be determined at trial, but not less than $1,577,849.54, together with applicable interest, and cost and attorneys' fees related to this action.

SECOND CAUSE OF ACTION
(Quantum Meruit)

49. Servpro repeats and realleges each and every allegation as set forth above.

50. Servpro provided the labor and materials with the express understanding and expectation that it would be compensated for the same.

51. Servpro's labor and materials have a fair and reasonable value estimated to be not less than $3,353,242.27. Defendants were aware of, and accepted the labor and materials without objection and reaped substantial benefit from the labor and materials.

52. Servpro reasonably notified Defendants, and Defendants were aware, that Servpro expected payment in return for its labor and materials. Defendants knew and/or should have known that payment was reasonably expected for all of the labor and materials provided by Servpro. Defendants failed to remit full payment when demanded and instead have only partially paid for Servpro's Work.

53. The amount currently fully due and owing for the fair and reasonable unpaid labor and materials provided, estimated to be not less than $1,577,849.54.

54. As a result of the foregoing, principles of equity and good conscience mandate that Defendants pay Servpro the fair and reasonable value of the labor and materials provided which have not yet been paid, estimated to be not less than $1,577,849.54.

55. Plaintiff has no adequate remedy at law.

56. By reason of the foregoing, Servpro is entitled to a judgment against Defendants in an amount to be determined at trial not less than $1,577,849.54, together with applicable interest, fees and costs of this action.

THIRD CAUSE OF ACTION
(Unjust Enrichment)

57. Servpro repeats and realleges each and every allegation as set forth above.

58. Defendants benefitted from Servpro's provision of labor and materials, yet have refused to pay Servpro for the labor and materials in the amount of $1,577,849.54.

59. As an alternative to the theories of recovery plead herein, principles of equity and good conscience mandate that Servpro is entitled to recover from Defendants the reasonable value of the labor and materials which remain unpaid, estimated to be worth not less than $1,577,849.54.

60. By reason of the foregoing, Servpro is entitled to a judgment against Defendants in an amount to be determined at trial not less than $1,577,849.54, together with applicable interest, fees and costs of this action.

WHEREFORE, Servpro respectfully demands judgment against Defendants as follows:

A. On the First Cause of Action, judgment in favor of Servpro and against Defendants in an amount to be determined at trial not less than $1,577,849.54 together with applicable interest, fees and costs of this action.

B. On the Second and Third Causes of Action, judgment in favor of Servpro and against Defendants in an amount to be determined at trial not less than $1,577,849.54 together with applicable interest, fees and costs of this action; and

C. Granting such other and further relief as to this Court may seem just and proper.

Dated: New York, New York
April 25, 2025

COLE SCHOTZ P.C.

By: *Wendy Chavez*
David T. Meglino, Esq.
Wendy Chavez, Esq.
Attorneys for Plaintiff
1325 Avenue of the Americas
19th Floor
New York, New York 10019
(212)-752-8000

66573/0001-49909252

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

June 2, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*VanDusen, Amelia v. County of Erie, et al.*
Document Received:	NYS Division of Human Rights Charge of Discrimination
Name of Claimant:	Amanda E. VanDusen
Claimant's attorney:	Claimant is proceeding *pro se*.

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF HUMAN RIGHTS on the Complaint of

AMELIA E. VANDUSEN,

Complainant,

v.

ERIE COUNTY, DEPARTMENT OF SOCIAL SERVICES; CHOICE HOTELS INTERNATIONAL, INC.; 'JANE' HARWELL, TRUE FIRST NAME UNKNOWN; 'JOHN' MURPHY, TRUE FIRST NAME UNKNOWN,

Respondents.

COMPLAINT
Pursuant to Executive Law, Article 15

Case No.
10242525

I, Amelia E. VanDusen, charge the above named respondents, whose address is 95 Franklin Street, 8th Floor, Buffalo, NY, 14202 with an unlawful discriminatory practice relating to housing in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of creed, disability, race/color, sex, sexual orientation, domestic violence victim status, opposed discrimination/retaliation.

Date most recent or continuing discrimination took place is 3/25/2024.

The allegations are:

1. I am a white female who is asexual, a victim of domestic violence and practice Wicca. I also live with a disability and experienced retaliation. Because of this, I have been subject to unlawful discriminatory actions.

2. Please see the attached documents for further details.

Based on the foregoing, I charge respondents with an unlawful discriminatory practice relating to housing because of creed, disability, race/color, sex, sexual orientation, domestic violence victim status, opposed discrimination/retaliation, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296.

New York State Division of Human Rights Complaint Form

Individual filing the complaint

Please provide the information requested below.

First Name

Amelia

Middle Intial

e

Last Name

vandusen

Street Address

[redacted]

City

[redacted]

State

NY

Zip

[redacted]

Are you completing this form for someone else?

No

Your complaint

Jurisdiction

Housing

Housing

Who discriminated against you?

Other - Write In (Required): My coworker lived in the same motel as I did next door to our place of employment

What is the address of the property?

Street Address

5442 camp road

City

hamburg

State

ny

Zip

14075

Who owns the property?

First Name

Last Name

Company Name

Kwality Inn

Street Address

5442 camp road

City

hamburg

State

ny

Zip

14228

Email address

What kind of property was involved?

Other - Write In (Required): Motel

Does the owner live on the property?

I don't know

Does this owner own more than one property?

Yes

Was this property being sold or being rented?

Not applicable

Are you currently living there?

No

What did the person/company you are complaining against do? Check all that apply.

Evicted me or attempt to evict me
Sexual harassment
Harassed/intimidated (other than sexual harassment) on any basis indicated here

Basis

Basis of alleged discrimination in housing:

Creed/Religion (religious membership, belief, practice, or observance, including sabbath or holy day observance, or wearing of attire, clothing or facial hair in accordance with your religion; or discrimination because you do not have a religious belief)
Disability (a physical or mental condition; includes denial of reasonable accommodation)
Marital Status (single, married, separated, divorced, widowed)
Race/Color (because you are Asian, Black, White, etc.; includes ethnicity; includes traits historically associated with race such as hair texture or hairstyle)
Sex (because of your gender, includes sexual stereotyping, sexual harassment, pregnancy)
Sexual Orientation (heterosexual, homosexual, bisexual, asexual, whether actual or perceived)
Victim of Domestic Violence (you or your child was a victim of domestic violence)

Please specify creed/religion:

Roman catholic/ spiritual

Please specify sexual orientation:

Asexual

Please specify sex:

Female

Please specify race/color:

White

Please specify marital status:

Widowed/ divorced

Please specify disability:

PTSD social anxiety, substance use disorder

Housing discrimination based on disability

Have you been treated poorly or differently due to your disability?

Yes

Please explain:

Me and my son were trying to repair our relationship with his now deceased father. I have been asexual since 2/7/2017 and was harassed and intimidated by workers due to my e dual orientation. When I stated I hadn't been sexually active for 7 years my coworker told me he will help me with that.

Did you request a reasonable accommodation or modification for your disability?

Yes

When did you request a reasonable accommodation/modification?

02/22/2024

What was your request?

I explained to the housing authority I was a victim of domestic violence and assault and needed to be put into my own studio or secluded place while I receive mental health treatment and victim services. Instead I was placed at a motel known for drug trafficking and prostitution.

Who did you make the request to?

First Name

Last Name

Harwell

Title

homeless worker

Company Name

Were you granted the accommodation?

No

You are filing a complaint against

Entity that discriminated against you:

Name of entity

Erie county Department of social services

Street Address

158 pearl street

City

buffalo

State

ny

Zip

14202

In what county or borough did the violation take place?

Erie

Phone Number

7168588842

Email address

Fax Number

Company Website

Date of the most recent act of alleged discrimination

03/25/2024

Description of discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and other details. You must explain why you think these acts were discriminatory and how these acts are connected to the protected class (race, color, sex, disability, etc.) you selected previously.
If you have supporting documentation or evidence, you may provide it later.

I have been battling homelessness since November 2023 when I fell victim to domestic violence with my ex husband. During that time I was forced into a homeless shelter by ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES. It was at that time THEY DETERMINED me and my son didn't qualify for domestic violence housing even with police evidence of crimes committed. I made it clear that I was receiving out patient services for mental health disorders as well as my son. I told them I was a victim of gang violence due to complaints filed while my husband was in prison. I told them I needed a safe place for me and my son to continue treatment and recovery. I was INTENTIONALLY placed in a drug motel that was poorly maintained and I was immediately a victim of sexual harassment and intimidation. On multiple occasions beginning around December 2023 I was approached and solicited by residents at the superb motel where I was placed. I had to call CPS on a child predator living in the building. When CPS arrived they did nothing to protect me or the children in the building and my son was later assaulted by the LATINO resident in room 120. ALL CRIMES WERE REPORTED TO THE HAMBURG police who also did nothing to protect us from predators. I feel extremely ill on 12/22/2023 due to a UNINHABITABLE mold infestation in my assigned room 114. I met someone through the salvation army who let me stay with them until after Christmas. I reported by to Erie county Department of social services on 2/22/2024 and again requested reasonable accomidations and they placed me at the motel next door called Kwality Inn. It was during this my son was reenrolled into school and I began working at the hotel next door Hampton Inn. One of the workers Mark became friendly with me and I was advised he worked at all 3 hotels. In December 2023 I told him I was homeless and single due to domestic violence and began conversating with him regarding Church and the Bible around Christmas time. When I moved into the Kwality inn is when he began to make conversation regarding personal sex life matters. I immediately felt uncomfortable at his sexual comments. I told him I hadn't had a boyfriend or any sexual contact since 2017 and he told me he can help with that in a flirtatious manner. I felt ackward, looked at the front desk worker and walked away. At that time I was employed and then targeted by the staff at kwality inn. I was kicked out of the building and denied housing benefits from Erie Coubty Departnent of Social Services because of these matters at the hotel. me and my son were told to sleep on the streets by the workers and I had to call 211 for emergency help

Declaration

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

Please initial:

Av

I affirm under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Amelia Evelyn vandusen

Enter today's date.

11/03/2024

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

June 4, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*New York Times Company and Sammy Sussman v. Erie County Sheriff's Office*
Document Received:	Verified Petition
Name of Claimant:	The New York Times Company 620 Eighth Avenue New York, New York 10018
Claimant's attorney:	David E. McCraw, Esq. The New York Times Company - Legal Department 620 Eighth Avenue New York, New York 10018

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of

THE NEW YORK TIMES COMPANY and SAMMY SUSSMAN,
Petitioners,
-against-

ERIE COUNTY SHERIFF'S OFFICE,
Respondent.

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules.

Index No. 808556/2025

NOTICE OF VERIFIED PETITION PURSUANT TO CPLR ARTICLE 78

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the annexed Verified Petition, the Affirmation of Alexandra M. Settelmayer and the exhibits attached thereto, and the Memorandum of Law in Support of the Verified Petition, each dated May 16, 2025, Petitioners The New York Times Company and Sammy Sussman will move before the Supreme Court of the State of New York, County of Erie, 25 Delaware Avenue, Buffalo, New York, on June 17, 2025, at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order and Judgment pursuant to Article 78 of the Civil Practice Law and Rules ("CPLR"), CPLR 3001, and N.Y. Public Officers Law ("POL") § 84 *et seq.* ("FOIL") declaring that Respondent's failure to conduct a reasonable search of relevant records and Respondent's withholding of all relevant records violates FOIL, directing Respondent to comply with its duty under FOIL to conduct a diligent search and to begin producing all the requested documents within twenty (20) days, awarding attorneys' fees and reasonable litigation costs as required by POL § 89, and granting any further relief the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 7804(c), an answer and supporting affidavits, if any, shall be served and filed at least five days before the return date of

this application. A reply, together with supporting affidavits, if any, shall be served at least one day before such time.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: May 20, 2025
New York, New York

Respectfully submitted,

/s/ David E. McCraw
David E. McCraw
Alexandra Settelmayer
Timothy Tai
The New York Times Company
Legal Department
620 Eighth Avenue
New York, New York 10018
Phone: (212) 556-4031
Facsimile: (212) 556-4634
Email: mccraw@nytimes.com

Attorney for Petitioners The New York Times Company and Sammy Sussman

To:

Erie County Sheriff's Office
10 Delaware Avenue
Buffalo, NY 14202

Erie County Department of Law
Edward A. Rath County Office Building
95 Franklin Street, Room 1634
Buffalo, NY 14202

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of

THE NEW YORK TIMES COMPANY and SAMMY SUSSMAN,
Petitioners,
-against-

ERIE COUNTY SHERIFF'S OFFICE,
Respondent.

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules.

Index No. _____

VERIFIED PETITION

TO THE SUPREME COURT OF THE STATE OF NEW YORK:

Petitioners The New York Times Company and Sammy Sussman (collectively, "The Times" or "Petitioners") for their verified petition for a judgment pursuant to Article 78 of the New York Civil Practice Law and Rules ("CPLR"), by and through their undersigned counsel, respectfully allege as follows:

INTRODUCTION

1. This proceeding is brought under Article 78 of the CPLR, New York Public Officers Law ("POL") § 84 *et seq.* (the "Freedom of Information Law" or "FOIL"), and CPLR 3001 against Respondent Erie County Sheriff's Office (the "Office" or "Respondent").

2. This action arises out of the refusal of Respondent to produce records responsive to Petitioners' request for public records pursuant to FOIL. Respondent's refusal to produce these records violates the express statutory mandate of FOIL.

3. Having exhausted their administrative remedies, Petitioners now seek (1) an order compelling Respondent to begin producing all records responsive to their requests within twenty

(20) days of the Court's order and (2) an order awarding Petitioners their costs and attorneys' fees and any such other and further relief as the Court deems just and proper.

PARTIES

4. Petitioner The New York Times Company is the publisher of *The New York Times*, the largest continuously published daily newspaper in the United States. *The New York Times* is distributed across the country both in print and digitally via the Internet at www.nytimes.com.

5. Petitioner Sammy Sussman is a Local Investigations Fellow at *The New York Times* and focuses his reporting on police misconduct. Throughout his career as a journalist, Mr. Sussman has reported extensively on New York State law enforcement agencies. As part of his reporting, Mr. Sussman submits FOIL requests to such agencies for public records that document official misconduct. Mr. Sussman has filed more than 500 FOIL requests to various district attorneys' offices, county sheriff's offices, and local police departments and has obtained more than 74,000 pages of disciplinary records in response to these requests.

6. Respondent, the Erie County Sheriff's Office, is an "agency" within the meaning of POL § 86(3).

VENUE

7. Venue is proper in Erie County pursuant to CPLR 506(b) and 7804(b) because this County is within the judicial district where Respondent made its determination to withhold the requested information and thus refused to perform the duty enjoined upon it by law, and because this County is within the judicial district where Respondent's principal office is located.

JURISDICTION

8. Respondent's actions, which form the basis of this Verified Petition, are final in nature and cannot be adequately reviewed by another court, entity, or officer. Thus, this Court has jurisdiction over this proceeding pursuant to POL § 89(4)(b), CPLR 3001, and CPLR 7801 *et seq.*

FACTS

9. On August 12, 2024, Mr. Sussman filed his FOIL request (the "Request") with the Erie County Sheriff's Office. *See* Affirmation of Alexandra M. Settelmayer, dated May 16, 2025 ("Settelmayer Aff."), Ex. A.

10. The Request sought four categories of records, specifically:

i) "Brady lists" and/or "Giglio lists" created, edited or otherwise maintained by the Office on or after January 1, 2000;

ii) lists, spreadsheets, or organized data sets about the Office's employees regarding "potential impeachment and/or disclosure obligations of potential and/or alleged impeachment" created or maintained by the Office on or after January 1, 2000;

iii) disciplinary files, letters of censure, personnel records, or other records regarding employee conduct from the Office that were provided to local, county, state, or federal prosecutors on or after January 1, 2000; and

iv) records describing complaints or allegations of wrongdoing, misconduct, or disciplinary proceedings involving any officers, employees or representatives of the Office created or filed on or after January 1, 2000.

Id.

11. "Brady" or "Giglio" lists identify officers who have been disciplined for candor issues or criminally convicted, thereby placing their credibility into question. Impeachment lists likewise identify officers whose conduct raised questions about their ability to testify truthfully.

12. Respondent failed to acknowledge the Request in the time set by FOIL. Respondent subsequently failed to produce records or assert exemptions in the time set by FOIL.

13. On January 23, 2025, Respondent acknowledged receipt of Mr. Sussman's Request and denied it in its entirety. *See* Settelmayer Aff., Ex. B. The Office cited to POL § 87(e)(b)(iii)—a non-existent provision of the law—and articulated that the requested records "[could not] be located with reasonable effort" as the Request was "too broad." *Id.* Respondent provided no further explanation for its denial of the Request.

14. On February 9, 2025, Mr. Sussman filed a timely administrative appeal. Settelmayer Aff., Ex. C. Mr. Sussman pointed to several recent court decisions following New York's repeal of Civil Rights Law section 50-a, which uniformly affirmed that law enforcement disciplinary records are subject to disclosure under FOIL. *See id.* at 3–4.

15. Respondent failed to decide the appeal within the ten business days set by FOIL.

16. On March 7, 2025, the FOIL Appeals Officer for the Erie County Sheriff's Office upheld the denial of the Request. *See* Settelmayer Aff., Ex. D.

17. The Appeals Officer stated that "[u]pon information and belief" the Office did not possess the first two categories of information sought by the Request. *Id.* at 1. Petitioners specifically sought "Brady," "Giglio," and impeachment lists, which identify officers who have been subject to disciplinary measures for credibility or candor issues and thereby implicate their ability to testify truthfully in court proceedings.

18. In Mr. Sussman's experience, "Brady," "Giglio," or impeachment lists are maintained by police departments, and he has previously obtained these records from these law enforcement agencies through FOIL.

19. As to the remaining two categories of information requested by Mr. Sussman, the Appeals Officer stated that the materials sought were "beyond burdensome and voluminous in nature." *Id.* The Appeals Officer asserted that, although the agency was statutorily empowered to engage an outside professional service pursuant to POL § 89(3)(a) to assist with the volume or records sought by the Request, it could not do so because the materials would contain "sensitive law enforcement investigative information that would jeopardize officer safety, witness confidentiality, and a host of other legitimate concerns that [were] NOT suitable for [an] outside vendor." *Id.* The Appeals Officer also asserted that these records "would be subject to substantial redactions pursuant to privacy protections, HIPPA, law, and other Statutory exemptions, all of which [could not] be contracted out to an 'outside professional service.'" *Id.* at 1–2.

20. The Appeals Officer also asserted that Mr. Sussman had failed to provide a written certification pursuant to POL § 89(3)(a) that names and addresses would not be used for commercial purposes. *Id.* at 2.

21. The Request did not seek lists of names and addresses. *See* Settelmayer Aff., Ex. A.

CAUSE OF ACTION
WRONGFUL DENIAL OF FOIL REQUEST

22. Petitioners repeat and reallege paragraphs 1 through 21 as if fully set forth herein.

23. Article 78 is the appropriate method for review of agency determinations on FOIL requests.

24. Under FOIL, and after the Legislature repealed Civil Rights Law section 50-a in 2020, police disciplinary records are presumed to be open and available for inspection by the public.

25. Respondents may deny access to such records only if expressly authorized to do so by one of FOIL's specific exemptions.

26. The limited statutory FOIL exemptions are to be construed narrowly, and the agency bears the burden of demonstrating that documents fall within an asserted exemption.

27. Respondent has failed to conduct a diligent search for the first two categories of documents sought by Petitioners' Request.

28. Respondent may not rely on burden as a basis for withholding all records in response to Petitioners' Request.

29. Respondent cannot invoke POL § 89(3)(a) because this is not a valid exemption under FOIL and, in any event, does not apply to the records sought by The Times.

30. No FOIL exemptions permit the withholding of records responsive to Petitioners' Request.

31. By failing to produce the requested records, the Erie County Sheriff's Office has caused, and continues to cause, immediate and irreparable harm to the rights guaranteed to Petitioners and to the public at large under FOIL.

32. Petitioners have exhausted their administrative remedies and have no other remedy at law.

33. Petitioners are entitled to an order directing Respondent to search for and produce the documents that have been withheld.

34. Petitioners have not made any previous request for the relief requested herein.

RELIEF REQUESTED

WHEREFORE, Petitioners respectfully request this Court to grant judgment:

a. Declaring that Respondent's failure to conduct a reasonable search of relevant records and Respondent's withholding of all relevant records is a violation of FOIL;

b. Directing Respondent to comply with its duty under FOIL to conduct a diligent search and to begin producing all the requested documents within twenty (20) days;

c. Awarding attorneys' fees and reasonable litigation costs as required by POL § 89; and

d. Granting such other and further relief as the Court deems just and proper.

Dated: May 16, 2025
New York, New York

Respectfully submitted,

/s/ David E. McCraw
David E. McCraw
Alexandra Settelmayer
Timothy Tai
The New York Times Company
Legal Department
620 Eighth Avenue
New York, New York 10018
Phone: (212) 556-4031
Facsimile: (212) 556-4634
Email: mccraw@nytimes.com

Attorney for Petitioners The New York Times Company and Sammy Sussman

VERIFICATION

I, TIMOTHY TAI, affirm the following to be true under penalty of perjury pursuant to CPLR 2106:

1. I am the First Amendment Fellow for the Legal Department at The New York Times Company.

2. I have read the Verified Petition and hereby state that it is true to the best of my knowledge, information, and belief.

I affirm this 16th day of May, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Dated: New York, New York
May 16, 2025

TIMOTHY TAI

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

June 9, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Jordan, Kimberly v. County of Erie, et al.*
Document Received:	Notice of Claim
Name of Claimant:	Kimberly Jordan 23 Monroe Street, Apt. 1 Ellicottville, New York 14731
Claimant's attorney:	Derek J. Roller, Esq. The Barnes Firm 500 Pearl Street, Suite 700 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

RECEIVED
MAY 12 2025
ERIE COUNTY
DEPARTMENT OF LAW

STATE OF NEW YORK
SUPREME COURT

KIMBERLY JORDAN,

Claimant,

v.

ERIE COUNTY,
ERIE COUNTY DEPARTMENT OF PUBLIC WORKS,
TOWN OF COLLINS, and
TOWN OF COLLINS HIGHWAY DEPARTMENT

Defendants.

NOTICE OF CLAIM

TO: Erie County
Edward A. Rath County Office Building
95 Franklin Street, Rm 1634
Buffalo, New York 14202

Erie County Department of Public Works
Edward A Rath County Office Building
95 Franklin Street, 14th Floor
Buffalo, New York 14202

Town of Collins
14093 Mill Street
Collins, New York 14034

Town of Collins Highway Department
14097 Palmerton Street
Collins, New York 14034

PLEASE TAKE NOTICE, that the above-named Claimant, Kimberly Jordan, claims and demands from the Defendants, Erie County, Erie County Department of Public Works, Town of Collins, and Town of Collins Highway Department, recompense

for personal injuries and damages sustained by reason of the wrongful, negligent and careless acts and omissions of the Defendants, their agents, servants and/or employees, and in support thereof, the Claimant states:

1. Claimant's address is 23 Monroe Street, Apartment 1, Ellicottville, Cattaraugus County, State of New York, 14731. The Claimant is represented by The Barnes Firm, P.C., Derek J. Roller, Esq., with offices located at 500 Pearl Street, Suite 700, Buffalo, NY 14202, telephone (800) 800-0000.

2. The nature of this Claim is for personal injuries and damages caused by the negligence of the Respondents.

3. The time when, place where, and manner in which the claim arose is as follows. Personal injuries and damages were sustained by the Claimant on February 12, 2025, at approximately 11:48 pm, at or near the intersection of Middle Road and Collins Correctional Facility, when a vehicle driven by Joshua D. Gabel, a New York State Department of Corrections employee, operated his vehicle in reverse and struck Claimant while she was crossing Middle Road northbound on foot.

4. The claim arises from the following acts or omissions of the Defendants. Defendants, and their agents, servants, and/or employees, negligently failed to properly maintain the area of the occurrence to be reasonably free from ice and snow which contributed to the occurrence, contributed to the negligent operation of the vehicle by Joshua D. Gable, and to the position that Claimant was in at the moment of the occurrence, and as to which conditions presented a danger and hazard to pedestrians such

as Claimant and which existed due to the negligence of the Defendants in the care, custody, maintenance and control of the area where of the occurrence and, upon information and belief, which existed for a sufficient period of time such that Defendants had actual notice of the conditions or, in the exercise of reasonable care, should have known about the conditions.

5. The items of damages or injuries sustained by Claimant include severe bodily injuries, namely pelvic fracture, right open ankle fracture, bladder laceration, all of which required surgical repair, amongst other injuries for which the Claimant is still being diagnosed and treated, and Claimant hereby makes a claim for personal injuries, conscious pain and suffering, and economic damages including past and future medical expenses and lost wages.

PLEASE TAKE NOTICE that Claimant demands payment of this claim as set forth above.

DATED: Buffalo, New York
May 9, 2025

THE BARNES FIRM, P.C.

By: _____

Derek J. Roller, Esq.
Attorneys for Claimant
500 Pearl Street, Suite 700
Buffalo, NY 14202
Tel. (716) 422-5905

VERIFICATION

The undersigned, an attorney admitted to practice in the Courts of New York State, shows: that deponent is an attorney with The Barnes Firm, P.C., the attorney of record for Claimant in the within action; that deponent has read the foregoing Notice of Claim, and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Deponent further says that the reason this verification is made by deponent and not by Claimant is that Claimant resides in a County other than the County in which deponent's office is located.

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge is a review of the file, including accident reports, witness statements, medical records and conversations and conferences with Claimant

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated: May 9, 2025
Buffalo, New York

Derek J. Roller, Esq.

STATE OF NEW YORK)
COUNTY OF ERIE : SS.:)
CITY OF BUFFALO)

On the 9 day of May, in the year 2025 before me, the undersigned, personally appeared Derek J. Roller, Esq., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public/Commissioner of Deeds

THOMAS S. HOLLANDER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 18, 29

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

June 9, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Gephart, Joseph v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Joseph Gephart 9453 East Eden Road Eden, New York 14094
Claimant's attorney:	Denis J. Bastible, Esq. Cellino Law, LLP 800 Delaware Avenue Buffalo, New York 14209

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE
****

JOSEPH GEPHART
9453 East Eden Road
Eden, New York 14094

Claimant,

v.

COUNTY OF ERIE
c/o Dept. of Law
95 Franklin Street, Room 1634
Buffalo, New York 14057

Respondent,

****

NOTICE OF CLAIM

This paper received at the
Erie County Attorney's Office
from Joe Sanabria on
the 10th day of April, 2025
at 9:49 a.m./p.m.
Assistant County Attorney

PLEASE TAKE NOTICE, that the above-named claimant claims and demands from the Respondent, County of Erie, recompense for personal injuries and damages sustained by Claimant by reason of the wrongful, negligent and careless acts and omissions of the Respondent, its agents, servants, employees and/or contractors, and in support thereof, the Claimant states:

1. Claimant's address is 9453 East Eden Road, Eden, NY 14057. Claimant's telephone number is (716)510-5204.

2. The Claimant is represented by Cellino Law, LLP with offices located at 800 Delaware Avenue, Buffalo, New York 14202, telephone (888)888-8888.

3. The incident in which personal injuries were sustained by the Claimant occurred on or about February 13, 2025 at approximately 6:30 a.m.

4. On the date of the incident, Claimant was employed by a contractor on the new construction of the "Buffalo Bills Stadium" which is replacing the currently named "Highmark Stadium" in Orchard Park, NY. The construction site is located on approximately 41 acres of real property situated on the west side of Abbott Road and south of Southwestern Blvd. in the Town of Orchard Park. At approximately 6:30 a.m. on February 13, 2025, Claimant was walking into the construction site. He had walked through "turnstiles" and into the start of the physical construction area. He slipped and fell as a result of untreated ice in the construction area and suffered significant physical injuries.

5. To date, the claimant has received medical treatment at the Erie County Medical Center and from Dr. Paul Dejac, UBMD Orthopedics and Orchard Park Progressive Physical Therapy.

6. The full extent of Claimant's injuries is not currently known. Plaintiff did suffer a fractured left hip/left femur neck fracture which required ORIF surgery. Plaintiff has and will suffer lost wages, future medical expenses which include prescription medications, radiology exams and ongoing medical treatment in an amount which cannot be calculated at this time.

7. Respondent, County of Erie, as owner of the property where the construction site is located is responsible under New York's Labor Law, particularly §200 and §241(6) and was further negligent in not timely removing or remediating the ice upon its property after it had formed and Respondent had a reasonable opportunity to remediate the icy conditions.

8. Respondent, under New York's Labor Law, had the obligation to ensure that its property and the entrances/exits to the construction site were free of snow and ice and was aware that construction employees would be traversing the area where claimant was caused to fall.

9. Respondents had the obligation to ensure that the concrete sidewalk areas outside the library entrance/exit were free of snow and/or ice because it knew, or should have known, that library patrons would be traversing the area where Claimant was caused to fall.

TAKE NOTICE that Claimant demands payment of his claim as set forth above.

DATED: Buffalo, New York
April 2, 2025

Yours, etc.,

CELLINO LAW LLP

By: _____
Denis J. Bastible, Esq.
Attorneys for Plaintiff
800 Delaware Avenue
Buffalo, New York 14209
(888) 888-8888

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE : SS.:
CITY OF BUFFALO)

JOSEPH GEPHART being duly sworn, deposes and says that it is the plaintiff in the within action; that it has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes them to be true.

JOSEPH GEPHART

STATE OF NEW YORK)
COUNTY OF ERIE : SS.:
CITY OF BUFFALO)

On the 10th day of April, in the year 2025 before me, the undersigned, personally appeared JOSEPH GEPHART, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in his capacity and that by its signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

JOSEPH PAUL SANABRIA
No. 01SA6211924
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 09/28/2025

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

June 9, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Lazik, Ali v. County of Erie, et al.*
Document Received:	Notice of Claim
Name of Claimant:	Ali Lazik 22 Mahogany Drive Williamsville, New York 14221
Claimant's attorney:	Blake Zaccagnino, Esq. Shaw & Shaw, P.C. 4819 South Park Avenue Hamburg, New York 14075

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK

ALI LAZIK
22 Mahogany Dr
Williamsville, NY 14221

Claimant/Plaintiff,

-vs-

NOTICE OF CLAIM

TOWN OF AMHERST
5583 Main St.
Williamsville, NY, 14221

VILLAGE OF WILLIAMSVILLE
5565 Main Street
Williamsville, NY 14221

COUNTY OF ERIE
95 Franklin Street, Room 1634
Buffalo, NY 14202

This paper received at the
Erie County Attorney's Office
from JAMES ROGOLSKY on
the 27th day of MARCH, 2025
at 8:40 a.m./p.m.
Assistant County Attorney

Respondents/Defendants.

TO: TOWN OF AMHERST
5583 Main St.
Williamsville, NY, 14221

VILLAGE OF WILLIAMSVILLE
5565 Main Street
Williamsville, NY 14221

COUNTY OF ERIE
95 Franklin Street, Room 1634
Buffalo, NY 14202

PLEASE TAKE NOTICE that the **Claimant** claims damages against the Respondents in accordance with the requirements of General Municipal Law § 50-e and states as follows:

1. The name and address of **Claimant** is:

ALI LAZIK
22 Mahogany Dr
Williamsville, NY 14221

2. The **Claimant** is represented herein by:

Shaw & Shaw, P.C.
Blake Zaccagnino, Esq., of counsel
4819 South Park Avenue
Hamburg, NY 14075

LEGAL THEORY/CAUSE OF ACTION CLAIMED:

3. This is a claim founded in negligence, and is for personal injuries.

4. This is a claim for money damages for personal injuries sustained by the Claimant, when she was caused to fall on property and premises and, more specifically, on the sidewalk adjacent to/abutting **23 Mahogany Dr, Williamsville, NY 14221.** Upon information and belief, that property was under the possession, control and ownership of the Respondents.

5. On or about **February 10, 2025** while plaintiff was lawfully on the premises (sidewalk adjacent to/abutting **23 Mahogany Dr, Williamsville, NY 14221)**, where she was caused to fall on an unsafe accumulation of ice and snow on the property/sidewalk, and was caused to sustain serious and permanent personal injuries.

TIME AND LOCATION AND MANNER IN WHICH THE CLAIM AROSE:

6. The time when the claim arose and the time when injuries and damages herein alleged were sustained was on or about **February 10, 2025 at approximately 9:30AM.**

7. Attached as **Exhibit A**, please find photos of the location of this incident.

NATURE AND BASIS FOR THIS CLAIM:

8. At all times hereinafter mentioned, and specifically on **February 10, 2025**, the defendants owned, occupied, operated, leased, controlled, and/or had special use of the entirety of certain real property (the sidewalk abutting/adjacent to the property) located at **23 Mahogany Dr, Williamsville, NY 14221 (where the fall took place)**. The fall was caused/created by the defendants negligent, careless, and reckless failure to maintain a safe premises.

9. Attached as **Exhibit B**, please find a real property parcel search of the property.

10. **Attached as Exhibit C**, please find the deed for **23 Mahogany Dr, Williamsville, NY 14221**.

LEGAL THEORY/CAUSE OF ACTION CLAIMED:

11. The above mentioned incident and the injuries and damages occurring therefrom occurred by reason of the fault, neglect, and carelessness of the Respondents, their agents, servants, and/or employees. The negligence of the Respondents, their agents, servants and/or employees includes but is not limited to:

- Failure to properly, adequately, and safely maintain the aforesaid premises;
- in allowing a dangerous condition to exist on the property;
- In failing to repair, keep safe, and maintain the property where the incident took place;

- Failure to properly and adequately supervise and control the area where the Claimant fell on the date of the incident;
- In carelessly, negligently, and recklessly taking snow/ice removal steps that increased the danger and hazards of the icy and snow conditions that caused this incident;
- in causing/creating a dangerous icy/snowy condition on the property;
- in having actual and constructive notice of the dangerous and unsafe icy/snowy conditions that caused this fall;
- in having reasonably sufficient time to remove the dangerous icy and snowy conditions that caused this fall prior to the fall happening, but in carelessly, recklessly, and negligently failing to do so;
- in failing to provide proper warning of the dangerous conditions that caused this fall;
- in failing to remove the icy/snowy conditions that caused this fall from the location of the fall prior to the fall happening;
- in allowing an unsafe accumulation of ice and snow to exist on the property;
- in failing to take protective measures to correct the dangerous icy and snowy conditions on the property;
- in failing to clear ice/snow from the property;
- in carelessly, negligently, and recklessly failing to exercise reasonable care in removing icy and snowy conditions on the property;

- in causing and creating a dangerous icy and snowy condition on the property that they had actual and constructive notice of;
- in negligently, carelessly, and recklessly failing to use reasonable care to maintain the property in a safe condition;
- in causing/creating an icy and snowy condition to exist on the property caused by their negligent, careless, and reckless snow removal activities;
- Carelessly and negligently designing the area on said premises where the incident occurred;
- Failure to take the necessary steps to correct and remove unsafe accumulations of ice and snow on their premises;
- inadequately lighting the area;
- Failure to take the necessary steps and make the necessary observations, which, if taken or made, would have avoided the said incident;
- Failing to act reasonable under the circumstances;
- Failing to take precautionary measures to protect the Claimant from the incident after weighing the probability and gravity of the harm against the burden of precaution;
- Failing to take precautionary measures to protect the Claimant from the incident when they had ownership, occupancy, control, and or special use of the property on the date of the fall;

- The Respondents' negligence was the proximate cause of the Claimant's fall and serious injuries;
- in violating multiple dwelling law section 78;
- in violating multiple residence law section 174;
- in violating Town of Amherst Building Code: Section 83-9-5;
- in violating Village of Williamsville Code 89-13; 89-5;
- the premises was unsafe;
- the premises was not reasonably safe;
- the defendants were negligent in not keeping the premises in a reasonably safe condition;
- the defendants negligence in allowing the unsafe conditions to exist on the property was a substantial factor in bringing about the incident and injuries;
- the dangerous conditions mentioned herein were visible and apparent and existed for a sufficient period for defendants to have discovered it and remedied it, but they negligently, carelessly, and recklessly failed to do so;
- in failing to offer evidence as to when the area in question was last cleaned or inspected relative to the time with the plaintiff fell;
- the defendants had actual and constructive notice of the dangerous icy and snowy conditions based on the irregularity, width, depth, and appearance of the defect;

- the icy and snowy conditions were the result of an ongoing and recurring dangerous condition that existed in the area of the fall that was routinely left unaddressed, and the defendants had actual knowledge of the tendency of the particular dangerous conditions described herein to reoccur, charging them with constructive notice of each recurrence of those conditions;
- The Respondents' negligence was a substantial factor in bringing about the Claimant's injuries in that a reasonable person would regard it as a cause of her injuries;
- They failed in their duty to use reasonable care to keep their property in a reasonably safe condition for the protection of the Claimant whose presence was reasonably foreseeable on the date of the fall;
- the defendants had constructive notice of the dangerous conditions described herein because their employees traveled, on a daily basis through the area where the defective condition was situated, such that they could have easily noticed and removed the hazard but they negligently, carelessly, and recklessly failed to do so;
- in having actual notice of the dangerous icy and snow conditions;
- the defendants had actual and constructive notice of the dangerous icy and snowy conditions mentioned herein because of prior and post falls that happened under the same or similar circumstances;

- in failing to provide to warn of the dangerous conditions;
- in violating New York Consolidated Laws, Property Maintenance Code, Section 301. 1
- in violating Section 302. 1 of the New York Property Maintenance Code;
- in violating New York Property Maintenance Code Section 304. 1;
- in violating New York Property Maintenance Code Section 305. 1;
- in violating Building Code of New York State, 2002 Edition Section 101, 101.3;
- in violating Property Maintenance Code of New York State, 2010 Edition -section 101.1, 101.2, 101.3, 301.1, 201.2, 305.1;
- in violating ASTM F1637 – Standard Practice for Safe Walking Surfaces –sections 4.1.1, 4.1.3, 4.7.1.,4.7.1.2.,
- The Respondents created the condition that caused the Claimant to fall; and had actual and constructive notice of it;
- The Respondents either knew, or in the use of reasonable care, should have known that the condition that caused the Claimant's fall long enough before the fall to have allowed them, in the use of reasonable care to correct it or to take other suitable precautions, but they failed to do so;

- The Respondents failed to warn the Claimant about the dangerous condition before her fall;
- in affirmatively creating the dangerous conditions described herein through an act of negligence;
- causing/allowing the dangerous condition herein to have jagged edges, a rough irregular surface, poor lighting, to have the presence of other defects in the vicinity, to be irregular, the dangerous condition was located in an area where people are naturally distracted from looking down at their feet, and the surrounding circumstances and dangerous condition increased the risk of people, such as the Claimant, falling;
- in failing to warn of the dangerous conditions described herein;
- causing/allowing the intrinsic characteristics of location of the incident to be such that it was difficult for pedestrians to see and identify and to traverse safely on foot;
- failing and omitting to clean and keep safe defendants' premises identified above;
- causing, allowing and permitting a dangerous, unsafe and hazardous condition to exist at the accident site;
- failing and omitting to provide persons such as the plaintiff with any notice or warning of the existence of the dangerous, unsafe and hazardous condition at the accident site;
- failing and omitting to periodically inspect and maintain the premises so that proper repairs and maintenance were performed thereat;
- failing and omitting to take necessary steps at the accident site so that the site was free and clear of a dangerous condition;
- causing, allowing and permitting an unsafe condition to exist at the premises;

- failing and omitting to provide adequate lighting to people visiting the Premises;

- negligently, carelessly and recklessly failing to maintain and omitting to keep and maintain the Premises, in a safe condition, under the circumstances;

- negligently, carelessly and recklessly failing and omitting to provide persons such as the plaintiff with any notice or warning of the existence of the dangerous, unsafe and hazardous condition at the accident site;

- negligently, carelessly and recklessly failing and omitting to take necessary steps at the accident site so that the site was free and clear of a dangerous condition;

- causing, allowing and permitting an unsafe condition to exist at its premises;

- allowing conditions to exist on their property that posed a reasonably foreseeable hazard to the plaintiff;

- failing to prevent the harm sustained by the plaintiff;

- the defendants negligence was a proximate cause of the injuries sustained by the plaintiff;

- the defendants premises was not reasonably safe, they were negligent in not keeping the premises in a reasonably safe condition, and their negligence in allowing the unsafe condition to exist was a substantial factor in causing the plaintiff's injuries;

- the defendants created the condition and either knew or, in the use of reasonable care, should have known that the condition existed within sufficient time before the accident to have corrected it or to have provided reasonable safeguards or to provide a warning but they failed to do so;

- the defendants' negligence was a substantial factor in bringing about the plaintiff's injuries;

- the condition was visible and apparent to the defendants and had existed for a sufficient length of time for them to have discovered it and taken curative steps but they failed to do so;

- the dangerous conditions described herein had a rough irregular surface, had the presence of other defects in the vicinity, had poor lighting around it, and was in a location where pedestrians were naturally distracted from looking down at their feet;

- the conditions of the dangerous conditions mentioned herein was a trap for the unwary because it was obscured;

- the defendants had actual and constructive notice of the dangerous condition;

- the defendants had notice of the dangerous condition from prior accidents under the same conditions; employee statements made in the course of their employment; evidence of the long continued existence of the condition; evidence that the defendants' employees traveled on a daily basis through the area where the defective condition was located; in failing to identify the last inspection of the area before the fall; the defendants' employees were in the immediate vicinity of the dangerous condition before the fall and could have easily noticed and corrected it but they failed to do so; the defendants had actual knowledge of the specific recurrent dangerous conditions that caused the plaintiffs' injuries;

- the defendants failed to provide a safe means of ingress and egress to their property;

- Failure to properly and adequately supervise and control the area where the Plaintiff fell on the date of the incident;

- Carelessly and negligently designing the area on said premises where the incident occurred;

- Failure to give attention to dangerous icy and snowy conditions;

- Failure to take the necessary steps and make the necessary observations, which, if taken or made, would have avoided the said incident;

- Failing to act reasonable under the circumstances;

- In failing to keep the area where the fall happened in a safe condition for traversing and passage;

- In failing in their duty to have proper design and routine maintenance and inspections of the area where the fall happened;

- In allowing the area of the fall to be unstable, not firm, and not slip resistant;

- In failing to keep the area of the fall in a clean, safe, and sanitary condition;

- In failing to keep the area of the fall in a proper state of repair and maintain it free from hazardous conditions;

- In allowing the area of the fall to be irregular, uneven, and un-maintained;

- In failing to inspect and maintain the area of the fall;

- In allowing the condition of the walking surface of where the fall happened to be a snare or a trap;

- In having actual knowledge that the condition that caused the Plaintiff to fall was a specific recurrent dangerous condition;

- In allowing the area of the fall to be such that it neither complies with, or adheres to several universally accepted standards and codes;

- By creating the condition that caused the Plaintiff's fall, by actually knowing about it, and or, they should have had notice of the it with sufficient time before the fall to correct it or provide reasonable safeguards or provide a warning but they did not do so;

- in failing to maintain the area of the fall;

- in failing to construct and maintain the area of the fall in a reasonably safe condition;

- in failing to warn the plaintiff of the dangerous conditions described herein, and failing to take into account such factors as the traffic conditions and terrain;

- in having prior oral and written notice of the dangerous conditions mentioned herein;

- in allowing the location of the fall to have an unsafe irregular surface;

- the dangerous conditions herein was a trap and snare, causing and creating a tripping hazard and a dangerous condition;

- and that the Defendants, its agents, servants and/or employees were otherwise careless and negligent.

- in having prior written notice of the conditions described herein, and in failing to timely fix/repair it;

- in prior negligent maintenance/repair of the location where this incident took place, immediately resulting in the dangerous conditions described herein;

- in affirmatively creating the dangerous conditions described herein through an act of negligence;

- in having special use of the location where this incident took place,

  and the location of the incident, that resulted in a special benefit to

  the municipal entities noted above;

- in failing to keep the sidewalk clear of ice and snow;

- the conditions where the fall happened was unusually dangerous;

- that defendants knew of the unusually dangerous condition long enough before plaintiff's injury to have permitted them in the use of reasonable care to have corrected it, or to take other suitable precautions, or to give adequate warning, and did not do so;

- the defendants, in the use of reasonable care should have known of it and corrected it, or taken other suitable precautions, or given adequate warning, but they failed to do so;

- the defendants negligence was a substantial factor in causing the Plaintiff's fall and injuries;

- the defendants snow removal efforts, if any, caused and created a dangerous condition;

- the defendants created the defect or hazard through an affirmative act of negligence and a "special use" of the location of the incident conferred a special benefit upon the locality;

- the defendants were otherwise careless, reckless, and negligent.

DAMAGES CLAIMED:

12. By reason of the aforesaid occurrence, the Claimant sustained severe, painful and permanent injuries in and about her body, including, but not limited to, broken right wrist, all of which were and are severe, painful and permanent in nature including, shock to the nerves and nervous system, circulatory system, traumatic injuries to nerves, tendons and muscular system with resultant impairment and/or loss of use of normal functions; was otherwise rendered sick, sore, lame and disabled and prevented her from performing her usual activities for a period of time subsequent to this incident, and has incurred, and may suffer and sustain loss of earnings and/or loss of future earning potential and/or capacity; has caused, or may incur, hospital expenses, medical expenses, physical therapy and/or rehabilitation and counseling expenses and/or other similar types of expenses as to past, present or future, as would relate to the care, treatment and attempted cure of the injuries sustained and/or the residual effects thereof; has been deprived of the ability to enjoy the life and lifestyle that she was able to participate in and enjoy prior to the happening of this incident, and has been caused to suffer emotional upset, anxiety and depression as a result of the pain and suffering associated with the injuries as to the past, present and, upon information and belief, into the future; and together with any other special and general damages as may manifest themselves subsequent to the date of this Notice of Claim.

13. The Claimant also makes a claim for any and all medical expenses incurred as to her care, treatment and attempted cure of the injuries sustain and/or the residual effects of the same herein as to the past, present, and or future.

***WHEREFORE*, Claimant** respectfully prays and requests that these claims as set forth herein be paid and allowed by the **Respondents.**

Dated: February 20, 2025
Hamburg, New York

Shaw & Shaw, P.C.
Blake Zaccagnino, Esq., of counsel
Attorneys for Claimant
Office and Post Office Address
4819 South Park Avenue
Hamburg, New York 14075
(716) 648-3020 Telephone
(716) 648-3730 Fax
www.shawlawpc.com

VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF)

KLI LAZIK being duly sworn, deposes and says that (he)(she) is the Plaintiff/Claimant in the within action; that (he)(she) has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.

K Kli Lazik

Sworn to before me this 19
day of MARCH 2025

Notary Public

BLAKE J ZACCAGNINO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02ZA6336306
Qualified in Erie County
Commission Expires February 1, 2028

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 7, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Kloc, Kimberly, Estate of, by Jeffrey Leonardi v. ECMCC and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Jeffrey R. Leonardi 60 Pheasant Run Lane Lancaster, New York 14086
Claimant's attorney:	Michael A. Iacono, Esq. John J. Fromen Attorneys at Law PC 4367 Harlem Road Snyder, New York 14226

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

This paper received at the
Erie County Attorney's Office
from Bob Schwind on
the 16th day of June, 2025
at 3:32 a.m./p.m.
Assistant County Attorney

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

JEFFREY R. LEONARDI, Individually and as Proposed Administor of the Estate of,
KIMBERLY M. KLOC, Deceased
Claimant

-vs-

ERIE COUNTY MEDICAL CENTER CORPORATION,
COUNTY OF ERIE,
Defendants

NOTICE OF CLAIM

Bob Schwind
6/16/25
Time: 3:32.

PLEASE TAKE NOTICE that JEFFREY R. LEONARDI, Individually and as Proposed Administor of the Estate of KIMBERLY M. KLOC, Deceased, hereby claims and demands from the above-named Defendants damages for severe personal injuries to, conscious pain and suffering, fear of impending death, and the wrongful death of the Decedent, KIMBERLY M. KLOC, and for funeral expenses incurred, loss of services, together with compensatory damages resulting from the aforesaid pursuant to Article 5 and Article 11 of the Estates, Powers and Trust Law of the State of New York, as a result of the negligent, careless and reckless acts and omissions of the above-named Defendants, its hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, and in support thereof, the Claimant states the following:

1. The post office address of the Claimant is 60 Pheasant Run Lane, Lancaster, New York 14086; the name and post office address of Claimant's attorney is Michael I. Iacono, Esq., 4367 Harlem Road, Snyder, New York 14226.

2. The Claimant, JEFFREY R. LEONARDI, is the brother of the Decedent, KIMBERLY M. KLOC. To date an estate has not been opened but the Claimant is in the process of opening an estate and intends to become the Administrator of his sister's estate.

3. That the nature of this claim is for severe and catastrophic personal injuries to, conscious pain and suffering, fear of impending death, and the wrongful death of the Decedent, KIMBERLY M. KLOC, arising out of and/or resulting from the negligent, wrongful, unlawful, careless and reckless acts and omissions of the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, in the negligent, careless and reckless post-operative care, supervision and discharge of the Decedent to her home against medical advice on or about March 14, 2025 without contacting the Claimant, JEFFREY R. LEONARDI, the Decedent's health care proxy, and despite having actual prior knowledge that the Decedent, a double leg amputee with additional chronic medical complications, lived alone, had no telephone or other means of external communication, was physically unable to care for herself, was dependent upon others to provide for her activities of daily living, had previously checked herself out of the Erie County Medical Center against medical advice, and had subsequently been taken into custody pursuant to Section 9.45 of the New York State Mental Hygiene Law and admitted to the Erie County Medical Center due to her inability to care for herself. The aforesaid negligent, careless and reckless conduct, acts and omissions precipitated, caused and/or contributed to the wrongful death of the Decedent in a house fire at her residence located at 402

Central Avenue, Lancaster, New York, which was discovered on March 17, 2025, at approximately 3:00 pm and resulted in catastrophic injuries including severe burns and smoke inhalation, and the death of the Decedent, KIMBERLY M. KLOC, as hereinafter set forth. A copy of the Police Report relative to this incident is attached as Exhibit "A".

4. That said claim arose on the 17th day of March, 2025, at approximately 3:00 pm at the Decedent's residence located at 402 Central Avenue in the Town of Lancaster, County of Erie and State of New York; that the manner in which said claim arose was that on the aforesaid date and time, the Decedent, KIMBERLY M. KLOC, was caused to suffer severe smoke inhalation, burns and death as a direct result of a house fire which occurred in the Decedent's residence.

5. That prior to the aforesaid fire, and on or about February 27, 2025 the Decedent underwent bilateral above-the-knee leg amputations and was receiving treatment for a severely infected arm. That on or about March 9, 2025 the Decedent checked herself out of the Erie County Medical Center against medical advice and was transported to her residence by ECMC staff and was left to care for herself despite having no ability to do so. At no time did the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, contact, notify or obtain the consent of the Claimant who was the Decedent's health care proxy as aforementioned.

6. Thereafter, and on March 10, 2025, after discovering that the Decedent had checked herself out of ECMC and had returned home, the Claimant contacted Crisis Services who, after assessing the Decedent's dire condition and inability to care for

herself, had her readmitted to ECMC with instructions that she should not be permitted to discharge herself against medical advice nor should she be transported back to her residence. Despite the aforesaid, and on or about March 14, 2025 the Decedent once again was permitted to check herself out of the Erie County Medical Center against medical advice and once again was transported to her residence by ECMC staff – the very same residence that Crisis Services had removed her from just four days earlier due to the Decedent's complete inability to care for herself. Once again, the Decedent was left to care for herself despite having no ability to do so. Once again, at no time did the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, contact, notify or obtain the consent of the Claimant who was the Decedent's health care proxy as aforementioned. When fire broke out in the Decedent's residence on March 17, 2025, the Decedent, a double above-the-knee amputee who was unable to take care of herself as aforementioned, was unable to escape the inferno and was caused to suffer severe smoke inhalation, burns and death as a direct result of the aforementioned house fire.

7. The aforesaid negligent, careless and reckless conduct, acts and/or omissions of the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, precipitated, caused and/or contributed to the wrongful death of the Decedent in the aforementioned house fire at her residence located at 402 Central Avenue, Lancaster, New York and resulted in catastrophic injuries including severe burns, smoke inhalation and the death of the Decedent, KIMBERLY M. KLOC, as hereinafter set forth.

8. That so far as is now able to be determined, the Decedent, KIMBERLY M. KLOC, sustained severe smoke inhalation, severe burns, together with multiple, extensive, catastrophic injuries in and about her head, body, limbs and nervous system, and during which time she suffered great pain, discomfort, disfigurement, anguish, anxiety and psychological and emotional fear of impeding death, and solely as a result of the aforesaid injuries the Decedent, KIMBERLY M. KLOC, did die on March 17, 2025. That as a result thereof, the Estate of said Decedent has been required to and has paid for the cost of necessary medical, funeral, burial and sundry other expenses.

9. That the Decedent, KIMBERLY M. KLOC, died leaving her surviving her husband, two brothers and one child, to wit: the Claimant herein, JEFFREY R. LEONARDI (brother); Joshua Kloc (husband); Makayla Kloc (child), and Christopher Leonardi (brother). That Letters of Administration upon the Estate of the Decedent, KIMBERLY M. KLOC, have not yet been issued to the Claimant, but the Claimant is in the process of opening an estate and intends to become the Administrator of his sister's estate.

10. That by reason of the foregoing, the Claimant, JEFFREY R. LEONARDI, as proposed Administrator, is entitled under the provisions of Article 5 of the Estates, Powers and Trust Law of the State of New York to recover from the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, compensatory damages for pecuniary loss. In addition, the Claimant, JEFFREY R. LEONARDI, as proposed Administrator, is entitled under the provisions of Article 11 of the Estates, Powers and Trust Law of the State of

New York to recover from the Defendants, their hospital staff, social workers, agents, servants, employees, appointees, designees, departments and/or divisions thereof, compensatory damages.

PLEASE TAKE FURTHER NOTICE that the Claimant requests payment of the claims and damages sustained by him as hereinbefore set forth.

DATED: Snyder, New York
June 13, 2025

MICHAEL I. IACONO, ESQ.
on behalf of the Claimant, JEFFREY R. LEONARDI, Individually and as Administrator of the Estate of KIMBERLY M. KLOC, Deceased

4367 Harlem Road
Snyder, New York 14226
716-855-1222

STATE OF NEW YORK)
COUNTY OF ERIE) SS..:
TOWN OF AMHERST)

MICHAEL I. IACONO, ESQ., being duly sworn, deposes and says:

That your deponent is the attorney of record for the Claimant in the above-entitled action, and as such I am filing the within Notice of Claim on behalf of the Claimant, JEFFREY R. LEONARDI, Individually and as proposed Administrator of the Estate of KIMBERLY M. KLOC, Deceased; that your deponent has read the foregoing Claim, Notice and Statement, and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters your deponent believes the same to be true; the source of your deponent's knowledge and information is an investigation of this matter, documents and writings in your deponent's possession and actual conversations with the Claimant.

MICHAEL I. IACONO, ESQ.

Subscribed and sworn to before me
this 13th day of June, 2025.

Notary Public, State of New York
Qualified in Erie County
My commission expires ~~7/5/2027~~ 9/25/26

JULIA ELLEN PUKALO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PU6310455
Qualified in Erie County
My Commission Expires 08-25-2026

EXHIBIT A

LANCASTER POLICE DEPARTMENT
POLICE REPORT
FIRE: HOUSE

Complaint **25-505433**

Report Date & Time: 03/17/2025 15:30

INCIDENT

Address of Occurrence	District	Tract	Occ. Date & Time	Day of Week	Type of Premise
402 CENTRAL AV	LANCASTER TOWNI		03/17/2025 15:25	Monday	Single Family Home

Status	Follow Up By	Supl	TT Mess#	TT Entry Date	TT Cance#	TT Cancel Date
Closed	Detective	N				

Officers: 905 - BOWMANSVILLE FIRE915 - LANCASTER VLG FIRE 924 - TWIN DISTRICT FIRE 800 - LVAC
Rep. Off.: 68 - WYSE
Supervisor: 35 - KEPPNER
Assigned. Off.:

Victim - 1

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
KLOC	KIMBERLY	M		10/06/1983	White	F	41	N	N	PR

Address	City	State	Zip	Home Phone	Work Phone
402 CENTRAL AV	LANCASTER TOWN	NY	14086	(716) 605-1244	

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone
5' 03"	120	BLN	GRN	S	LGT	Contacts		

Complainant - 2

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
LEONARDI	JEFFREY	R		06/15/1974	White	M	50	N	N	PR

Address	City	State	Zip	Home Phone	Work Phone
60 PHEASANT RUN LN	LANCASTER	NY	14086	(716) 491-8125	

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone

Other - 1

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
ZIPPIROLI	MORGAN				Unknown	F	30	N	N	PR

Address	City	State	Zip	Home Phone	Work Phone
404 CENTRAL AV	LANCASTER	NY	14086		

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone

Other - 2

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
COSTELLO	LARISSA	F			White	F	30	N	N	SP1

Address	City	State	Zip	Home Phone	Work Phone
32 S WILLOW ST	EAST AURORA	NY	14052		

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone

Owner - 1

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
MONTE	ERIC	J			Unknown	M	31	N	N	PR

Address	City	State	Zip	Home Phone	Work Phone
400 CENTRAL AV	LANCASTER	NY	14086		

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone

Owner - 2

Last Name	First Name	MI	Ext	Birth Date	Race	Sex	Age	Juvenile	Arrested	Report
ZIPPIROLI	JONATHAN	R			White	M	32	N	N	SP1

Address	City	State	Zip	Home Phone	Work Phone
404 CENTRAL AV	LANCASTER TOWN	NY	14086		

Height	Weight	Hair	Eyes	Build	Complexion	Glasses	Scars/Marks/Tattoos	Cell Phone

VEHICLE(S)

Owner	Year	Make	Model	Body Style	Color	Registration	State	VIN	Status	Report
KLOC KIMBERLY M	2005	TOYOTA		2 DOOR	White	GZA4779	NY	JTKDE177750049143	Damaged	

NARRATIVE

POLICE REPORT *Date Entered:* 03/17/2025 16:38 *Typist:* NATHAN WYSE *Officer:* 68-WYSE

Refer to Ofc. Wyse And Ofc. Gardinier.

On the above listed date and time, patrol responded to 402 Central for the report of an active structure fire. Upon arrival, patrol observed black smoke exiting the residence. Listed complainant, Jeffrey Leonardi, stated his sister lives in 402 Central and that she was possibly still inside the residence. Patrol entered 402 Central and attempted to call out to any occupants with negative results. Shortly thereafter, the fire in the residence became fully engulfed wherein patrol had to exit the same.

The scene was taped off by patrol while fire personnel attended to the structure fire.

Case being handled by the detective bureau.

SUPPLEMENT # 1 *Date Entered:* 03/18/2025 14:18 *Typist:* ROBERT CORNELL *Officer:* 39-CORNELL

Supplement #1-Refer to Detective Cornell:

On March 17th, 2025, while on-duty, I heard a radio call of a working house fire at 402 Central Avenue in the Town of Lancaster.

Upon arrival, I was briefed by Detective Lieutenant Dimino and Detective Gunsher (Fire Investigator), who where already at the scene. The house was fully engulfed in flames. Several volunteer fire companies were still conducting fire suppression.

Kimberly M. Kloc, resides alone at the residence and was believed to still be inside. Kloc has a long history with drug addiction. On February 27th, 2025, Kloc had both of her legs amputated above the knees.

Jeffrey R. Leonardi, went to the residence at approximately 1500 hours to check on Kloc. Leonardi had not had contact with Kloc since March 14th, 2025, at approximately 1600 hours. Upon arrival, Leonardi observed that the glass in the front door appeared to be fogged up. Leonardi also heard the fire alarms going off inside the residence. Leonardi then opened the front door and was met with black smoke that went all the way from the ceiling to the floor. Leonardi only saw black smoke inside the residence and Leonardi called for Kloc but did not get a response. Leonardi then called 911 and waited in the yard for first responders to arrive.

Prior to this incident, at 1236 hours, this department received a call from, Larissa F. Costello, who reported a large amount of smoke in the area of Central Avenue near Charlton Street. This location is near the residence. Patrol officers responded, checked the surrounding area, but did not locate any smoke (See # 25-505424).

Detective Fowler obtained a statement from Leonardi at the Town of Lancaster Police Station. In sum and substance, Leonardi talked about Kloc's recent double leg amputations as well as her left arm being heavily infected from drug use. Leonardi stated that Kloc never expressed a desire to harm herself and never tried to commit suicide. Leonardi believes Kloc still had a drug addiction and that her drug of choice was heroin.

On March 9th, 2025, Kloc signed herself out of the Erie County Medical Center (ECMC). On March 10th, 2025, Crises Services responded to the residence and Kloc was taken into custody under Section 9.45 of the New York State Mental Hygiene Law, removal of a person for emergency assessment, care, or treatment. Kloc was transported to ECMC for treatment due to the fact that Kloc was unable to care for

herself. Officer Blizzard, who was at the residence assisting Crisis Services, took possession of numerous hypodermic instruments that were located in the residence and Officer Blizzard properly disposed of them (See #25-504879). On March 14th, 2025, Kloc again signed herself out of ECMC. Both times, Kloc signed out of ECMC against medical advice.

The most fire damage occurred toward the front of the residence. The entire roof and the second floor both collapsed and fell into the structure. The remaining walls at the front of the residence were unstable. Fire investigators were not able to access the interior of the residence due to safety reasons. S&A Debris Removal Company was contacted and responded to the residence to assist Fire Investigators. Using excavators, and at the direction of Fire Investigators, S&A Removal Company removed the large pieces of debris that had collapsed into the structure so that Fire Investigators could access the interior of the residence. Once the large debris was removed, Detective Lieutenant Dimino, Detective Gunsher (Fire Investigator), Detective Kotlak, and I (Fire Investigator) began to systematically dig through the remaining debris. I had contacted Erie County Sheriff's Office Detective Kuhlmey who responded and assisted in the investigation. Fire Investigators started at the front of the residence, the living room, where most of the fire damage had occurred, and moved toward the rear of the residence. Once in the kitchen, Fire Investigators located the kitchen stove on the south side of the kitchen. The front of the kitchen stove was facing south and the kitchen stove's door was open. Fire investigators continued to sift through debris until the floor around the kitchen stove was reveled. Just in front of the kitchen stove, there was a large hole in the floor where the fire had dropped down into the basement. The floor joists underneath the large hole showed heavy fire damage and charring from prolonged burn time. In front of the large hole, Fire Investigators located Kloc on the floor underneath debris.

The Erie County Medical Examiner's Office was contacted and Scene Investigator Beth World responded. Scene Investigator World conducted her investigation and the Erie County Medical Examiner's Office took custody of Kloc.

Detective Lieutenant Dimino notified Leonardi who had returned to the scene.

Detective Gunsher had taken pictures of the scene throughout the investigation. Later, the pictures were uploaded to Evidence.com.

Kloc's vehicle, a white 2005 Toyota bearing New York registration: GZA4779, was parked in the driveway. Blakeley's Towing responded and towed the vehicle to their lot. The vehicle had to be removed so firefighters could continue fire suppression. The vehicle did sustain damage from the fire.

The residence next door at 400 Central Avenue sustained damage from the fire. I spoke to the homeowner, Eric J. Monte, and provided Monte with my contact information and told Monte to contact his insurance company.

The residence next door at 404 Central Avenue sustained damage from the fire. I spoke to the homeowner, Jonathan R. Zippiroli, and provided Zippiroli with my contact information and told Zippiroli to contact his insurance company.

On March 18th, 2025, I contacted Leonardi who had already contacted the insurance company, the Java Agency Inc., about the fire. I provided Leonardi with my contact information and how he can obtain a copy of this report. I also informed Leonardi about Kloc's vehicle. Leonardi told me that the home was not set up for a person with disabilities. Leonardi did not know of Kloc's actions inside the home, how she was able to move inside the residence, if she was able to cook, if she could enter and exit the residence on her own, etc.

Kloc has a juvenile daughter that has been staying with Leonardi. I advised Leonardi that I could assist him with locating services for Kloc's daughter if needed.

On March 18th, 2025, Detective Gunsher responded to the Erie County Medical Examiner's Office and provided them with a copy of the scene pictures for their investigation. The Erie County Medical Examiner's Office was able to positivity identify Kloc by radiological records. The Erie County Medical Examiner's Office had already completed Kloc's Fatality Certificate:

Cause of Death: Thermal and inhalational injuries.
Manner of Death: Accidental
Injury Description: Burnt in house fire.

The Fatality Certificate was added to the Case History.

See Supplementary Police Report #2 (Fire Report) for the origin and cause of this fire.

Case Closed.

SUPPLEMENT # 2 *Date Entered:* **03/18/2025 19:44** *Typist:* **ROBERT CORNELL** *Officer:* **39-CORNELL**

Supplement #2 (Fire Report)-Refer to Detective Cornell:

FIRE REPORT:

BUILDING DESCRIPTION:

The structure at 402 Central Avenue, in the Town of Lancaster, is a single family home of Type V construction built in 1900.

FIRE ORIGIN:

A systematic process based on the scientific method, was used to examine the fire scene for determination of the fire's origin. This included a visual inspection of the structure's exterior, interior, the evaluation of fuel packages and fire patterns, and evaluation of available testimonial evidence.

On March 17th, 2025, while on-duty, I, Detective R. Cornell (Fire Investigator), heard a radio call of a working house fire at 402 Central Avenue in the Town of Lancaster.

Upon arrival, I was briefed by Detective Lieutenant Dimino and Detective Gunsher (Fire Investigator), who where already at the scene. The house was fully engulfed in flames. Several volunteer fire companies were still conducting fire suppression.

Kimberly M. Kloc, resides alone at the residence and was believed to still be inside. Kloc has a long history with drug addiction. On February 27th, 2025, Kloc had both of her legs amputated above the knees.

Jeffrey R. Leonardi, went to the residence at approximately 1500 hours to check on Kloc. Leonardi had not had contact with Kloc since March 14th, 2025, at approximately 1600 hours. Upon arrival, Leonardi observed that the glass in the front door appeared to be fogged up. Leonardi also heard the fire alarms

going off inside the residence. Leonardi then opened the front door and was met with black smoke that went all the way from the ceiling to the floor. Leonardi only saw black smoke inside the residence and Leonardi called for Kloc but did not get a response. Leonardi then called 911 and waited in the yard for first responders to arrive.

Prior to this incident, at 1236 hours, this department received a call from, Larissa F. Costello, who reported a large amount of smoke in the area of Central Avenue near Charlton Street. This location is near the residence. Patrol Officers responded, checked the surrounding area, but did not locate any smoke (See # 25-505424).

Detective Fowler obtained a statement from Leonardi at the Town of Lancaster Police Station. In sum and substance, Leonardi talked about Kloc's recent double leg amputations as well as her left arm being heavily infected from drug use. Leonardi stated that Kloc never expressed a desire to harm herself and never tried to commit suicide. Leonardi believes Kloc still had a drug addiction and that her drug of choice was heroin.

On March 9th, 2025, Kloc signed herself out of the Erie County Medical Center (ECMC). On March 10th, 2025, Crises Services responded to the residence and Kloc was taken into custody under Section 9.45 of the New York State Mental Hygiene Law, removal of a person for emergency assessment, care, or treatment. Kloc was transported to ECMC for treatment due to the fact that Kloc was unable to care for herself. Officer Blizzard, who was at the residence assisting Crisis Services, took possession of numerous hypodermic instruments that were located in the residence and Officer Blizzard properly disposed of them (See #25-504879). On March 14th, 2025, Kloc again signed herself out of ECMC. Both times, Kloc signed out of ECMC against medical advice.

The most fire damage occurred toward the front of the residence. The entire roof and the second floor both collapsed and fell into the structure. The remaining walls at the front of the residence were unstable. Fire investigators were not able to access the interior of the residence due to safety reasons. S&A Debris Removal Company was contacted and responded to the residence to assist Fire Investigators. Using excavators, and at the direction of Fire Investigators, S&A Removal Company removed the large pieces of debris that had collapsed into the structure so that Fire Investigators could access the interior of the residence. Once the large debris was removed, Detective Lieutenant Dimino, Detective Gunsher (Fire Investigator), Detective Kotlak, and I (Fire Investigator) began to systematically dig through the remaining debris. I had contacted Erie County Sheriff's Office Detective Kuhlmey who responded and assisted in the investigation. Fire Investigators started at the front of the residence, the living room, where most of the fire damage had occurred, and moved toward the rear of the residence. Once in the kitchen, Fire Investigators located the kitchen stove on the south side of the kitchen. The front of the kitchen stove was facing south and the kitchen stove's door was open. Fire investigators continued to sift through debris until the floor around the kitchen stove was reveled. Just in front of the kitchen stove, there was a large hole in the floor where the fire had dropped down into the basement. The floor joists underneath the large hole showed heavy fire damage and charring from prolonged burn time. In front of the large hole, Fire Investigators located Kloc on the floor underneath debris.

Detective Gunsher had taken pictures of the scene throughout the investigation. Later, the pictures were uploaded to Evidence.com.

Kloc's vehicle, a white 2005 Toyota bearing New York registration: GZA4779, was parked in the driveway. Blakeley's Towing responded and towed the vehicle to their lot. The vehicle had to be removed so firefighters could continue fire suppression. The vehicle did sustain damage from the fire.

The residence next door at 400 Central Avenue sustained damage from the fire. I spoke to the homeowner, Eric J. Monte, and provided Monte with my contact information and told Monte to contact his insurance company.

The residence next door at 404 Central Avenue sustained damage from the fire. I spoke to the homeowner, Jonathan R. Zippiroli, and provided Zippiroli with my contact information and told Zippiroli to contact his insurance company.

On March 18th, 2025, I contacted Leonardi who had already contacted the insurance company, the Java Agency Inc., about the fire. I provided Leonardi with my contact information and how he can obtain a copy of this report. I also informed Leonardi about Kloc's vehicle. Leonardi told me that the home was not set up for a person with disabilities. Leonardi did not know of Kloc's actions inside the home, how she was able to move inside the residence, if she was able to cook, if she could enter and exit the residence on her own, etc.

TESTING THE HYPOTHESIS:

As a result of examining and reconstructing fire debris, fire investigators were able to develop a hypothesis that the fire, which damaged the structure at 402 Central Avenue, in the Town of Lancaster, originated on the south side of the kitchen, on the floor, in front of the kitchen stove. The front of the kitchen stove was facing south and the kitchen stove's door was open. Just in front of the kitchen stove, there was a large hole in the floor where the fire had dropped down into the basement. The floor joists underneath the large hole showed heavy fire damage and charring from prolonged burn time. In front of the large hole, Fire Investigators located Kloc on the floor underneath debris. The origin of the hypothesis developed was tested against all available evidence, both physical and testimonial, and was found to be consistent only with a fire that originated in that area of the structure.

FIRE CAUSE:

CHEMICAL AGENTS:

The scene was examined and no evidence of chemical agents were discovered within or near the area of origin and there was no chemical residue found on the fire debris. For these reasons chemical agents can be eliminated as a potential fire cause.

COOKING EQUIPMENT:

There was cooking equipment, a stove, in the kitchen, and the fire's origin is located on the floor just in front of this stove. For this reason cooking equipment can not be eliminated as a potential fire cause.

HEATING SYSTEMS:

There residence is equipped with a heating system; however, there was no heating system located near the fire's origin, on the south side of the kitchen, on the floor, in front of the kitchen stove. For this reason heating systems can be eliminated as a potential fire cause.

ELECTRICAL WIRING, DISTRIBUTION, AND APPLIANCES:

The residence is equipped with electrical wiring, distribution, and appliances. A kitchen stove, along with electrical wiring, is located in the area of the fire's origin, on the south side of the kitchen, on the floor, in

front of the kitchen stove. For these reasons electrical wiring, distribution, and appliances can not be eliminated as a potential fire cause.

SMOKING MATERIALS:

The victim, Kimberly Kloc, is a smoker. The residence sustained extensive smoke and fire damage and Fire Investigators could not locate evidence of smoking materials due to this fact; however, because Kimberly Kloc is a smoker, smoking materials can not be eliminated as a potential fire cause.

WEATHER RELATED OCCURRENCES:

Fire damage pointed to an area of specific interest, the fire's origin, on the south side of the kitchen, on the floor, in front of the kitchen stove. For this reason weather related occurrences can be eliminated as a potential fire cause.

OPEN FLAMES OR SPARKS:

There was a gas stove in the area of the fire's origin, on the south side of the kitchen, on the floor, in front of this kitchen stove. For this reason open flames or sparks can not be eliminated as a potential fire cause.

CONDITIONS LOCATED OUTSIDE THE AREA OF FIRE ORIGIN:

Fire damage pointed to an area of specific interest, the fire's origin, on the south side of the kitchen, on the floor, in front of the kitchen stove. For this reason conditions located outside the area of fire origin can be eliminated as a potential fire cause.

INCENDIARY INDICATORS:

During examination of the fire scene, fire investigators did not locate multiple fire origins, "trailers", exotic accelerants, incendiary devices or any other indication that this fire was incendiary. For these reasons incendiary indicators can be eliminated as a potential fire cause.

WITNESS STATEMENTS / INFORMATION:

As part of this investigation, Detective Fowler obtained a written statement from the victim's brother, Jeffrey Leonardi, who first observed the fire and called 911. The written statement was added to Case History.

EVIDENCE:

Detective Gunsher (Fire Investigator), took pictures of the scene throughout the investigation. The pictures were uploaded to Evidence.com.

CONCLUSION:

Through a systematic process of comparison examination and reconstruction of the fire scene, along with a detailed examination of the fire debris, Detective Gunsher and I were able to conclude the following. That the fire that occurred on March 17th, 2025, at 402 Central Avenue, in the Town of Lancaster, originated on the south side of the kitchen, on the floor, in front of the kitchen stove. This determination

was based on extensive fire damage in this area where the fire had dropped down into the basement. The floor joists underneath a large hole in the floor showed heavy fire damage and charring from prolonged burn time.

Fire investigators were unable to determine the cause of this fire.

As a result of a detailed examination for the cause of this fire it has been determined that this fire is classified as undetermined.

After thoroughly evaluating the evidence relating to the cause of the fire, fire investigators could not select a final hypothesis to an acceptable level of certainty. This finding was based upon not being able to determine the cause of the fire. Based upon a systematic evaluation of the factual evidence known to fire investigators at the time this report was made, the cause of this fire is classified as undetermined.

Case Closed.

SUPPLEMENT # 3 *Date Entered:* **03/18/2025 21:42** *Typist:* **BRADLEY GARDINIER** *Officer:* **72-GARDINIER**

Refer to Officers Gardinier #72 and Wyse #68:

On 03/17/2025 at approximately 1525 HRS patrol received a report of an active structure fire at 402 Central Ave. Upon arrival patrol observed the residence as having heavy black smoke emitting from the front door and windows of the residence. Complainant, Jeffrey Leonardi, was on location and stated to patrol that his sister, listed victim, Kimberly Kloc, was possibly still in the residence. Patrol made entry into the front of the residence and called out for anybody in the residence with negative results. Patrol moved to the rear of the house and made forced entry into the residence but was met with flames at the rear door. At this time, the fire inside of the residence was fully involved and Bomansville Fire Co. began working on extinguishing the fire.

Once the fire had been completely extinguished, LPD Fire Investigation Unit began searching through the debris and did locate a body inside and was identified as Kimberly Kloc. RO made notification to Jeffrey Leonardi on Kimberly's death.

No further action by patrol.

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 7, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Urbanczyk, Arthur v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Arthur J. Urbanczyk 90 Cathedral Drive West Seneca, New York 14224
Claimant's attorney:	Matthew A. Louisos, Esq. The Barnes Firm 500 Pearl Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.



RECEIVED
JUN 23 2023
ERIE COUNTY
DEPARTMENT OF LAW

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

ARTHUR J. URBANCZYK

NOTICE OF CLAIM

Claimant,

v.

COUNTY OF ERIE,
CITY OF BUFFALO,
EMPIRE STATE DEVELOPMENT CORPORATION,
ERIE CANAL HARBOR DEVELOPMENT CORPORATION, and
THE BUFFALO & ERIE COUNTY HISTORICAL SOCIETY d/b/a THE BUFFALO HISTORY MUSEUM

Respondents.

PLEASE TAKE NOTICE, that the Claimant, ARTHUR URBANCZYK, claims and demands from the Respondents, COUNTY OF ERIE, CITY OF BUFFALO, EMPIRE STATE DEVELOPMENT CORPORATION, ERIE CANAL HABOR DEVELOPMENT CORPORATION, THE BUFFALO & ERIE COUNTY HISTORICAL SOCIETY d/b/a THE BUFFALO HISTORY MUSEUM, recompense for personal injuries and damages sustained by Claimant by reason of the reckless, careless, and/or negligent acts and omissions of the Respondents, and their agents, servants, and/or employees, and in support thereof, the Claimant states:

1. The Claimant, Arthur Urbanczyk, resides at 90 Cathedral Dr. West Seneca, NY. 14224. His phone number is 716-710-2606.

2. The Claimant is represented by The Barnes Firm, P.C., Matthew A. Louisos, Esq., with offices at 500 Pearl Street, Suite 700, Buffalo, New York 14202; telephone (800) 800-0000.

3. This Notice of Claim is made and served on behalf of the Claimant in compliance with the provisions of §50-e and § 53 of the General Municipal Law of the State of New York.

4. The nature of Claimant's claim is for personal injury, past and future pain and suffering, and past and future economic loss and other attendant damages as a result of an accident that occurred on or about May 25, 2025 at approximately 3:40 pm.

5. The incident in which personal injuries and damages were sustained by the Claimant occurred on or about May 25, 2025, at approximately 3:40 pm, when a dangerous, defective, and/or unsecured ceiling fan fell striking the Claimant while he was walking inside a building owned and/or operated by one or more of the Respondents. The address of the premises where the incident occurred is 2 Marine Dr., Buffalo, NY 14202. The building is also known as "Longshed Building" or "Longshed at Canalside".

6. At the time and place described above, Claimant was lawfully walking inside the building when a dangerous, defective, and/or unsecured ceiling fan fell and struck the Claimant. As a result of the incident, Claimant was seriously injured. The Respondents, and their agents, servants and employees, owed a duty to Claimant to ensure that they would not cause an incident to occur due to their own negligence. The Respondents, and their agents, servants and/or employees, negligently breached their duty to the Claimant in that regard by causing and or allowing a dangerous, defective, and/or unsecured ceiling fan to exist.

7. Upon information and belief, the accident was caused by the reckless, careless, and/or negligent acts and omissions of the Respondents, their agents, servants and employees, who allowed

a dangerous, defective, and/or unsecured ceiling fan to exist on the property that caused plaintiff's injures.

8. The Respondents, and their agents, servants, and employees, owed a duty to Claimant to maintain their premises in a careful and non-negligent manner. Upon information and belief, the incident as more fully described above occurred because the Respondents, through their agents, servants, and employees, operated said property in a negligent manner.

9. The accident was caused by the wrongful, reckless, careless, and/or negligent acts and omissions of the Respondents. More specifically, respondents were reckless, careless and or negligent in allowing and permitting the existence of a dangerous, defective, and/or unsecured ceiling fan within the aforesaid premises causing a hazard and danger to persons traveling thereon; in failing and/or omitting to ensure that claimant and others were given notice and/or warning of the said dangerous and hazardous condition thereby created; in allowing and permitting the premises to remain in such hazardous and dangerous condition; in allowing and permitting such dangerous condition to exist when the respondent had both notice and knowledge, or in the exercise of reasonable care, could and should have had knowledge of such dangerous condition; in failing and/or omitting to reasonably anticipate that persons walking in or traversing the area could sustain physical injury by reason of the aforesaid hazardous condition; in failing and/or omitting to ensure that reasonable and prudent care was used to keep the said premises in safe condition; in allowing and permitting the aforesaid premises to remain in a defective, unsafe, hazardous and dangerous condition; in failing and/or omitting to ensure that proper maintenance and care was used at the aforesaid premises; in failing and/or omitting to ensure that proper and reasonable precautions

were taken; in failing and/or omitting to ensure that the premises were inspected for hazardous and dangerous conditions; in failing and/or omitting to ensure that the said premises was supervised; in failing and/or omitting to ensure for the safe operation of the said premises; in its "special use" of said premises; in failing and/or omitting to ensure that a safe means to traverse the aforesaid premises was provided; in designing, building, manufacturing, installing, and/or permitting a dangerous, defective, and/or unsecured ceiling fan within the aforesaid premises; in failing to properly install and secure the ceiling fan; and in failing and/or omitting to avoid the incident which, in the exercise of reasonable care, could and should have been avoided.

10. In addition, Respondents created the condition by designing, building, manufacturing, installing, and/or permitting a dangerous, defective, and/or unsecured ceiling fan within the aforesaid premises causing a hazard and danger to persons traveling thereon.

11. As a result of the incident, the Claimant suffered, among other things injuries to his head, neck, and shoulders. This is in no way meant to be an exhaustive list of injuries alleged from the accident.

12. By virtue of the negligence of the employees, agents or servants of the Respondents claimant has incurred medical and hospital expenses, which are to date undetermined and will incur loss of earnings, impairment of health and permanent injuries.

13. Upon information and belief, claimant will be obligated further medical expenses including drugs, medicines and prosthetic devices, the amount of which cannot be reasonably calculated at this time.

14. The total sum charged will be for the resulting damages from the injuries set forth above and this sum has not been determined as of this date.

15. By virtue of the negligence of the Respondents and their agents, servants and employees, Claimant has sustained personal injuries, pain and suffering, economic loss and other attendant damages and has sustained serious injury and economic loss in excess of basic economic loss as both defined in Article 51 of the New York State Insurance Law.

TAKE NOTICE that claimant demands payment of his claim as set forth above.

DATED: Buffalo, New York
June 16, 2025

THE BARNES FIRM, P.C.

By: _____
Matthew A. Louisos, Esq.
Attorneys for Plaintiff
500 Pearl Street, Suite 700
Buffalo, NY 14202
(800) 800-0000 x 234
Matt.louisos@thebarnesfirm.com

TO: COUNTY OF ERIE
95 Franklin Street, Room 1634
Buffalo, New York 14202

CITY OF BUFFALO
1101 City Hall
65 Niagara Square
Buffalo, New York 14202

EMPIRE STATE DEVELOPMENT
633 Third Ave., 37th Floor
New York, New York 10017

ERIE CANAL HARBOR DEVELOPMENT CORPORATION
633 Third Ave., 37th Floor
New York, New York 10017
and
95 Perry Street
Suite 500
Buffalo, New York 14203

THE BUFFALO & ERIE COUNTY HISTORICAL SOCIETY d/b/a THE BUFFALO HISTORY MUSEUM
1 Museum Court
Buffalo, New York 14216

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE : SS.:
CITY OF BUFFALO)

Arthur Urbanczyk, being duly sworn, deposes and says that she is the Claimant in the within action; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters she believes them to be true.

Arthur J. Urbanczyk
Arthur Urbanczyk

STATE OF NEW YORK)
COUNTY OF ERIE : SS.:
CITY OF BUFFALO)

On the 18 day of June, in the year 2025 before me, the undersigned, personally appeared Arthur Urbanczyk, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in her capacity and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

THOMAS S. HOLLANDER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 18, 28

Notary Public/Commissioner of Deeds

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 7, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Wojcik, Daniel v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Daniel Wojcik 226 Lake Avenue Lancaster, New York 14086
Claimant's attorney:	David W. Olson, Esq. Brown Chiari, LLP 2470 Walden Avenue Cheektowaga, New York 14225

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.



STATE OF NEW YORK :
SUPREME COURT : COUNTY OF ERIE

DANIEL WOJCIK

Claimant

vs.

NOTICE OF CLAIM

COUNTY OF ERIE

Respondent

TO: Erie County
Jeremy C. Toth, Erie County Attorney
Department of Law
Edward A. Rath County Office Building
Buffalo, New York 14202

To whom it may concern:

PLEASE TAKE NOTICE that the undersigned hereby makes claim against the County of Erie and submits the following in compliance with the applicable statutes of the State of New York:

1. The Claimant herein is Daniel Wojcik, who resides at 226 Lake Avenue, Lancaster, New York 14086.

2. The Claimant herein is represented by the law firm of BROWN CHIARI LLP, 2470 Walden Avenue, Buffalo, New York 14225-4751.

3. The subject claim is for personal injuries and medical expenses sustained by reason of injury to Claimant, Daniel Wojcik.

4. The incident giving rise to these damages occurred on or about May 13, 2025 on County Route 23 in the County of Erie and State of New York.

5. The said damages for which claim is hereby made arose in the following manner, to wit:

On May 13, 2025, Claimant, Daniel Wojcik, was lawfully riding his bicycle southbound on Penora Street (County Route 23) in the County of Erie and State of New York when he was caused to fall off his bicycle due to an elevated and broken section of sidewalk adjacent to the Catalyst Fitness Gym (see photos attached as **Exhibit "A"**). The aforesaid incident was caused by the negligence of the Respondent, County of Erie, its agents, servants, and/or employees, in failing to maintain the sidewalk in a reasonably safe condition for pedestrians; failing to repair, maintain and/or remove the dangerous condition of the elevated, cracked, broken, and defective sidewalk; failing to warn pedestrians of the dangerous condition; and in otherwise being negligent, careless, and reckless.

6. Claimant, Daniel Wojcik, sustained severe and permanent injuries including, but not limited to, a subdural hematoma, shoulder injury, and facial trauma.

7. The subject claim is for a sum to be determined by a jury.

DATED: June 2, 2025

Daniel Wojcik

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the 2 day of June, 2025, Daniel Wojcik, being duly sworn, deposes and says that he is the claimant in this matter; that he has read the foregoing Notice of Claim and knows the contents thereof and that it is true to his personal knowledge, except as to matters stated to be upon information and belief, and as those matters he believes to be true.

Notary Public

DAVID OLSON
NOTARY PUBLIC-STATE OF NEW YORK
No. 02OL5082888
Qualified in Niagara County
My Commission Expires November 17, 2025

CERTIFICATION

Pursuant to Part 130-1 of the Rules of the Chief Administrator, the undersigned attorney certifies that, to the best of my knowledge, information and belief, formed after inquiry reasonable under the circumstances, the presentation of this paper or the contentions therein are not frivolous as defined in subsection (c) of §130-1.1.

David W. Olson, Esq.
BROWN CHIARI LLP
Attorneys for Claimant
2470 Walden Avenue
Buffalo, New York 14225-4751
(716) 681-7190

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 7, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Quinn, Sean, Estate of, by Tina Quinn, as Proposed Administrator v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Tina Quinn 5879 Brown Hill Road Springville, New York 14141
Claimant's attorney:	Joseph D. Morath, Jr., Esq. Connors LLP 1000 Liberty Building 424 Main Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

TINA QUINN, Individually and as Proposed Administrator of the Estate of SEAN J. QUINN,

Claimant,

vs.

COUNTY OF ERIE,

Respondent.

NOTICE OF CLAIM

This paper received at the Erie County Attorney's Office from John Kramer on the 27 day of June, 2025 at 11:54 a.m./p.m.

Assistant County Attorney

TO: Jeremy C. Toth
Erie County Attorney
County of Erie
95 Franklin Street
Buffalo, New York 14202

PLEASE TAKE NOTICE that the Claimant, TINA QUINN, Individually and as Proposed Administrator of the Estate of SEAN J. QUINN, hereby give Notice of a Claim against the COUNTY OF ERIE, (hereinafter "Respondent"), and its agents, employees, and others for whom Respondent is vicariously and/or contractually liable, for the injuries and damages suffered by the Claimant and her decedent as a result of an incident that occurred on April 5, 2025.

In support of this Notice of Claim, the Claimants state the following:

1. The post office address of the Claimant, TINA QUINN, Individually and as Proposed Administrator of the Estate of SEAN J. QUINN, is 5879 Brown

Hill Road, Springville, New York 14141 and she was, and is, a resident of the County of Erie and State of New York.

2. The Claimant, TINA QUINN, is the wife of the decedent, SEAN J. QUINN.

3. The attorneys for the Claimant are CONNORS LLP, 1000 Liberty Building, Buffalo, New York 14202; telephone number (716) 852-5533.

4. Unless otherwise indicated, the facts set forth in this Notice of Claim are based upon information and belief, the source of which includes investigation into this matter.

5. This claim arises out of an incident that occurred on April 5, 2025, at about 2:00 a.m., when a vehicle containing the decedent, SEAN J. QUINN, became trapped in a ditch at or about 5879 Brown Hill Road, Springville, New York 14141.

6. Upon information and belief, the roadway, public right-of-way, ditch, and culvert where the incident occurred are owned, maintained, and/or controlled by the Respondent.

7. Upon information and belief, the Respondent created the defect and hazard through an affirmative act and a special use conferred a special benefit upon the Respondent.

8. Upon information and belief, the Respondent owed a special duty to Claimants by statute, voluntary assumption of a duty, and because it took positive control of a known and dangerous safety condition at 5879 Brown Hill Road, Springville, New York 14141.

9. Upon information and belief, the above incident was due to, among other things: an unsafe road condition; an unsafe ditch and/or culvert; unsafe drainage, improper roadway, driveway, ditch, or culvert design; lack of sufficient safety controls; lack of sufficient controls to prevent vehicles from becoming trapped in the ditch; lack of sufficient care and maintenance for the area; failure to correct a known or recurrent unsafe condition; and failure to maintain the road, driveway, ditch and culvert in a condition free and clear of hazards.

10. Upon information and belief, at the date and time noted above, the Respondent was reckless, careless, and negligent in: designing, constructing, and maintaining the roadway, driveway, ditch, and/or culvert; failing to repair, inspect, or maintain the condition and safety of the roadway, driveway, ditch, and/or culvert; failing to discovery the unsafe condition of the roadway, driveway, ditch, and/or culvert; failing to provide a safe roadway, driveway, ditch, and/or culvert; failing to provide a safe means of passage over the ditch and/or culvert; failing act to prevent the roadway, driveway, ditch, and/or culvert from being unsafe; and by being otherwise careless, reckless, and negligent.

11. As a result of the acts and/or omissions described above, the Claimant, TINA QUINN, Individually and as Proposed Administrator of the Estate of SEAN J. QUINN, and her decedent suffered fear of impact and impending death, conscious pain and suffering, and serious, severe, extensive injuries, and death, and Claimant will seek all damages available at law.

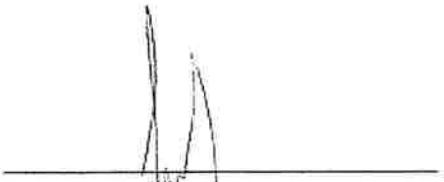
12. This is a claim for personal injuries, conscious pain and suffering, and pre-impact or pre-death terror, as well as other damages and losses suffered by the Claimant and her decedent.

13. This is also a claim for all damages permitted under New York's Wrongful Death Statute, including pecuniary losses and the Claimant's loss of services, society, affection, companionship, support and guidance, as well as a similar loss that has been and will be incurred by other distributees of the Estate of SEAN QUINN.

14. The incident alleged herein was the result of the negligence, carelessness, and recklessness of the Respondent and/or its agents, employees, and others for whom the Respondent is vicariously and/or contractually liable, without any negligence on the part of the Claimant or her decedent.

WHEREFORE, the Claimant, TINA QUINN Individually and as Proposed Administrator of the Estate of SEAN QUINN, respectfully request that this Claim be allowed and paid by the State of New York. You are hereby notified that unless it is adjusted and paid within thirty (30) days from the date of presentation to you, the Claimant intends to commence an action on this matter.

DATED: Buffalo, New York
June 26, 2025



Joseph D. Morath, Jr., Esq.
CONNORS LLP
Attorneys for Claimant
1000 Liberty Building
Buffalo, New York 14202
(716) 852-5533

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
TOWN OF CONCORD)

TINA QUINN, being duly sworn, deposes and says that she is the Claimant in the within action, that she has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to her knowledge except as to those matters therein alleged upon information and belief, and as to those matters, she believes them to be true.

TINA QUINN

Sworn to before me this
26th day of June, 2025

Notary Public

JOHN P. KROMER
No. 01KR6113132
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 07/19/28

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 21, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Masak, Peter v. County of Erie, ECC and Robert Schlehr*
Document Received:	Summons and Complaint
Name of Claimant:	Peter Masak
Claimant's attorney:	Lindy Korn, Esq. Law Office of Lindy Korn, PLLC Electric Tower 535 Washington Street, 9th Floor Buffalo, New York 14203

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

SUPREME COURT OF THE STATE OF NEW YORK
ERIE COUNTY

PETER MASAK,

Plaintiff,

v.

COUNTY OF ERIE, ERIE COMMUNITY COLLEGE, ROBERTA SCHLEHR, *in her own personal capacity,*

Defendants.

SUMMONS

Index No._____

To:

Jeremy Toth Erie County Attorney Department of Law Rath Building 96 Franklin Street, Room 1634 Buffalo, NY 14202	Adiam Tsegai President Erie Community College 121 Ellicott Street Buffalo, NY 14202	Roberta Schlehr 5056 Oakwood Drive North Tonawanda, NY 14120

YOU ARE HEREBY SUMMONED to appear and answer the Complaint attached hereto in this action, by serving a copy of your answer on the Plaintiff's attorney within twenty (20) days after the service of this Summons and Complaint, exclusive of the day of service, or within thirty (30) days after the service is complete if this Summons and Complaint is not personally delivered to you within the State of New York; and in case of your failure to appear and answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Erie County is designated as the place of trial. The basis of venue is Plaintiff's residence OR the county in which Defendants have its principal place of business.

Dated: June 26, 2025
Buffalo, New York

By: _____
Lindy Korn-Myers, Esq.
Law Office of Lindy Korn
535 Washington Street, Ninth Floor
Buffalo, New York 14203
716-856-5676
lkorn@lindykorn.com

This paper received at the
Erie County Attorney's Office
from CONNIE RIGGS on
the 3rd day of July, 2025
at 2:44 a.m./p.m.
_____
Assistant County Attorney

RECEIVED
JUL 03 2025
ERIE COUNTY
DEPARTMENT OF LAW

SUPREME COURT OF THE STATE OF NEW YORK
ERIE COUNTY

----------X

PETER MASAK,

Plaintiff,

--against--

VERIFIED COMPLAINT

Index No. _____

COUNTY OF ERIE, ERIE COMMUNITY COLLEGE, ROBERTA SCHLEHR *in her own personal capacity*

Defendant.

----------X

Plaintiff, Peter Masak, by and through his attorneys, THE LAW OFFICE OF LINDY KORN, PLLC, hereby complains of the Defendant, Erie Community College ("ECC") upon information and belief, as follows:

NATURE OF THE CLAIMS

1. Mr. Masak seeks the appropriate remedies and damages for discriminatory treatment based on sustained discrimination, harassment, retaliation and constructive discharge action in violation of New York State Human Rights Law (Executive Law, Article 15), § 290–6 et seq.
2. Notice of claim is not required in this matter, because it turns on New York State Human Rights Law. In *Margerum*, the New York Appellate Division, Fourth Department, held that a notice of claim is not required in an action against a municipal corporation, such as a city or town (or in the instant matter, a county) when the claim is based on a statutory or constitutional right, rather than a common law tort. The court stated: "A notice of claim is not

required in an action against a municipal corporation when the claim is based on a statutory or constitutional right, rather than a common law tort... The requirement of a notice of claim is a creature of statute, and the statute does not apply to claims based on statutory or constitutional rights." *See Margerum v City of Buffalo, 83 AD3d 1575, 1576 [4th Dept 2011]).*

3. Mr. Masak, in good faith and following the policies and past practice established by his employer, the defendant in the instant matter, filed an series of internal complaints with ECC. During the time that ECC investigated the matter, the statue limit of time for Mr. Masak to file at the New York State Division of Human Rights expired. He is filing this complaint in a timely manner.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to New York Civil Practice Law and New York State Labor Law Chapter 31, Article 20-C, § 740, as amended, New York Executive Law, Article 15, § 296, et seq.
5. Venue is proper in this Court based upon Mr. Masak's residency within Erie County, Defendants have an office location and / or residence in Erie County, and a substantial part of the acts or omissions giving rise to Mr. Masak's claims occurred in Erie County.

PARTIES

6. At all relevant times, Plaintiff, Peter Masak ("Mr. Masak"), is a resident of the State of New York, Erie County.

7. At all relevant times, Defendant ECC is an entity that operates solely in Erie County in the State of New York.

8. At all relevant times, Defendant ECC operates a location at Orchard Park, New York.

9. Upon information and belief, Defendant ECC employs more than 100 employees.

10. At all relevant times, Roberta Schlehr was Plaintiff's supervisor and/or had supervisory authority over Mr. Masak.

11. Together, Defendant Schlehr and Defendant ECC will be referred to in this Complaint as "Defendants."

12. At all relevant times, Mr. Masak worked at Defendant ECC South Campus located at 4041 Southwestern Blvd, Orchard Park, New York 14127.

MATERIAL FACTS

12. Mr. Masak is male.

13. Mr. Masak is disabled and suffers from emotional disabilities exasperated by Schlehr and ECC that substantially limit his life activities and the quality of his life.

14. Mr. Masak uses an emotional support animal as part of the therapeutic treatment of his illness.

15. Mr. Masak worked for ECC for 21 years without incident.

16. Mr. Masak was promoted to department chair of the visual studies department on or about 2015.

17. From 2015 until his termination on or about August 12, 2022, Mr. Masak performed these duties with no performance problems.

18. During this period, Mr. Masak was harassed, belittled, mocked, and treated differently from his peer chairs, by colleagues at ECC.

19. Mr. Masak was subject to constant scrutiny and disparate treatment by Roberta Schlehr.

20. Mr. Masak was repeatedly denied by ECC Human Rights employees his contractual right to file a complaint.

21. Finally, in 2021, Mr. Masak filed a complaint with ECC Diversity and Equity.

22. ECC Diversity and Equity thoroughly investigated Mr. Masak's allegations and on March 28, 2022, Chief Diversity Officer Tracy Archie issued a letter to Mr. Masak with the finding that his allegations were founded and accurate and that indeed, he had been targeted by "Roberta Schlehr regarding allegations of harassment, creating a hostile environment, retaliation and making false accusations about you to other staff and students."

23. After this complaint, the day to day conditions of Mr. Masak's employment changed, because he was being singled out and systemically retailed against, in an effort to frame him as a poor worker, inept, or unreliable. Mr. Masak's work performance did not objectively change during that period.

24. Mr. Masak's unblemished 22-year track record demonstrates that Mr. Masak is proficient in his position and because he made no substantive changes to the way he performed his duties (in fact, he performed more duties as chair.)

25. During the period of investigation, Mr. Masak's department (Visual Studies), despite steady and sustained enrollment, was targeted for closure because of the faculty dynamics and "problems" it created for the administration.

26. Immediately proximate and following his complaint ECC forced Mr. Masak to retire, despite the fact that his department was healthy and sustained enrollment.

27. Mr. Masak states the claim that he is the victim of retaliation because of the discriminatory and retaliatory use of the performance review process, change in work duties, and termination that followed his legitimate complaints about years of of harassment at ECC.

28. Mr. Masak states the claim that he is the victim of discrimination on the basis of disability, because because of the discriminatory and retaliatory use of the performance review process, change in work duties, and termination that followed his disclosure of his disability to the management at ECC.

29. Mr. Masak states the claim that he is the victim of discrimination on the basis of sex, because because of the discriminatory and retaliatory use of the performance review process, change and increase in work duties, and termination that she was subjected to by the management of ECC, while other female counterparts were held to a different standard and treated differently with regard to their employment responsibilities and assessment and barred his access to the internal complaint process for years.

30. Mr. Masak states the claim that he is the victim of discrimination on the basis of failure to accommodate his disability, because because of the discriminatory and retaliatory use of the performance review process, change in work duties, and termination that followed his disclosure of his disability to the management at ECC.

FIRST CAUSE OF ACTION

Sex Discrimination in Violation of New York State Human Rights Law (Executive Law, Article 15), § 296(1)

13. Mr. Masak repeats each and every allegation set forth herein in the preceding paragraphs as though fully set forth herein.

14. Defendants' actions were willful and not done in good faith.

15. As a result of Defendants' conduct, Mr. Masak suffered great emotional harm.

16. Mr. Masak is, therefore, entitled to relief including but not limited to liquidated damages on equitable and injunctive relief, an award of compensatory damages, expenses, and attorneys' fees and costs in an amount to be determined at trial.

SECOND CAUSE OF ACTION

Disability Discrimination / Failure to Accommodate in Violation of New York State Human Rights Law (Executive Law, Article 15), § 296(1)

17. Mr. Masak repeats each and every allegation set forth herein in the preceding paragraphs as though fully set forth herein.

18. Defendants' actions were willful and not done in good faith.

19. As a result of Defendants' conduct, Mr. Masak suffered great emotional harm.

20. Mr. Masak is, therefore, entitled to relief including but not limited to liquidated damages on equitable and injunctive relief, an award of compensatory damages, expenses, and attorneys' fees and costs in an amount to be determined at trial.

THIRD CAUSE OF ACTION

Retaliation for Opposing Discrimination in Violation of New York State Human Rights Law (Executive Law, Article 15), § 296(1)

21. Mr. Masak repeats each and every allegation set forth herein in the preceding paragraphs as though fully set forth herein.

22. Defendants' actions were willful and not done in good faith.

23. As a result of Defendants' conduct, Mr. Masak suffered great emotional harm.

24. Mr. Masak is, therefore, entitled to relief including but not limited to liquidated damages on equitable and injunctive relief, an award of compensatory damages, expenses, and attorneys' fees and costs in an amount to be determined at trial.

FOURTH CAUSE OF ACTION

Constructive Discharge

25. Mr. Masak repeats each and every allegation set forth herein in the preceding paragraphs as though fully set forth herein.

26. A constructive discharge occurs when the employer, rather than acting directly, deliberately makes an employee's working conditions so intolerable that the employee is forced into an involuntary resignation.

27. Plaintiff was constructively discharged by Defendants by being harassed, barred from filing an internal complaint, being treated differently from other employees, and being subject to inappropriate comments, slander, and slurs by Defendant Schlehr.

28. Plaintiff has recited facts to support every element of a claim for constructive discharge.

29. Based on the forgoing, Plaintiff has stated a cause of action for constructive discharge against the defendants.

30. Defendants' actions were willful and not done in good faith.

31. As a result of Defendants' conduct, Mr. Masak suffered great emotional harm.

32. Mr. Masak is, therefore, entitled to relief including but not limited to liquidated damages on equitable and injunctive relief, an award of compensatory damages, expenses, and attorneys' fees and costs in an amount to be determined at trial.

INJURY AND DAMAGES

33. As a result of the acts and conduct complained herein, Mr. Masak suffered and will continue to suffer the loss of a salary, bonuses, benefits and other compensation which such employment entails, and out-of-pocket medical expenses. Mr. Masak has also suffered future pecuniary losses, emotional pain, suffering, inconvenience, and injury to his reputation, loss of enjoyment of life, and other non-pecuniary losses. Mr. Masak further experienced significant emotional and physical distress.

PRAYER FOR RELIEF

WHEREFORE, Mr. Masak respectfully requests a judgment against the Defendants:

a. Declaring that the Defendants engaged in unlawful employment practices prohibited by the New York Executive Law;

b. Awarding Mr. Masak economic damages;

c. Awarding Mr. Masak compensatory damages for mental, emotional and physical injury, distress, pain and suffering, and injury to his reputation in an amount to be proven;

d. Awarding Mr. Masak punitive damages;

e. Awarding Mr. Masak attorney's fees, costs, and expenses incurred in the prosecution of this action;

f. Awarding Mr. Masak such other and further relief that this Court may deem equitable, just and proper to remedy the Defendant's unlawful employment practices.

WHEREFORE, Mr. Masak demands judgment against Defendants, jointly and severally in an amount to be determined at trial plus interest, punitive damages, attorney's fees, costs, and disbursement of action, and for other such relief as this Court deems just and proper.

Dated: March 24, 2025
Buffalo, New York

LAW OFFICE OF LINDY KORN PLLC
Attorneys for Plaintiff Peter Masak

Lindy Korn, Esq.
535 Washington Street, Ninth Floor
Buffalo, New York 14203
(716) 856-5676
lkorn@lkorn-law.com

SUPREME COURT OF THE STATE OF NEW YORK
ERIE COUNTY

----------X

PETER MASAK,

Plaintiff,

--against--

VERIFICATION

Index No. _____

COUNTY OF ERIE, ERIE COMMUNITY COLLEGE, ROBERTA SCHLEHR *in her own personal capacity*

Defendant.

----------X

Peter Masak, under penalty of perjury, deposes and says:

I affirm this 24th day of March, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Plaintiff Masak have read the attached *Verified Complaint* captioned in this matter and find it to be true to my knowledge, except as to matters alleged upon information and belief, which Plaintiff Masak believe to be true.

Peter Masak

Sworn before me on this 24 day of March, 2025

Notary Public

ALBERT BITTERMAN
STATE OF NEW YORK
NOTARY PUBLIC
Qualified in Erie County
MY COMMISSION EXPIRES

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 21, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Wetzler, Katie as PNG of EJW, an Infant, v. City of Tonawanda and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Katie L. Wetzler 101 Pyle Court Tonawanda, New York 14150
Claimant's attorney:	Kelly Tripi, Esq. William Mattar, P.C. 6720 Main Street, Suite 100 Williamsville, NY 14221

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

This paper received at the
Erie County Attorney's Office
from Monique Gissing on
the 20 day of June, 2025
at 11:40 a.m./p.m.

Assistant County Attorney

IN THE MATTER OF THE CLAIM OF:

KATIE L. WETZLER AS P/N/G OF, infant, E.J.W.
101 Pyle Court
Tonawanda, NY 14150

Claimant,

-against-

NOTICE OF CLAIM

CITY OF TONAWANDA
Tonawanda City Hall
200 Niagara Street
Tonawanda, New York 14150, and

COUNTY OF ERIE
69 Delaware Avenue, Suite 300
Buffalo, New York 14202

Respondents.

PLEASE TAKE NOTICE that **KATIE L. WETZLER AS P/N/G , of infant, E.J.W.**. hereby makes claim against **CITY OF TONAWANDA and COUNTY OF ERIE (here in after "Respondents")** in support thereof Claimant alleges:

1. That the undersigned Claimant, KATIE L. WETZLER as p/n/g of infant, E.J.W., residing at 101 Pyle Court, Tonawanda, NY 14150, by and through her attorney, KELLY M. TRIPI, Esq., WILLIAM MATTAR, P.C. 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the CITY OF TONAWANDA and COUNTY OF ERIE, for personal injuries,

pain and suffering. general and special damages, medical expenses, and property damages sustained by her.

2. That said injuries were sustained by infant E.J.W. on April 28, 2025 at approximately 7:27 PM on that day when infant E.J.W. was operating an e-bike as she attempted to cross the street at the intersection of Fletcher Street and Main Street in the City of Tonawanda, County of Erie, State of New York, when suddenly and without warning infant E.J.W. was struck by a 2020 Infinity vehicle traveling northbound on Main Street. The 2020 Infinity vehicle was owned and operated by James Finsterbach. See police accident report attached hereto as **Exhibit A**.

3. Upon information and belief, the intersection of Fletcher Street and Main Street is controlled, operated, owned, maintained and/or designed by the City of Tonawanda.

4. Upon information and belief, the intersection of Fletcher Street and Main Street is controlled, operated, owned, maintained and/or designed by the County of Erie.

5. That the infant Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant, by Respondents, its servants, agents and/or or employees in creating a hazardous intersection and/or failing to keep the intersection safe for transit and/or failing to warn of hazards at the intersection, along with the other acts of negligence, carelessness and recklessness.

6. That the Respondents by and through their agents, servants and/or employees had actual and/or constructive notice that the aforementioned intersection is dangerous and unsafe for bicyclists and/or pedestrians based on the layout and design and lack of signage, they created the condition, and that Respondents failed to act in a timely manner to make said intersection safe.

7. That the Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant, KATIE WETZLER as p/n/g of infant, E.J.W., by CITY OF TONAWANDA and COUNTY OF ERIE, its servants, agents or employees in failing to make the aforementioned intersection safe; provide a safe roadway, highway and/or travel way; in failing to correct a known safety risk at the general location of the accident herein mentioned: in failing to adequately warn of the intersection; in failing to maintain and sign said roadway and intersection in a reasonably safe manner for users thereof; in failing to monitor and control the speed of vehicles traveling on and in the roads involved herein; along with the other acts of negligence, carelessness and recklessness.

8. That as a result of the foregoing, the Claimant, infant E.J.W., sustained very serious injuries, sustaining a traumatic brain injury, fractured skull, trauma, and other injuries. Some of these injuries will be of a permanent or indefinite duration, and Claimant, infant E.J.W., has and will, in the future be forced to expend sums of money for hospitals, doctors and other medical expenses.

9. That the said injuries were occasioned as a result of the negligence of the Respondents CITY OF TONAWANDA and COUNTY OF ERIE and through its agents, servants and employees and without any negligence on the part of the Claimant contributing thereto.

WHEREFORE, Claimant, **KATIE L. WETZLER AS P/N/G OF INFANT E.J.W.** requests that her claim be allowed and paid by the Respondents; and

PLEASE TAKE FURTHER NOTICE that unless said claim is paid and adjusted by the Respondents and each of them within thirty (30) days from the date of service of this Notice of Claim, said Claimant fully intends to commence an action in Supreme Court of the State of New York against the CITY OF TONAWANDA and COUNTY OF ERIE for a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest, costs and disbursements.

DATED: Williamsville, New York
June 24, 2025

Kelly Tripi Esq.
WILLIAM MATTAR, P.C.
Attorney for Claimant
Office and P.O. Address
6720 Main Street,Suite 100
Williamsville, NY 14221-5986
(716) 633-3535

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

KATIE WETZLER as p/n/g of infant E.J.W., being duly sworn, depose and say that she is the Claimant in this action; that she has read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged on information and belief, and that as to those matters they believe them to be true.

Katie Wetzler as p/n/g of infant E.J.W.

Sworn to before me this
24 day of June, 2025

Notary Public

KELLY TRIPI
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02TR0034089
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES FEBRUARY 24, 2027

Exhibit A

Page 1 of 5 Pages

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
[illegible]	[illegible]	[illegible]	MONDAY	19:30	2	1	0			☑ Yes ☐ No

VEHICLE 1	☑ VEHICLE 2 ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN
VEHICLE 1 - Driver License ID Number	VEHICLE 2 - Driver License ID Number: 141277184
State of Lic.	State of Lic.: NY
Driver Name - exactly as printed on license: [illegible]	Driver Name - exactly as printed on license: FINSTERBACH, JAMES
Address (Include Number and Street): [illegible]	Address (Include Number and Street): 202 RONCROFF DR
Apt. No	Apt. No
City or Town: TONAWANDA	City or Town: NORTH TONAWANDA
State: NY	State: NY
Zip Code: 14150	Zip Code: 14120
Date of Birth Month / Day / Year	Date of Birth Month: 4 / Day: 6 / Year: 1956
Sex	Sex: M
Unlicensed	Unlicensed: ☐
No. of Occupants	No. of Occupants: 02
Public Property Damaged	Public Property Damaged: ☐
Name - exactly as printed on registration	Name - exactly as printed on registration: FINSTERBACH, JAMES
Sex	Sex: M
Date of Birth Month / Day / Year	Date of Birth Month: 4 / Day: 6 / Year: 1956
Address (Include Number and Street)	Address (Include Number and Street): 202 RONCROFF DR
Apt. No	Apt. No
Haz Mat Code	Haz Mat Code: -
Released	Released: ☐
City or Town	City or Town: NORTH TONAWANDA
State	State: NY
Zip Code	Zip Code: 14120
Plate Number: [illegible]	Plate Number: AVE6228
State of Reg	State of Reg: NY
Vehicle Year & Make	Vehicle Year & Make: 2020 INFI
Vehicle Type: 3 [illegible]	Vehicle Type: 4DSD
Ins. Code	Ins. Code: 713
Ticket/Arrest Number(s)	Ticket/Arrest Number(s):
Violation Section(s)	Violation Section(s):

VEHICLE 1 Check if involved vehicle is:
- ☐ more than 95 inches wide,
- ☐ more than 34 feet long,
- ☐ operated with an overweight permit,
- ☐ operated with an overdimension permit.

VEHICLE 1 DAMAGE CODES

Box 1 - Point of Impact		1	2
Box 2 - Most Damage			
Enter up to three more damage codes	3	4	5

Vehicle By: Towed To

VEHICLE 2 Check if involved vehicle is:
- ☐ more than 95 inches wide,
- ☐ more than 34 feet long,
- ☐ operated with an overweight permit,
- ☐ operated with an overdimension permit.

VEHICLE 2 DAMAGE CODES

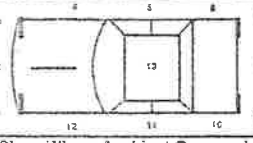
Box 1 - Point of Impact	1	12	2
Box 2 - Most Damage			
Enter up to three more damage codes	3	4	5

Vehicle By: WALTERS
Towed To: 200 NIAGARA ST

VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT.

14. UNDERCARRIAGE
15. TRAILER
16. OVERTURNED
17. DEMOLISHED
18. NO DAMAGE
19. OTHER



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear End 1	Left Turn 3	Right Angle	Right Turn 5	Head On 7
Sideswipe (same direction) 2	Left Turn 10	4	Right Turn 6	Sideswipe (opposite direction) 8

ACCIDENT DIAGRAM

See the last page of the MV-104A for the accident diagram.

9

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☑ Yes ☐ No

Reference Marker	Coordinates (if available)
	Latitude/Northing
	Longitude/Easting

Place Where Accident Occurred:

County: ERIE ☑ City ☐ Village ☐ Town of: TONAWANDA

Road on which accident occurred: FLETCHER (Route Number or Street Name)

at 1) intersecting street: MAIN (Route Number or Street Name)

or 2) ____ feet ____ miles ☐ N ☐ S ☐ E ☐ W of ____ (Milepost, Nearest intersecting Route Number or Street Name)

Accident Description/Officer's notes:

[illegible], driver of vehicle 2, was traveling northbound on Main Street. James had a steady green light as he proceeded through the intersection on Main at Fletcher. V1, an e-bike operated by Eliana [illegible], was traveling westbound on Fletcher Street, in the street. Eliana and [illegible], [illegible], were both on e-bikes traveling eastbound on Fletcher, with Eric in front of Eliana. Eric and Eliana did not have the green light, for

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY			
A	[illegible]	1	C	[illegible]	[illegible]	M	12	30	3	9993	1413	WILLIAMS, ELIANA J	
B	[illegible]	2	9	[illegible]	[illegible]	[illegible]	-	-	-			FINSTERBACH, JAMES	
C	[illegible]	3	4	[illegible]	67	F	-	-	-			FINSTERBACH, SHARON	
D													
E													
F													

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
OFFICER [illegible]	1002	07403			SCHULTZ, M	5/3/2020 16:11
Print Name in Full: [illegible]						

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
	26	2015	MONDAY	0927	2	1	0			☑ Yes ☐ No

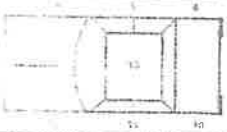
VEHICLE	VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN
VEHICLE - Driver License ID Number / State of Lic	VEHICLE - Driver License ID Number / State of Lic
Driver Name - exactly as printed on license	Driver Name - exactly as printed on license
Address (Include Number and Street) / Apt. No.	Address (Include Number and Street) / Apt. No.
City or Town / State / Zip Code	City or Town / State / Zip Code
Date of Birth Month Day Year / Sex / Lic. Licensed / No. of Occupants / Public Property Damaged	Date of Birth Month Day Year / Sex / Lic. Licensed / No. of Occupants / Public Property Damaged
Name - exactly as printed on registration / Sex / Date of Birth Month Day Year	Name - exactly as printed on registration / Sex / Date of Birth Month Day Year
Address (Include Number and Street) / Apt. No. / Reg. State / Released	Address (Include Number and Street) / Apt. No. / Reg. State / Released
City or Town / State / Zip Code	City or Town / State / Zip Code
Plate Number / State of Reg. / Commercial Vehicle / Vehicle Year / Vehicle Type	Plate Number / State of Reg. / Commercial Vehicle / Vehicle Year / Vehicle Type / Ins. Code
Ticket/Arrest Number(s)	Ticket/Arrest Number(s)
Violation Section(s)	Violation Section(s)

VEHICLE

Check if involved vehicle was:
- more than 95 inches wide
- more than 34 feet long
- operated with an overwidth permit
- operated with an overlength permit

VEHICLE DAMAGE
Box 1 - Point of Impact
Box 2 - Most Damage
Enter up to three more damage codes
Vehicle By:
Towed To:

VEHICLE DAMAGE CODING
1-13 SEE DIAGRAM ON RIGHT
14 UNDERCARRIAGE
15. TRAILER
16. OVERTURNED



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.



ACCIDENT DIAGRAM

9.

Cost of repairs to any one vehicle will be more than $1000
☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker

Accident Occurred:
☐ City ☐ Village ☐ Town of
(Route Number or Street Name)
(Route Number or Street Name)
☐ N ☐ S ☐ E ☐ W of
(Milepost, Nearest intersecting Route Number or Street Name)

Accident Description

[illegible] crossing the intersection, James did not see Eliana, and [illegible] James's vehicle. James immediately pulled over, and Eliana was unconscious [illegible] intersection. Eliana suffered from heavy internal and [illegible] complaints of pain. James had a front seat passenger as well, Sharon [illegible] any complaints of pain. There

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY
A										
B										
C										
D										
E										
F										

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
Print Name in Full [illegible]	[illegible]	[illegible]			SCHULTZ, K	5/3/2015 16:1[illegible]

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
1	0	[illegible]	[illegible]	[illegible]	2	1	0	☐ / ☐	☐	☑ Yes ☐ No

VEHICLE	VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN
2 VEHICLE - Driver License ID Number / State of Lic.	VEHICLE - Driver License ID Number / State of Lic.
Driver Name - exactly as printed on license	Driver Name - exactly as printed on license
Address (Include Number and Street) / Apt. No.	Address (Include Number and Street) / Apt. No.
3 City or Town / State / Zip Code	City or Town / State / Zip Code
Date of Birth Month Day Year / Sex / Injured / No. of Occupants / Public Property Damaged ☐	Date of Birth Month Day Year / Sex / Injured ☐ / No. of Occupants / Public Property Damaged ☐
4 Name - exactly as printed on operator's lic. / Sex / Date of Birth Month Day Year	Name - exactly as printed on registration / Sex / Date of Birth Month Day Year
Address (Include Number and Street) / Apt. No. / City / State / Zip Code / Released ☐	Address (Include Number and Street) / Apt. No. / City / State / Zip Code / Released ☐
5 City or Town / State / Zip Code	City or Town / State / Zip Code
Plate Number / State / Year / Type / Vehicle Type / Veh. Color	Plate Number / State / Year / Type / Vehicle Type / Veh. Color
Ticket/Arrest Number(s)	Ticket/Arrest Number(s)
6 Violation Section(s)	Violation Section(s)

VEHICLE

Check if involved vehicle is:
- more than 95 inches wide / Trailer
- more than 34 feet long / Tractor
- operated with an oversize permit / Overweight permit
- coupling with an overload permit / Combination permit
- Vehicle

7 Box 1 - Point of Impact
Box 2 - Most Damage
Enter up to three more damage codes
Vehicle By:
Towed To:

VEHICLE DAMAGE CODING

1-13 SEE DIAGRAM ON [illegible]
14. UNDERCARRIAGE
15. TRAILER
16. OVERTURNED

Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear End 1.	Left Turn 3.	Right Angle	Right Turn 5.	Head On 7.
Sideswipe (same direction) 2.	Left Turn 10.	4.	Right Turn 6.	Sideswipe (opposite direction) 8.

ACCIDENT DIAGRAM

9

Cost of repairs to any one vehicle will be more than $1000
☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker / Direction / Occurred:

☐ City ☐ Village ☐ Town of _____

Occurred _____ (Route Number or Street Name)

_____ (Route Number or Street Name)

N S E W of _____ (Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description/Diagram

[illegible] to the driver side front of VP. Witness Kristine [illegible] other eb/wb. Kristine stated the e-bike had the red light, [illegible] did not see the e-bike. Eric said Eliana and him did [illegible] stop [illegible] Fletcher or Main and Fletcher, and just crossed the street. [illegible] crosswalk crossing

ALL INVOLVED

	8	9	16	17 BY
A				
B				
C				
D				
E				
F				

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
Print Name in Full [illegible]	[illegible]	01403			SCHULTZ, N	5/3/2025 16:11

Page 4 of 6 Pages

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

SUPPLEMENT REPORT

Accident Date Month	Day	Year	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
1	28	2025	1512	2	1	0	☐ / ☐	☐	☑ Yes ☐ No

VEHICLE

☐ VEHICLE	☐ BICYCLIST	☐ PEDESTRIAN	☐ OTHER PEDESTRIAN

	VEHICLE - Driver	VEHICLE - Driver
2	License ID Number / State of Lic.	License ID Number / State of Lic.
	Driver Name - exactly as printed on license	Driver Name - exactly as printed on license
	Address (Include Number and Street) / Apt. No.	Address (Include Number and Street) / Apt. No.
3	City or Town / State / Zip Code	City or Town / State / Zip Code
	Date of Birth Month Day Year / Sex / Driver Injured / Number of Occupants / Public Property Damaged	Date of Birth Month Day Year / Sex / Driver Injured / Number of Occupants / Public Property Damaged
4	Name - exactly as printed on registration / Sex / Date of Birth Month Day Year	Name - exactly as printed on registration / Sex / Date of Birth Month Day Year
	Address (Include Number and Street) / Apt. No. / State / Zip Code / Released	Address (Include Number and Street) / Apt. No. / State / Zip Code / Released
5	City or Town / State / Zip Code	City or Town / State / Zip Code
	Plate Number / Plate Type / Year / Vehicle Type / Int. Code	Plate Number / Plate Type / Year / Vehicle Type / Int. Code
	Ticket/Arrest Number(s)	Ticket/Arrest Number(s)
6	Violation Section(s)	Violation Section(s)

VEHICLE

7	Check if vehicle is: ☐ more than 26 feet long ☐ more than 8 feet long ☐ operated with air brakes ☐ operated with air brakes ☐ VEHICLE
	Box 1 - Point of Impact
	Box 2 - Most Damage
	Enter up to three more damage codes
	Vehicle By:
	Towed To:

VEHICLE DAMAGE CODE

1-13 SEE DIAGRAM

14. UNDERC
15. TRAILER
16. OVERTUR



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear End 1	Left Turn 3	Right Angle	Right Turn 5	Head On 7
Sideswipe (same direction) 2	Left Turn 9		Right Turn 5	Sideswipe (opposite direction) 8

ACCIDENT DIAGRAM

9

Cost of repairs to any one vehicle will be more than $1000.

☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker

Location: ☐ City ☐ Village ☐ Town of

Direction from

(Route Number or Street Name)

(Route Number or Street Name)

N S E W of

(Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description

Signal [illegible] many cars coming. Witness Ethan Jacob stated he also [illegible] the e-bike ran into him. V2 was towed to Walter's [illegible] PSL is investigating the accident, and [illegible] P/ due to error messages). No UTTS issued. WITNESS #1 KRISTINA [illegible] NY 14150 (716) 247-3070

8 9 15 16 17 BY

ALL INVOLVED

A	
B	
C	
D	
E	
F	

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
Print Name in Full		[illegible]003			SCHULTZ, N	5/3/2025 16:11

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
					2	1	0			☑ Yes ☐ No

☐ VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN

	VEHICLE	
2	VEHICLE – Driver License ID Number / State of Lic.	VEHICLE – Driver License ID Number / State of Lic.
	Driver Name - exactly as printed on license	Driver Name - exactly as printed on license
	Address (Include Number and Street) / Apt. No.	Address (Include Number and Street) / Apt. No.
3	City or Town / State / Zip Code	City or Town / State / Zip Code
	Date of Birth Month Day Year / Sex / Injured / No. of Occupants / Public Property Damaged	Date of Birth Month Day Year / Sex / Injured / No. of Occupants / Public Property Damaged
4	Name - exactly as printed on license / Sex / Date of Birth Month Day Year	Name - exactly as printed on license / Sex / Date of Birth Month Day Year
	Address (Include Number and Street) / Apt. No. / City / State / Zip Code / Released	Address (Include Number and Street) / Apt. No. / City / State / Zip Code / Released
5	City or Town / State / Zip Code	City or Town / State / Zip Code
	Plate Number / State / Commercial Use / Vehicle Year / Vehicle Make / License Plate Type / Vehicle Type / No. Axles	Plate Number / State / Commercial Use / Vehicle Year / Vehicle Make / License Plate Type / Vehicle Type / No. Axles
	Ticket/Arrest Number(s)	Ticket/Arrest Number(s)
6	Violation Section(s)	Violation Section(s)

VEHICLE

Check if involved vehicle:
- ☐ more than 26 feet long
- ☐ more than 34 feet long
- ☐ operated with air brakes
- ☐ operated with hydraulic brakes

7 VEHICLE
Box 1 - Point of Impact
Box 2 - Most Damage
Enter up to three more damage codes
Vehicle Driveable
Towed

VEHICLE DAMAGE CODES
1-13 SEE DIAGRAM ON BACK
14. UNDERCARRIAGE
15. TRAILER
16. OVERTURN

Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear End 1	Left Turn 3	Right Angle 4	Right Turn 5	Head On 7
Sideswipe (same direction) 2	Left Turn 6		Right Turn 12	Sideswipe (opposite direction) 8

ACCIDENT DIAGRAM

9

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker

Occurred: ☐ City ☐ Village ☐ Town of _____

(Route Number or Street Name)

(Route Number or Street Name)

N S E W of

(Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description

[redacted], Penfield, NY 14527 (716) 253-7208 WITNESS #3 ERIC
[redacted], NY 14580 (716) 303-4171

ALL INVOLVED

	8	9	15	16	17 BY
A					
B					
C					
D					
E					
F					

Officer's Rank and Signature / Print Name in Full	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
		01103			SCHULTZ, N	5/3/2025 16:11

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes: 25-00552

RLCTW3K94559

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
4	28	2025	MONDAY	19:27	2	1	0	☐ / ☐	☐	☑ Yes ☐ No



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 28, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*McIlwain, Ramere v. County of Erie, et al.*
Document Received:	Notice of Claim
Name of Claimant:	Ramere McIlwain ICN 140812 c/o Erie County Holding Center 40 Delaware Avenue Buffalo, New York 14202
Claimant's attorney:	Robert M. Corp, Esq. Lipsitz Green Scime Cambria LLP 42 Delaware Avenue, Suite 120 Buffalo, New York 14202-3924

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

In the Matter of the Claim of
RAMERE MCILWAIN,

Claimant,

- against -

NOTICE OF CLAIM

ERIE COUNTY,
ERIE COUNTY SHERIFF'S OFFICE,
SHERIFF JOHN C. GARCIA, in his official and individual capacity as Sheriff of Erie County,
DEPUTY DREW,
DEPUTY STOCKMAN,
JOHN DOES #1-10,

Respondents.

This paper received at the
Erie County Attorney's Office
from John Maccarrick on
the 2 day of July, 2025
at 856 a.m./p.m.
Christopher J. Lipsitz
Assistant County Attorney

TO: ERIE COUNTY,
ERIE COUNTY SHERIFF'S OFFICE,
SHERIFF JOHN C. GARCIA,
DEPUTY DREW,
DEPUTY STOCKMAN,
JOHN DOES #1-10

PLEASE TAKE NOTICE, that RAMERE MCILWAIN, has and hereby makes claim against ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, SHERIFF JOHN C. GARCIA, DEPUTY DREW, DEPUTY STOCKMAN and JOHN DOES #1-10, and in support of said claim states the following:

1. The Post Office address of Claimant is 40 Delaware Avenue, Buffalo, New York 14202.

2. The attorneys for Claimant are LIPSITZ GREEN SCIME CAMBRIA LLP, and their Post Office address is 42 Delaware Avenue, Suite 120, Buffalo, New York 14202.

3. The claim on behalf of claimant, RAMERE MCILWAIN, is for civil rights violations and violations of claimant's state and federal constitutional and statutory rights, including but not limited to deliberate indifference, negligence, and the denial of adequate medical care, along with claims for punitive damages, attorneys' fees, and costs.

4. The claim arose at the Erie County Holding Center, located at 40 Delaware Avenue, in the City of Buffalo, County of Erie and State of New York.

5. The claim arose in substance as follows: the claimant had a "keep away" or "stay away" order against Emanuel Stokes due to known conflicts prior to his incarceration. Following a disciplinary issue while inside the Erie County Holding Center, Claimant was brought to the SHU/solitary in Delta Seg High side area of the prison. This was the same area where Emanuel Stokes was housed.

6. On or about the 7th day of April, 2025, during the evening hours, the claimant, RAMERE MCILWAIN, while under the care, custody and control of Respondents, at the aforesaid premises, was violently assaulted and cut across the face with a razor or shank by inmates Elijah Davis and Emanuel Stokes. This incident occurred due to the failure of the Respondents to separate inmates with known conflicts or protective orders; to adequately monitor inmate movements or communications; to timely act on violations of the "stay away" directive; to take reasonable measures to guarantee the health and safety of Claimant.

7. Medical records generated contemporaneously with the April 7, 2025 assault reflect that the incident involved a preexisting 'keep away' conflict and that claimant sustained a deep laceration requiring prompt intervention. Despite the known animosity between the involved individuals, Respondents failed to maintain adequate separation or supervision. Claimant's mental health records further document acute psychological harm and institutional responses insufficient

to mitigate foreseeable trauma. Respondents also failed to provide timely and proper medical treatment to Claimant after the attack. The denial and delay of medical care constituted deliberate indifference to a serious medical need in violation of the Eighth and/or Fourteenth Amendments and 42 U.S.C. § 1983. Respondents also acted negligently and unlawfully in their supervision, classification, and treatment of the claimant, and unconstitutionally deprived him of his liberty.

8. Upon information and belief, the incident herein described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, recklessness and/or unlawful conduct on the part of the agents, servants and/or employees of ERIE COUNTY and/or ERIE COUNTY SHERIFF'S OFFICE, including but not limited to SHERIFF JOHN C. GARCIA, DEPUTY DREW, DEPUTY STOCKMAN and JOHN DOES #1-10, and more particularly, among other things, in failing and omitting to separate inmates with known conflicts or protective orders; in failing and omitting to adequately monitor inmate movements or communications; in failing and omitting to act promptly to rectify the breach of the "stay away" order; failure to take reasonable measures to guarantee the health and safety of Claimant; in failing and omitting to ensure for and/or provide timely and proper medical treatment to RAMERE MCILWAIN, in failing or omitting to conduct welfare checks on a timely basis; in failing and omitting to timely and properly respond to the emergency; in failing and omitting to provide timely and adequate medical treatment; and in failing and omitting to properly train, supervise, and discipline staff in inmate safety and crisis protocols. Furthermore, the indents and resultant injuries and damages were caused by those acts and omissions of the agents, servants and/or employees of the Respondents, in their failure to properly and adequately train, supervise, instruct their employees, staff and/or police officer with regard to the proper and timely treatment of inmates with "stay away" orders; in the ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, SHERIFF JOHN

C. GARCIA, DEPUTY DREW, DEPUTY STOCKMAN and JOHN DOES #1-10's failure to respond to Claimant's crisis in an expeditious manner; and in violating Claimant's state and federal constitutional and statutory rights by failing to take reasonable measure to guarantee the safety of Claimant. These acts and omissions, collectively and individually, constituted violations of Claimant's constitutional and statutory rights and proximately caused his injuries.

9. Upon information and belief, further factual details concerning the circumstances of this incident (including surveillance footage, incident reports, grievance responses, staff assignments, and related records) have been improperly withheld by Respondents in violation of the New York Freedom of Information Law (FOIL). Claimant submitted a FOIL request, which was wrongfully denied in significant part. Accordingly, Claimant reserves the right to amend and supplement this Notice of Claim once relevant records are disclosed.

10. As a result of the foregoing, claimant sustained serious and permanent injuries, including but not limited to: a five-inch facial laceration extending from below the right ear to the cheek, involving deeper tissue damage near the auricle and requiring at least eight sutures; persistent swelling, dizziness, and neurological symptoms consistent with traumatic brain injury; acute stress reaction with onset of flashbacks, disturbed sleep, paranoia, and psychological trauma consistent with post-traumatic stress disorder (PTSD). Claimant was rendered sick, sore, lame, and disabled, and continues to suffer physical and psychological harm.

WHEREFORE, Claimant requests that ERIE COUNTY, ERIE COUNTY SHERIFF'S OFFICE, SHERIFF JOHN C. GARCIA, DEPUTY DREW, DEPUTY STOCKMAN and JOHN DOES #1-10, honor and pay the claims on behalf of RAMERE MCILWAIN.

DATED: Buffalo, New York
June 30, 2025.

Ramere McIlwain

RAMERE MCILWAIN

LIPSITZ GREEN SCIME CAMBRIA LLP

By: _____

ROBERT M. CORP, ESQ.
Attorneys for Claimant
Office and P.O. Address
42 Delaware Avenue, Suite 120
Buffalo, New York 14202-3924
(716) 849-1333

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

RAMERE MCILWAIN, being duly sworn deposes and says that he is the Claimant above named; and makes this Notice of Claim on behalf of self; he has read the foregoing Notice of Claim and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, he believes them to be true.

Ramere McIlwain
RAMERE MCILWAIN

Sworn to before me on this
30th day of June, 2025.

Robert Corp
Notary Public

ROBERT M. CORP
NO. 02CO6432876
Notary Public, State of New York
Qualified In Erie County
My Commission Expires May 24, 2026

JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

July 29, 2025

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with the Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*May, Lynn v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Lynn W. May 6137 Wildwood Drive Hamburg, New York 14075
Claimant's attorney:	Lisa A. Poch, Esq. Dan Chiacchia Attorneys, PLLC 5113 South Park Avenue Hamburg, New York 14075

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

In the Matter of the Claim of

LYNN W. MAY
6137 Wildwood Drive
Hamburg, New York 14075

Claimant,

v.

NOTICE OF CLAIM

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

Respondent.

TO: COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

PLEASE TAKE NOTICE, that LYNN W. MAY has a claim against the County of Erie, its officers, agents and/or employees, for damages incurred by the Claimant as a result of the negligence and/or recklessness of an officer, agent and/or employee of the Respondent in their operation of a motor vehicle, together with vicarious liability of the Respondent, as owner of the vehicle pursuant to Section 388 of the New York State Vehicle and Traffic Law.

1. The post office address of claimant is 6137 Wildwood Drive, Hamburg, New York 14075.

2. The name of the attorney for Claimant is DAN CHIACCHIA ATTORNEYS, PLLC, Lisa A. Poch, Esq., of counsel, whose post office address is 5113 South Park Avenue, Hamburg, New York, 14075, telephone number 716-412-0030.

3. On or about May 29, 2025 at around 12:43 in the afternoon , Claimant suffered serious and permanent bodily injuries when a motor vehicle owned by the Respondent, and operated by Erie County Sheriff's Office Deputy Piel, rear-ended the claimant's stopped vehicle, on Boston State Road near Leibler Road, in Boston, New York. Respondent, through its employee/agent, failed to exercise reasonable care while acting negligently and/or recklessly, and causing the motor vehicle accident. See MV-104A Accident Report attached hereto and made a part hereof as **Exhibit A**.

4. The Claimant will be claiming that the Respondent, through its officers, agents

and/or employees, was negligent, careless and/or reckless in the use, operation, management, and control of the County of Erie's vehicle. Respondent, and its employee/agent, had a duty to exercise ordinary care, and to operate the motor vehicle reasonably, prudently, and safely. Respondent breached this duty in one or more of the following ways: in failing to operate the motor vehicle in accordance with and pursuant to the rules of the road; operating the vehicle in a negligent and/or reckless manner; failing to keep a proper lookout; operating the vehicle in such a manner contrary to and in violation of codes, statutes, ordinances, rules, and regulations of the State of New York with no regard for the safety of others; failing to devote reasonable and adequate attention to the operation of the vehicle and observation of the road and other vehicles and traffic thereon; and/or otherwise acting in a negligent and/or reckless manner.

5. As a result of the negligence and/or recklessness of the Respondent, LYNN W. MAY sustained serious and permanent bodily injuries, and that by reason of the aforesaid negligence, carelessness and/or recklessness, the Claimant incurred damages in an amount to be determined after trial and/or after further analysis of the physical injuries and the costs of treating same. Said physical injuries include, but are not limited to, Claimant's knees, wrists and arms, as well as injury to her neck, back and head. Claimant remains disabled and in treatment for her injuries.

6. This notice is made and served on behalf of said Claimant in compliance with the provisions of Section 50-e of New York State General Municipal Law and such other laws and statutes as are in the case made and provided.

PLEASE TAKE FURTHER NOTICE, that the Claimant demands payment of said claim, and unless said claim is paid within a reasonable time, it is the intention of the Claimant to commence suit against Respondent.

Dated: July 17, 2025

Lynn W. May

Lynn W. May

Lisa A. Poch
DAN CHIACCHIA ATTORNEYS, PLLC
Attorneys for Claimant
5113 South Park Avenue
Hamburg, New York 14075
Telephone: (716) 412-0030

STATE OF NEW YORK)
COUNTY OF ERIE) SS:

Lynn W. May, being duly sworn, deposes and says:

1. That deponent is the Claimant in the within action.

2. That deponent has read the foregoing Notice of Claim and knows the contents thereto.

3. That the same is true to deponent's own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes them to be true.

Lynn W. May
Lynn M. May

Sworn to before me this
17th day of July, 2025

Notary Public

Tamara L. Zubricky
Notary Public, State of New York
Registration No. 01ZU4847316
Qualified in Erie County
Commission Expires Feb. 28, 2026

EXHIBIT A

EXHIBIT A

Page 1 of 3 Pages

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes: 25-050248 / RIECT3KDD5G4

☐ AMENDED REPORT

19: 9

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
5	29	2025	THURSDAY	12:43	2	2	0	☐ / ☐	☐	☑ Yes ☐ No

20: –

☑ VEHICLE 2 ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN

VEHICLE 1

VEHICLE 1- Driver License ID Number: 000000000 — State of Lic.: OT

Driver Name - exactly as printed on license: PIEL, DEPUTY

Address (Include Number and Street): 10 DELAWARE AVE — Apt. No.:

City or Town: BUFFALO — State: NY — Zip Code: 14202

Date of Birth Month	Day	Year	Sex	Unlicensed	No. of Occupants	Public Property Damaged
1	1	1900	F	☐	01	☐

Name - exactly as printed on registration: ERIE COUNTY SHERIFFS OFFI, — Sex: C — Date of Birth Month / Day / Year:

Address (Include Number and Street): 500 COMMERENCE DR — Apt. No.: — Haz. Mat. Code: – — Released: ☐

City or Town: AMHERST — State: NY — Zip Code: 14228

Plate Number	State of Reg.	Vehicle Year & Make	Vehicle Type	Ins. Code
228	NY	2024 FORD	SUBN	994

Ticket/Arrest Number(s):

Violation Section(s):

Check if involved vehicle is:
☐ more than 95 inches wide;
☐ more than 34 feet long;
☐ operated with an overweight permit;
☐ operated with an overdimension permit.

VEHICLE 1 DAMAGE CODES

Box 1 - Point of Impact	1: 2	2: 2
Box 2 - Most Damage		
Enter up to three more damage codes	3: 17	4:	5:

Vehicle By: TRANSIT TOWING
Towed To: BASIL FORD

VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT.

14. UNDERCARRIAGE 17. DEMOLISHED
15. TRAILER 18. NO DAMAGE
16. OVERTURNED 19. OTHER

VEHICLE 2

VEHICLE 2- Driver License ID Number: 835697153 — State of Lic.: NY

Driver Name - exactly as printed on license: MAY, LYNN W

Address (Include Number and Street): 6137 WILDWOOD DR — Apt. No.:

City or Town: HAMBURG — State: NY — Zip Code: 140750000

Date of Birth Month	Day	Year	Sex	Unlicensed	No. of Occupants	Public Property Damaged
3	31	1949	F	☐	01	☐

Name - exactly as printed on registration: MAY, LYNN W — Sex: F — Date of Birth Month / Day / Year: 3 / 31 / 1949

Address (Include Number and Street): 6137 WILDWOOD DR — Apt. No.: — Haz. Mat. Code: – — Released: ☐

City or Town: HAMBURG — State: NY — Zip Code: 14075

Plate Number	State of Reg.	Vehicle Year & Make	Vehicle Type	Ins. Code
GRAMMAY	NY	2018 CHEV	SUBN	240

Ticket/Arrest Number(s):

Violation Section(s):

Check if involved vehicle is:
☐ more than 95 inches wide;
☐ more than 34 feet long;
☐ operated with an overweight permit;
☐ operated with an overdimension permit.

VEHICLE 2 DAMAGE CODES

Box 1 - Point of Impact	1: 8	2: 8
Box 2 - Most Damage		
Enter up to three more damage codes	3: 9	4: 7	5:

Vehicle By: KOHLERS TOWING
Towed To: KOHLERS TOWING

Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.

Rear-End 1; Left Turn 3; Right Angle 4; Right Turn 5; Head On 7; Sideswipe (same direction) 2; Left Turn 9; Right Turn 6; Sideswipe (opposite direction) 8

ACCIDENT DIAGRAM

See the last page of the MV-104A for the accident diagram.

9.

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☑ Yes ☐ No

Reference Marker	Coordinates (if available) Latitude/Northing	Longitude/Easting
	4728964	193095

Place Where Accident Occurred:
County ERIE ☐ City ☐ Village ☑ Town of BOSTON
Road on which accident occurred: BOSTON STATE ROAD (Route Number or Street Name)
at 1) Intersecting street: LIEBLER ROAD (Route Number or Street Name)
or 2) ____ feet ____ miles ☐N ☐S ☐E ☐W of ____ (Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description/Officer's notes

On 5-29-2025 at or about 1243hrs both vehicles were eastbound on Boston State rd in the Town of Boston. Driver #1 states that as she was traveling eastbound she observed the uninvolved vehicle attempting to make a left turn out of the Boston town hall parking lot. Driver #1 states that as her focus shifted back to the roadway she observed V2 stopped in the roadway waiting to make a left turn onto Liebler Rd. Driver #1 states she was unable to

	8	9	10	11	12	13	14	15	16	17 BY		
A	1	1	A	1	125	F	08	12	6	9995	1405	PIEL, DEPUTY
B	2	1	4	1	76	F	11	12	6	9993	1416	MAY, LYNN W

Officer's Name (last, first, MI)	Badge/ID No.	NYSIC No.	Troop/Zone	Station	Reviewing Officer	Date/Time Reviewed
DEPUTY TIM CHRISTIAN	339	01400			BIEGASIEWICZ, SIMON	05/30/2025 13:54

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes: 25-050248 / R1ECT3KDD5G4

☐ AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
5	29	2025	THURSDAY	12:43	2	2	0	☐ / ☐	☐	☑ Yes ☐ No

VEHICLE	☐ VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN
VEHICLE - Driver License ID Number / State of Lic.	VEHICLE - Driver License ID Number / State of Lic.
Driver Name - exactly as printed on license	Driver Name - exactly as printed on license
Address (Include Number and Street) / Apt. No.	Address (Include Number and Street) / Apt. No.
City or Town / State / Zip Code	City or Town / State / Zip Code
Date of Birth Month Day Year / Sex / Unlicensed / No. of Occupants / Public Property Damaged	Date of Birth Month Day Year / Sex / Unlicensed / No. of Occupants / Public Property Damaged
Name - exactly as printed on registration / Sex / Date of Birth Month Day Year	Name - exactly as printed on registration / Sex / Date of Birth Month Day Year
Address (Include Number and Street) / Apt. No. / Haz. Mat. Code / Released	Address (Include Number and Street) / Apt. No. / Haz. Mat. Code / Released
City or Town / State / Zip Code	City or Town / State / Zip Code
Plate Number / State of Reg. / Vehicle Year & Make / Vehicle Type / Ins. Code	Plate Number / State of Reg. / Vehicle Year & Make / Vehicle Type / Ins. Code
Ticket/Arrest Number(s)	Ticket/Arrest Number(s)
Violation Section(s)	Violation Section(s)

VEHICLE

Check if involved vehicle is:
- ☐ more than 95 inches wide;
- ☐ more than 34 feet long;
- ☐ operated with an overweight permit;
- ☐ operated with an overdimension permit.

VEHICLE DAMAGE CODES

	1	2	3	4	5
Box 1 - Point of Impact					
Box 2 - Most Damage					
Enter up to three more damage codes					

Vehicle By:
Towed To:

VEHICLE

Check if involved vehicle is:
- ☐ more than 95 inches wide;
- ☐ more than 34 feet long;
- ☐ operated with an overweight permit;
- ☐ operated with an overdimension permit.

VEHICLE DAMAGE CODES

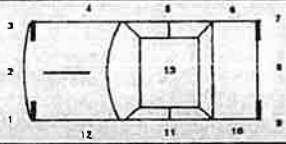
	1	2	3	4	5
Box 1 - Point of Impact					
Box 2 - Most Damage					
Enter up to three more damage codes					

Vehicle By:
Towed To:

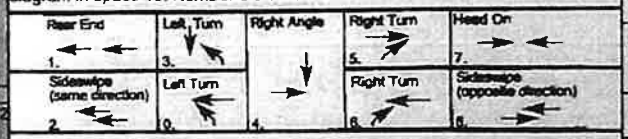
VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT.

14. UNDERCARRIAGE
15. TRAILER
16. OVERTURNED
17. DEMOLISHED
18. NO DAMAGE
19. OTHER



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.



ACCIDENT DIAGRAM

9.

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☐ Yes ☐ No

Reference Marker	Coordinates (if available)
	Latitude/Northing
	Longitude/Easting

Place Where Accident Occurred:

County ERIE ☐ City ☐ Village ☐ Town of

Road on which accident occurred (Route Number or Street Name)

at 1) Intersecting street (Route Number or Street Name)

or 2) feet miles ☐ N ☐ S ☐ E ☐ W of (Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description/Officer's notes

avoid the collision striking V2 from behind. Both drivers were transported to local hospitals for evaluation. Both vehicle towed from the scene due to damage. WITNESS #1 JULIE C DEBESO 6138 W TILLEN RD BOSTON, NY 14025 (716) 713-9884

ALL INVOLVED

8	9	10	11	12	13	14	15	16	17 BY
A									
B									
C									
D									
E									

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
DEPUTY	339	01400			BIEGASIENICZ, SIMON	05/30/2025 13:54
Print Name in Full: TIM CHRISTIAN						

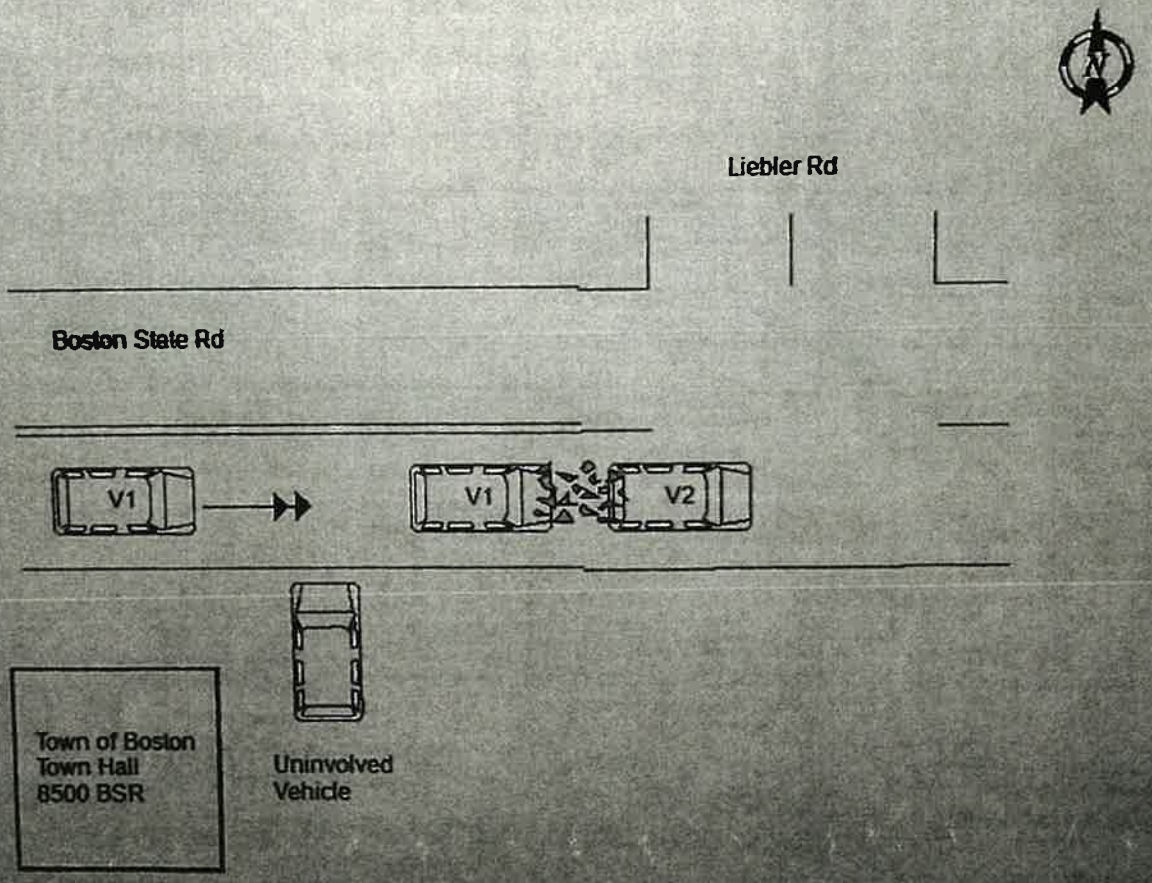
New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes	
25-050248	
R1ECT3KDD5G4	☐ AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene ☐ / Accident Reconstructed ☐	Left Scene ☐	Police Photos ☑ Yes ☐ No
5	29	2025	THURSDAY	12:43	2	2	0			



Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-7	DIRECTOR OF BUDGET & MANAGEMENT	June 2025 Budget Monitoring Report

Attachments

25COMM. 16D-7

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

August 21, 2025

Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

Re: June 2025 Budget Monitoring Report

Dear Honorable Members:

Please find attached the Budget Monitoring Report (BMR) for the period ending June 30, 2025. Additionally, please see the position vacancy report as of June 30, 2025.

The BMR shows that for the first six (6) months of 2025 the County has a $23,840,390 positive variance and can be attributed to several key factors.

First, sales tax growth has increased on the heels of strong June receipts (6.11% or $3.1 million growth versus June 2024), with overall growth at 5.13% or $15.2 million versus the same period of 2024. This has also resulted in a positive budget variance of $9.3 million, which is a significant contributor to our overall positive variance for June 2025.

Of specific note, the payments the County received in August (partially related to June and relative to this BMR; partially relative to July and will be relative to the next monthly BMR) demonstrated the largest growth outside of a quarterly reconciliation period in more than 2 years. While it is difficult to know what is responsible for these particularly positive payments, it seems reasonable to surmise that the pretty significant rise in utility costs and a consumer spending bubble in advance of the onset of tariff price increases that have both been discussed in the media are contributing factors. It is my assumption that these payments are more of an outlier than a trend and that we are likely to return to the most modest 1-3% going forward.

As always, we will continue to closely monitor sales tax receipts for trends, and we will be especially interested in the upcoming September 6th and 12th payments which will be the last points of data available in advance of preparing the 2026 Proposed Erie County Budget.

Also, on the positive, Interest Earnings revenue shows a positive variance of over $5.4 million for the period and, as projected last month, has exceeded our annual budgeted amount of $10 million (current actuals of $10.4 million) halfway through the year. While we should expect Interest Earnings to continue to be a significant source of overall positive variance within the 2025 Adopted Budget, reduced cash available for investments as appropriated funds are expended coupled with reduced interest rates will reduce overall earnings compared to the past few years. At this point, we should expect an overall surplus at year-end in the $9-11 million range whereas we ended 2024 with nearly double the surplus at $17.1 million.

A new contributing factor that was alluded to in the May BMR, is the receipt of $5.3 million related to the 6.2% eFMAP credit the County should have (but did not) receive as part of several early 2020 inter-governmental transfer (IGT) payments made to Erie County Medical Center.

Additionally, the County has realized $3.1 million in county-share savings for the period on total personnel related costs which can be mostly attributed to vacancy savings. I will note that this reduced $1.3 million (from $4.4 million) last month is primarily a result of a significant month-over-month increase in excess overtime. Specifically, the overtime related negative variance grew by approximately $430,000 each month before growing by $735,000 between May and June.

The now more than $2.3 million negative variance through June is almost exclusively within the Sheriff's Office. Specifically, the Sheriff's Police Services Division has expended nearly 72% (or $4.3 million) of its $6 million budget and the Jail Management Division has expended nearly 58% (or $6.9 million) of its $12 million budget at the halfway point of the year.

Other notable departments demonstrating negative overtime trends through June include: Clerk's Auto Bureau by $139,174, Health Division by $72,989, Youth Detention by $62,278, Emergency Medical Services Division by $57,771, Buildings & Grounds by $42,200, Probation by $39,563 and Clerk's Registrar by $30,127.

Additionally, as a result of the Legislature's removal of the Clerk's Office Budget Book Resolution seeking certification of $1.6 million in expenses related to the collection of mortgage tax required by New York State, the County is unable to withhold any revenues for its own purposes and must, instead, remit all collections to the NFTA, SONYMA and the various local municipalities proportionately. Despite the Legislature, subsequently, adopting INTRO 5-8 (2025), which certified $672,302 in mortgage tax collection expenses and thus allowing for the retention of a like amount, the Clerk's Office has, thus far, declined to withhold any mortgage tax revenues, which would result in a year-end negative variance of $1.6 million.

I think it is also important to note that despite the early positive variance, we continue to be concerned about the potential costs associated with further federal aid cuts including those as part of the Concurrent Resolution on the Budget for FY25 (House Concurrent Resolution 14 or the "One Big Beautiful Bill Act") signed into law earlier this month.

The loss of federal funding and programmatic cost shifts to NYS for Medicaid included in this legislation are estimated to be at least $13.5 billion annually and will result in at least 1.5 million New Yorkers' losing health insurance. While the specific impacts of these cuts to Erie County are not able to be quantified at this point because they will be entirely dependent on state actions, it is reasonable to assume that a significant portion of the costs will be shifted to the counties.

As a result of changes made in the reconciliation process, we now believe that the most significant impacts of this law will likely be realized beginning in the second half of 2026. In the meantime, we will continue to work communicate with our various county advocacy organizations such as NACO and NYSAC to better understand both the magnitude and timing of potential impacts as we begin preparing our 2026 budget.

As always, I am available to attend a meeting of your Honorable Body's Finance and Management Committee to report on the June BMR or any other fiscal matters.

Sincerely,

Mark Cornell
Director of Budget and Management

cc: County Executive Mark C. Poloncarz
Erie County Fiscal Stability Authority

ERIE COUNTY

January-June 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed
Revenue							
Property Tax	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%
Property Tax Related	(18,152,176)	(5,665,819)	(4,880,918)	(784,901)	86%	(13,271,258)	27%
Sales Tax	(625,895,246)	(300,607,745)	(309,912,393)	9,304,649	103%	(315,982,853)	50%
Sales Tax to Local Govt.	(432,451,271)	(207,690,320)	(214,118,956)	6,428,637	103%	(218,332,315)	50%
Other Sources	(58,846,555)	(32,845,557)	(41,668,341)	8,822,783	127%	(17,178,214)	71%
Fees, Fines or Charges	(37,173,152)	(22,904,438)	(24,264,769)	1,360,332	106%	(12,908,383)	65%
Local Source Revenue	**(1,484,369,961)**	**(881,565,439)**	**(906,696,939)**	**25,131,500**	**103%**	**(577,673,022)**	**61%**
Federal Revenue	**(247,755,336)**	**(128,301,576)**	**(126,444,964)**	**(1,856,612)**	**99%**	**(121,310,372)**	**51%**
State Revenue	**(251,721,542)**	**(124,727,416)**	**(124,974,060)**	**246,644**	**100%**	**(126,747,482)**	**50%**
Interfund Revenue	**(5,801,385)**	**(5,321,044)**	**(5,321,044)**	**0**	**100%**	**(480,341)**	**92%**
County Revenue	**(1,989,648,224)**	**(1,139,915,474)**	**(1,163,437,006)**	**23,521,532**	**102%**	**(826,211,217)**	**58%**
Expenses							
Salaries	312,590,988	149,144,016	138,504,041	10,639,975	93%	174,086,947	44%
Non-Salaries	38,855,922	18,774,719	20,793,632	(2,018,913)	111%	18,062,291	54%
Countywide Adjustments	(9,737,060)	(5,541,382)	0	(5,541,382)	0%	(9,737,060)	0%
Personnel Related Expense	**341,709,850**	**162,377,353**	**159,297,672**	**3,079,681**	**98%**	**182,412,178**	**47%**
Fringe Benefit Total	**174,413,833**	**76,761,321**	**69,227,811**	**7,533,510**	**90%**	**105,186,022**	**40%**
Supplies and Repairs	15,217,366	6,479,549	4,481,103	1,998,446	69%	10,736,263	29%
Other	43,164,078	19,024,218	17,597,164	1,427,054	92%	25,566,914	41%
Contractual	776,947,109	356,876,663	362,616,240	(5,739,578)	102%	414,330,869	47%
Equipment	8,106,256	2,241,540	2,241,540	0	100%	5,864,716	28%
Allocations	117,437,416	35,718,026	35,802,199	(84,173)	100%	81,635,217	30%
Program Specific	649,161,421	300,606,565	308,502,647	(7,896,082)	103%	340,658,775	48%
Debt Services	45,015,517	13,581,898	13,581,898	0	100%	31,433,620	30%
All Other Operating Expense	**1,655,049,163**	**734,528,458**	**744,822,790**	**(10,294,332)**	**101%**	**910,226,372**	**45%**
County Expense	**2,171,172,846**	**973,667,132**	**973,348,274**	**318,858**	**100%**	**1,197,824,572**	**45%**
Net	**181,524,622**	**(166,248,342)**	**(190,088,732)**	**23,840,390**		**371,613,354**	

Note on the BMR:

The BMR helps the Budget Office identify, understand and resolve financial issues that may emerge during the year. The positive period variance indicated should not be interpreted as a projection of a year-end positive balance

ERIE COUNTY

January-June 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
Revenue								
400000 Real Property Taxes	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%	
Property Tax	(311,851,561)	(311,851,561)	(311,851,561)	(0)	100%	(0)	100%	
400010 Exemption Removal	(825,000)	(824,110)	(819,142)	(4,968)	99%	(5,858)	99%	
400030 Gn/Sale-Tax Acq Prop	(10,000)	(890)	(890)	0	100%	(9,110)	9%	
400040 Other Pay/Lieu-Tax	(4,800,000)	(4,680,936)	(3,857,476)	(823,460)	82%	(942,524)	80%	
400050 Int&Pen on R P Taxes	(18,488,389)	(368,931)	(368,931)	0	100%	(18,119,458)	2%	
400060 Omitted Taxes	(3,000)	(3,000)	(46,527)	43,527	1551%	43,527	1551%	
466060 Prop Tax Rev Adjust	5,974,213	212,048	212,048	(0)	100%	5,762,165	4%	
Property Tax Related	(18,152,176)	(5,665,819)	(4,880,918)	(784,901)	86%	(13,271,258)	27%	
402000 Sales Tax EC Purp	(236,000,098)	(113,341,907)	(116,850,184)	3,508,277	103%	(119,149,914)	50%	County Share of sales tax is showing a positive budget variance of $9.3M and 5.13% year-to-date growth versus 2024.
402100 1% Sales Tax-EC Purp	(222,830,950)	(107,011,074)	(110,323,379)	3,312,305	103%	(112,507,571)	50%	
402120 .25% Sales Tax	(55,688,066)	(26,751,588)	(27,579,610)	828,022	103%	(28,108,456)	50%	
402130 .5% Sales Tax	(111,376,132)	(53,503,175)	(55,159,220)	1,656,045	103%	(56,216,912)	50%	
Sales Tax	(625,895,246)	(300,607,745)	(309,912,393)	9,304,649	103%	(315,982,853)	50%	
402140 Sales Tax to Loc Gov	(432,451,271)	(207,690,320)	(214,118,956)	6,428,637	103%	(218,332,315)	50%	
Sales Tax to Local Govt.	(432,451,271)	(207,690,320)	(214,118,956)	6,428,637	103%	(218,332,315)	50%	
402300 Hotel Occupancy Tax	(14,300,000)	(6,137,777)	(6,137,777)	0	100%	(8,162,223)	43%	Per LL Intro 3-1 (2023) all Hotel Occupancy Tax positive variance will be remitted to Visit Buffalo Niagara and will not contribute to any projected surplus.
402500 OTB Betting & Gaming	(2,310,000)	(1,634,792)	(1,250,274)	(384,518)	76%	(1,059,726)	54%	
402510 Video Lottery Aid	(288,560)	(288,560)	(288,560)	0	100%	0	100%	
402610 Medical Marj Exc Tax	(160,000)	(80,000)	(29,375)	(50,625)	37%	(130,625)	18%	
402620 Tax-Cannabis	(370,000)	(185,000)	(204,108)	19,108	110%	(165,892)	55%	
415010 Post Mortem Toxicol	(75,000)	(37,500)	(29,706)	(7,794)	79%	(45,294)	40%	
415100 Real Property Trans	(239,447)	(119,724)	(92,547)	(27,177)	77%	(146,900)	39%	Legislature removed Clerk budget resolution seeking certification of expenses related to the collection of Mortgage Tax required by NYS in advance of withholding. It is currently expected that the Clerk will withhold $0, resulting in a $1.6M negative variance, remitting all to NFTA, SONYMA and Local Municipalities
415160 Mortgage Tax	(1,577,535)	(788,768)	0	(788,768)	0%	(1,577,535)	0%	
415360 Legal Settlements	(737,393)	(1,065)	(1,065)	0	100%	(736,328)	0%	
415500 Prisoner Transport	(25,200)	(12,600)	(8,182)	(4,418)	65%	(17,018)	32%	
415620 Commissary Reimb	(199,106)	(99,553)	(99,553)	(0)	100%	(99,553)	50%	
415622 Jail Phone Revenue	(238,000)	(119,000)	0	(119,000)	0%	(238,000)	0%	
416570 Post Exposure Rabies	(133,048)	(66,524)	(66,524)	0	100%	(66,524)	50%	
417200 Day Care Repay Recov	(122,919)	(61,460)	(62,594)	1,135	102%	(60,325)	51%	
417500 Repay Em Ast/Adults	(330,393)	(165,197)	(160,215)	(4,982)	97%	(170,178)	48%	
417510 Repay Medical Asst	(2,116,031)	(1,058,016)	(188,700)	(869,315)	18%	(1,927,331)	9%	
417520 Repay-Family Assist	(238,438)	(119,219)	(142,271)	23,052	119%	(96,167)	60%	
417530 Repay-Foster Care/Ad	(1,120,890)	(560,445)	(632,883)	72,438	113%	(488,007)	56%	
417550 Repay-SafetyNetAsst	(4,692,614)	(2,346,307)	(2,763,815)	417,508	118%	(1,928,799)	59%	
417560 Repay-Serv For Recip	(15,525)	(7,763)	(2,860)	(4,903)	37%	(12,665)	18%	
417570 SNAP Fraud Incentives	(41,181)	(20,591)	(16,771)	(3,819)	81%	(24,410)	41%	
417580 Repaymts-Handi Child	(100,544)	(50,272)	(51,431)	1,159	102%	(49,113)	51%	
418025 Recov-SafetyNet Bur	0	0	(11,440)	11,440	0%	11,440	0%	
418030 Repayments-IV D Adm	(4,089,023)	(2,044,512)	(2,339,497)	294,986	114%	(1,749,526)	57%	
418110 Comm Coll Respreads	(9,026,388)	(9,026,388)	(9,026,388)	0	100%	(0)	100%	

ERIE COUNTY

January-June 2025 Budget Monitoring Report (BMR)

Summary by Account Type

Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
418130 Comm Coll Reimb	(73,176)	(36,588)	(32,388)	(4,200)	89%	(40,788)	44%	
418410 OCSE Medical Payments	(1,091,028)	(545,514)	(467,152)	(78,362)	86%	(623,876)	43%	
418430 Donated Funds	(730,000)	(365,000)	(193,500)	(171,500)	53%	(536,500)	27%	
420020 ECC Cap Cons-Otr Gvt	(95,000)	(95,000)	(95,000)	0	100%	0	100%	
420499 OthLocal Source Rev	(132,494)	(70,997)	(66,247)	(4,750)	93%	(66,247)	50%	
420500 Rent-Rl Prop-Concess	(33,500)	(16,750)	(21,275)	4,525	127%	(12,225)	64%	
420520 Rent-Rl Prop-Rtw-Eas	(1,200)	(600)	(628)	28	105%	(572)	52%	
420540 Rent - 608 William	0	0	(24,885)	24,885	0%	24,885	0%	
420550 Rent-663 Kensington	(14,292)	(7,146)	(7,146)	0	100%	(7,146)	50%	
420560 Rent-1500 Broadway	(258,565)	(129,283)	(85,131)	(44,151)	66%	(173,434)	33%	
421550 Forft Crime Proceed	(61,905)	(49,405)	(86,686)	37,281	175%	24,781	140%	Insurance recovery related to prosecuted theft of revenues by former Clerk's Office employee
422000 Copies	(8,100)	(4,050)	(5,327)	1,277	132%	(2,773)	66%	
422020 Insurance Recovery	0	0	(295,159)	295,159	0%	295,159	0%	
422040 Gas Well Drill Rents	(1,500)	(750)	(500)	(250)	67%	(1,000)	33%	
422050 E-Payable Rebates	0	0	(1,428)	1,428	0%	1,428	0%	6.2% eFMAP credit the County receive as part of several early 2020 IGT payments made to ECMC.
423000 Refunds P/Y Expend	(176,000)	(58,833)	(5,314,721)	5,255,888	9034%	5,138,721	3020%	
445000 Recovery Int - SID	(190,239)	(95,120)	(109,633)	14,514	115%	(80,606)	58%	
445030 Int & Earn - Gen Inv	(8,008,000)	(4,004,000)	(9,286,317)	5,282,317	232%	1,278,317	116%	Through 50% of the year, interest earnings stand at $10.5M and have exceeded the YTD budget by $5.4M.
445040 Int & Earn-3rd Party	(2,000,000)	(1,000,000)	(1,165,387)	165,387	117%	(834,613)	58%	
466000 Misc Receipts	(409,650)	(204,825)	(100,452)	(104,373)	49%	(309,198)	25%	
466020 Minor Sale - Other	(20,500)	(10,250)	(3,026)	(7,224)	30%	(17,474)	15%	
466070 Refunds P/Y Expenses	(1,158,124)	(579,062)	(306,209)	(272,853)	53%	(851,915)	26%	
466120 Other Misc DISS Rev	(3,400)	(1,700)	(2,124)	424	125%	(1,276)	62%	
466130 Oth Unclass Rev	0	0	(16,593)	16,593	0%	16,593	0%	
466150 Chlamydia Study Forms	(8,000)	(4,000)	(3,024)	(976)	76%	(4,976)	38%	
466180 Uranticip P/Y Rev	0	0	308,690	(308,690)	0%	(308,690)	0%	
466260 Intercept-LocalShare	(144,044)	(72,022)	(63,211)	(8,811)	88%	(80,833)	44%	
466280 Local Srce - ECMCC	(20,000)	(10,000)	(11,419)	1,419	114%	(8,581)	57%	
466360 Stadium Reimbursement	(900,000)	(75,000)	(350,187)	275,187	467%	(549,814)	39%	
466370 Key Bnk Ctr Reimb	(420,000)	(210,000)	(210,000)	0	100%	(210,000)	50%	
467000 Misc Depart Income	(8,903)	(4,452)	(1,858)	(2,593)	42%	(7,045)	21%	
479100 Other Contributions	(10,000)	(3,333)	0	(3,333)	0%	(10,000)	0%	Through 50% of the year, the County has achieved 71% of the annual Other Sources revenue budget.
480020 Sale-Excess Material	(292,700)	(146,350)	(27,667)	(118,683)	19%	(265,033)	9%	
480030 Recycling Revenue	(29,000)	(14,500)	(16,213)	1,713	112%	(12,787)	56%	
Other Sources	(58,846,555)	(32,845,557)	(41,668,341)	8,822,783	127%	(17,178,214)	71%	
406610 STD Clinic Fees	(222,470)	(111,235)	(112,074)	839	101%	(110,396)	50%	
415000 Medical Exam Fees	(802,875)	(401,438)	(275,970)	(125,468)	69%	(526,905)	34%	
415050 Treasurer Fees	(125,000)	(62,500)	(46,138)	(16,362)	74%	(78,862)	37%	
415105 Passport Fees	(100,000)	(50,000)	(46,200)	(3,800)	92%	(53,800)	46%	
415110 Court Fees	(387,193)	(193,597)	(240,549)	46,953	124%	(146,644)	62%	
415120 Small Claims AR Fees	(1,328)	(664)	(225)	(439)	34%	(1,103)	17%	
415130 Auto Fees	(6,405,783)	(3,202,892)	(3,273,897)	71,006	102%	(3,131,886)	51%	

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Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
415140 Comm of Educ Fees	(135,936)	(67,968)	(49,196)	(18,772)	72%	(86,740)	36%	
415150 Recording Fees	(4,725,000)	(2,362,500)	(2,589,172)	226,672	110%	(2,135,828)	55%	
415180 Vehicle Use Tax	(6,295,202)	(3,147,601)	(3,078,842)	(68,759)	98%	(3,216,360)	49%	
415185 E-Z Pass Tag Sales	0	0	(775)	775	0%	775	0%	
415200 Civil Serv Exam Fees	(40,000)	0	0	0	0%	(40,000)	0%	
415510 C vil Proc Fees-Sher	(1,105,000)	(552,500)	(518,915)	(33,585)	94%	(586,085)	47%	
415520 Sheriff Fees	(45,000)	(22,500)	(16,754)	(5,746)	74%	(28,246)	37%	
415600 Inmate Discip Surch	(17,500)	(8,750)	(12,711)	3,961	145%	(4,789)	73%	
415605 Drug Testing Charge	(25,000)	(12,500)	(15,354)	2,854	123%	(9,646)	61%	
415610 Restitution Surcharge	(15,000)	(7,500)	(5,426)	(2,074)	72%	(9,574)	36%	
415630 Bail Fee-Alt / Incar	(4,500)	(2,250)	(748,625)	746,375	33272%	744,125	16636%	
415640 Probation Fees	(400,000)	(200,000)	(206,160)	6,160	103%	(193,840)	52%	
415650 DWI Program	(982,802)	0	0	0	0%	(982,802)	0%	
415670 Elec Monitoring Ch	(9,000)	(4,500)	(5,727)	1,227	127%	(3,273)	64%	
415675 Comm Engagement Serv	(69,720)	(34,860)	(26,948)	(7,912)	77%	(42,772)	39%	
415680 Pmt-Home Care Review	(4,000)	(2,000)	(7)	(1,993)	0%	(3,993)	0%	
416020 Comm Sanitat & Food	(1,175,000)	(587,500)	(580,712)	(6,788)	99%	(594,288)	49%	
416030 Realty Subdivisions	(12,000)	(6,000)	(5,300)	(700)	88%	(6,700)	44%	
416040 Individ Sewr Sys Opt	(725,000)	(362,500)	(261,894)	(100,606)	72%	(463,106)	36%	
416090 Pen & Fines-Health	(20,000)	(10,000)	(41,961)	31,961	420%	21,961	210%	
416150 PFD Tests	(8,580)	(4,290)	(100)	(4,190)	2%	(8,480)	1%	
416160 TB Outreach	(47,380)	(23,690)	(19,785)	(3,905)	84%	(27,595)	42%	
416190 ImmunizationsService	(8,283)	(4,142)	(4,473)	331	108%	(3,810)	54%	
416580 Training Course Fees	(63,910)	(31,955)	(107,550)	75,595	337%	43,640	168%	
416610 Pub Health Lab Fees	(381,000)	(190,500)	(152,745)	(37,755)	80%	(228,255)	40%	
416920 Medicd-Early Interve	(225,250)	(112,625)	(112,499)	(126)	100%	(112,751)	50%	
416930 Ambulance Services	(375,000)	(187,500)	(467,563)	280,063	249%	92,563	125%	
418040 Inspec Fee Wght/Meas	(145,546)	(72,773)	(89,933)	17,160	124%	(55,613)	62%	
418050 Item Price Waivr Fee	(201,000)	(100,500)	(215,375)	114,875	214%	14,375	107%	
418400 Subpoena Fees	(8,517)	(4,259)	(5,678)	1,419	133%	(2,839)	67%	
418500 Park & Rec Chgs-Camp	(220,000)	(154,212)	(164,825)	10,613	107%	(55,175)	75%	
418510 Park & Rec Chgs-Shel	(505,000)	(398,213)	(403,925)	5,712	101%	(101,075)	80%	
418520 Chgs-Park Emp Subsis	(16,200)	(8,100)	(7,040)	(1,060)	87%	(9,160)	43%	
418530 Golf Chg-Other Fees	(360,000)	(143,548)	(110,876)	(32,672)	77%	(249,124)	31%	
418540 Golf Chg-Greens Fees	(795,000)	(529,509)	(581,578)	52,069	110%	(213,422)	73%	
418550 Sale of Forest Prod	(9,500)	(4,750)	(4,948)	198	104%	(4,552)	52%	
418590 Spec Events Receipts	(3,000)	(1,500)	(3,025)	1,525	202%	25	101%	
420000 Tx&Assm Svs-Oth Govt	(180,000)	(180,000)	(177,985)	(2,015)	99%	(2,015)	99%	Board of Elections Chargebacks are recorded in full in January
420010 Elec Exp Other Govt	(8,907,562)	(8,907,562)	(8,907,562)	0	100%	0	100%	
420030 Police Svcs-Oth Gvt	(307,550)	(153,775)	(154,315)	540	100%	(153,235)	50%	
420040 Jail Facil - Oth Gov	0	0	(238,250)	238,250	0%	238,250	0%	
420190 Gen Svc-Oth Gov	(960)	(480)	(480)	0	100%	(480)	50%	

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Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
420271 CESQG Charges	(87,500)	(43,750)	0	(43,750)	0%	(87,500)	0%	
421000 Pistol Permits	(236,927)	(118,464)	(81,123)	(37,341)	68%	(155,804)	34%	
421500 Fines&Forfeited Bail	(9,000)	(4,500)	(4,390)	(110)	98%	(4,610)	49%	
421510 Fines and Penalties	(2,238)	(1,119)	(3,660)	2,541	327%	1,422	164%	After 50% of the year, the County has achieved 54% of all other (minus BOE Chargebacks) annual Fees, Fines, or Charges revenue budget.
466010 NSF Check Fees	(2,940)	(1,470)	(2,411)	941	164%	(529)	82%	
466190 Item Pricing Penalty	(200,000)	(100,000)	(79,170)	(20,830)	79%	(120,830)	40%	
466340 STOPDWI VIP Prs Fees	(15,000)	(7,500)	(3,975)	(3,525)	53%	(11,025)	27%	
Fees, Fines or Charges	(37,173,152)	(22,904,438)	(24,264,769)	1,360,332	106%	(12,908,383)	65%	
Local Source Revenue	**(1,484,369,961)**	**(881,565,439)**	**(906,696,939)**	**25,131,500**	**103%**	**(577,673,022)**	**61%**	
405570 ME 50% Fed Presch	(4,458,750)	(2,229,375)	(2,240,460)	11,085	100%	(2,218,290)	50%	
410070 FA-IV-B Preventive	(1,241,284)	(620,642)	(581,858)	(38,784)	94%	(659,426)	47%	
410080 FA-Admin Chargeback	1,835,629	917,815	917,815	(1)	100%	917,814	50%	
410120 FA-SNAP ET 100%	(338,786)	(169,393)	(173,541)	4,148	102%	(165,245)	51%	
410150 SSA-SSI Pri Inc Prg	(29,000)	(14,500)	(12,600)	(1,900)	87%	(16,400)	43%	
410240 HUD Rev D14.267 CoC	(7,066,371)	(3,505,020)	(3,321,665)	(183,355)	95%	(3,744,706)	47%	
410500 FA-Civil Defense	(340,921)	(170,461)	(170,461)	0	100%	(170,460)	50%	
410510 Fed Drug Enforcement	(20,000)	(10,000)	0	(10,000)	0%	(20,000)	0%	Federal Aid
410520 Buffalo Police Dept	(31,500)	(15,750)	(15,581)	(169)	99%	(15,919)	49%	
411000 MH Fed Medi Sal Sh	(886,677)	(442,339)	(324,982)	(117,357)	73%	(561,695)	37%	Formula-driven Federal Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.
411490 Fed Aid - TANF FFFS	(41,445,164)	(33,399,875)	(33,610,379)	210,504	101%	(7,834,785)	81%	
411495 FA - SYEP	(2,199,422)	(2,199,711)	(3,908,746)	1,709,035	178%	1,709,324	178%	
411500 Fed Aid - MA In House	1,590,610	495,305	250,816	244,489	51%	1,339,794	16%	
411520 FA-Family Assistance	(37,605,744)	(15,802,872)	(15,240,568)	(562,304)	96%	(22,365,176)	41%	
411540 FA-Social Serv Admin	(24,862,311)	(12,181,156)	(11,557,736)	(623,420)	95%	(13,304,575)	46%	
411550 FA-Soc Serv Adm A-87	(2,483,160)	(641,580)	(477,647)	(163,933)	74%	(2,005,513)	19%	
411570 Fed Aid - SNAP Admin	(19,015,464)	(7,007,732)	(6,667,616)	(340,116)	95%	(12,347,848)	35%	
411580 Fed Aid - SNAP ET 50%	(5,286,643)	(1,843,322)	(1,588,790)	(254,532)	86%	(3,697,853)	30%	
411590 FA-HEAP	(4,258,266)	(2,729,133)	(2,621,065)	(108,068)	96%	(1,637,201)	62%	
411610 FA-Serv/Recipients	(5,347,532)	(1,623,766)	(740,257)	(883,509)	46%	(4,607,275)	14%	
411640 FA-Daycare Block Grt	(57,775,186)	(33,987,593)	(34,172,380)	184,787	101%	(23,602,806)	59%	
411670 FA-Refugee&Entrants	(189,777)	(94,889)	(156,552)	61,664	165%	(33,225)	82%	
411680 FA-Foster Care/Adopt	(22,595,331)	(9,747,666)	(8,490,949)	(1,256,717)	87%	(14,104,382)	38%	
411690 FA-IV-D Incentives	(446,844)	(223,422)	(264,621)	41,199	118%	(182,223)	59%	
411700 FA-TANF Safety Net	(300,967)	(150,484)	(242,412)	91,928	161%	(58,555)	81%	
411780 Fed Aid-Medicaid Adm	(221,850)	(110,925)	(110,925)	0	100%	(110,925)	50%	
414000 Federal Aid	(12,497,200)	(713,500)	(839,935)	126,435	118%	(11,657,265)	7%	
414010 Federal Aid - Other	(137,425)	(29,593)	0	(29,593)	0%	(137,425)	0%	After 50% of the year, the County has achieved 51% of the budgeted Federal revenue.
414020 Misc Federal Aid	(100,000)	(50,000)	(80,024)	30,024	160%	(19,976)	80%	
414030 FMAP Revenue	0	0	(1,847)	1,847	0%	1,847	0%	
Federal Revenue	**(247,755,336)**	**(128,301,576)**	**(126,444,964)**	**(1,856,612)**	**99%**	**(121,310,372)**	**51%**	

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Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
405000 State Aid For DA Sal	(77,682)	0	0	0	0%	(77,682)	0%	
405010 St Re Indigent Care	(30,000)	(15,000)	(15,000)	0	100%	(15,000)	50%	
405170 SA-Crt Fac Incen Aid	(3,062,407)	(1,531,204)	(1,403,397)	(127,806)	92%	(1,659,010)	46%	
405190 StAid-Octane Testing	(25,885)	(12,943)	(11,633)	(1,310)	90%	(14,252)	45%	
405500 SA-Spec Need Presch	(41,778,218)	(20,889,109)	(22,996,000)	2,106,891	110%	(18,782,218)	55%	State Aid
405520 SA-NYS DOH El Serv	(4,142,971)	(2,071,486)	(1,719,882)	(351,604)	83%	(2,423,089)	42%	
405530 SA-Admin Preschool	(454,616)	(227,308)	(461,850)	234,542	203%	7,234	102%	Formula-driven State Aid appears under budget, mainly in Health and Human Service Departments, is offset by savings in associated expenditures.
405540 SA-Art VI-P H Work	(4,700,070)	(2,345,954)	(2,115,031)	(230,922)	90%	(2,585,039)	45%	
405560 SA-NYS DOH El Admin	(546,948)	(273,474)	(273,474)	0	100%	(273,474)	50%	
405590 SA-Medicaid El Admin	(221,850)	(110,925)	(110,925)	0	100%	(110,925)	50%	
405595 SA-Med Anti Fraud	(509,520)	(254,760)	(325,113)	70,353	128%	(184,407)	64%	
406000 SA-Fr Prob Serv	(1,399,470)	(583,112)	(699,735)	116,623	120%	(699,735)	50%	
406010 SA-Fr Nav Law Enforc	(80,500)	(40,250)	0	(40,250)	0%	(80,500)	0%	
406020 SA-Snomob Lw Enforc	(10,000)	(5,000)	0	(5,000)	0%	(10,000)	0%	
406500 Refugee Hlth Assment	(91,041)	(45,521)	(25,330)	(20,191)	56%	(65,711)	28%	
406550 Emerg Med Training	(447,420)	(223,710)	(124,755)	(98,955)	56%	(322,665)	28%	
406560 SA-Art VI-Pub Health	(5,347,375)	(2,673,688)	(2,406,318)	(267,370)	90%	(2,941,057)	45%	
406810 SA-Foren Mntl Hea Sr	(2,906,036)	(1,453,018)	(1,270,758)	(182,260)	87%	(1,635,278)	44%	
406830 SA-Mental Health II	(38,684,843)	(18,982,927)	(18,977,609)	(5,318)	100%	(19,707,234)	49%	
406860 State Aid - OASAS	(18,243,653)	(8,737,696)	(8,322,966)	(414,730)	95%	(9,920,687)	46%	
406880 State Aid - OPWDD	(612,063)	(306,032)	(306,032)	1	100%	(306,031)	50%	
406890 Handpd Park Surch	(10,000)	(5,000)	(4,239)	(761)	85%	(5,761)	42%	
407500 SA-MA In House	1,590,610	795,305	392,023	403,282	49%	1,198,587	25%	
407510 SA-Spec Need Adult	(2,310)	(1,155)	0	(1,155)	0%	(2,310)	0%	
407520 SA-Family Assistance	0	0	(18,880)	18,880	0%	18,880	0%	
407540 SA-Soc Serv Admin	(32,386,177)	(22,193,089)	(22,389,034)	195,945	101%	(9,997,143)	69%	
407600 SA-Sec Det Other Co	(1,044,516)	(522,258)	(639,318)	117,060	122%	(405,198)	61%	
407610 SA-Sec Det Loc Yth	(2,772,899)	(1,368,179)	(1,150,753)	(217,425)	84%	(1,622,146)	42%	
407625 SA-Raise the Age	(11,106,964)	(5,553,482)	(5,508,163)	(45,319)	99%	(5,598,801)	50%	
407630 SA-Safety Net Assist	(10,396,797)	(5,198,399)	(5,709,328)	510,930	110%	(4,687,469)	55%	
407640 SA-Emrg Assist/Adult	(842,624)	(421,312)	(117,737)	(303,575)	28%	(724,887)	14%	
407650 SA-Foster Care/Adopt	(38,734,930)	(13,367,465)	(10,889,474)	(2,477,991)	81%	(27,845,456)	28%	
407670 SA-EAF Prev POS	(5,647,584)	(2,823,792)	(1,393,944)	(1,429,848)	49%	(4,253,640)	25%	
407680 SA-Serv Fr Recipnts	(7,149,746)	(4,774,873)	(6,802,883)	2,028,010	142%	(346,863)	95%	
407710 SA-Legal Serv/Disab	(105,504)	(52,752)	0	(52,752)	0%	(105,504)	0%	
407720 SA-Handicapped Child	0	0	(11,795)	11,795	0%	11,795	0%	
407740 SA-Veterns Srv Agenc	(70,000)	0	0	0	0%	(70,000)	0%	
407780 SA-Daycare Block Grt	(3,769,160)	(1,884,580)	(913,568)	(971,012)	48%	(2,855,592)	24%	
407795 State Aid - Code Blue	(484,000)	(242,000)	(548,200)	306,200	227%	64,200	113%	
408020 Youth-Reimb Programs	(825,389)	(409,646)	(403,549)	(6,097)	99%	(421,840)	49%	
408030 Homeless/Run NR RHY1	(90,390)	(45,195)	(45,195)	0	100%	(45,195)	50%	
408040 Homeless/Run Re RHY2	(135,584)	(67,792)	(67,792)	0	100%	(67,792)	50%	

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Summary by Account Type

Account Type	Annual Budget	Period Budget January-June	Actuals January-June	Period Available Budget	% of Period Budget Consumed	Annual Available Budget	% of Annual Budget Consumed	Comments/Key Items
408055 Youth Sports/Edu Opp	(223,430)	(111,715)	(111,715)	0	100%	(111,715)	50%	After 50% of the year, the County has achieved 50% of the budgeted State revenue.
408056 Youth Team Sports	(472,082)	(236,041)	(236,041)	0	100%	(236,041)	50%	
408061 STSJP - RTA	(386,796)	(193,398)	(193,398)	0	100%	(193,398)	50%	
408065 Yth-Supervision	(429,055)	(214,528)	(214,527)	(1)	100%	(214,528)	50%	
408530 SA-Crim Justice Prog	(1,130,563)	(332,782)	(215,761)	(117,021)	65%	(914,803)	19%	This is mostly related to the extension of the 50% state aid reimb. for the costs of Art 18B Assigned Counsel rate increase through April 2026.
409000 State Aid Revenues	(1,939,388)	(1,798,679)	(5,522,949)	3,724,270	307%	3,583,561	285%	
409010 State Aid - Other	(8,283,212)	(2,201,880)	2,926	(2,204,806)	0%	(8,286,138)	0%	
409020 SA-Misc	(174,301)	(56,525)	(31,867)	(24,659)	56%	(142,435)	18%	
409030 SA-Main-Lieu of Rent	(157,578)	(78,789)	(78,789)	0	100%	(78,789)	50%	
409060 SA-Prob Pretrial Ser	(1,168,605)	(584,303)	(584,303)	0	100%	(584,303)	50%	
State Revenue	**(251,721,542)**	**(124,727,416)**	**(124,974,060)**	**246,644**	**100%**	**(126,747,482)**	**50%**	
450000 Interfnd Rev Non-Sub	(5,448,410)	(5,321,044)	(5,321,044)	0	100%	(127,366)	98%	
486010 Resid Equity Tran-In	(352,975)	0	0	0	0%	(352,975)	0%	
Interfund Revenue	**(5,801,385)**	**(5,321,044)**	**(5,321,044)**	**0**	**100%**	**(480,341)**	**92%**	
County Revenue	**(1,989,648,224)**	**(1,139,915,474)**	**(1,163,437,006)**	**23,521,532**	**102%**	**(826,211,217)**	**58%**	

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Expense	**0**	**0**	**0**	**0**	**0%**	**0**	**0%**	
500000 Full Time - Salaries	303,794,677	145,007,814	135,632,943	9,374,871	94%	168,161,734	45%	Through 50% of the year, the County has expended 44% of budgeted salaries.
500010 Part Time - Wages	5,068,989	2,319,132	1,366,205	952,927	59%	3,702,784	27%	
500020 Regular PT - Wages	2,382,882	1,161,655	961,343	200,312	83%	1,421,539	40%	
500030 Seasonal - Wages	1,344,440	655,415	543,550	111,865	83%	800,890	40%	
Salaries	312,590,988	149,144,016	138,504,041	10,639,975	93%	174,086,947	44%	
500300 Shift Differential	2,710,783	1,321,148	1,378,218	(57,070)	104%	1,332,565	51%	After 50% of the year, overtime is showing a neg variance of $2.3M, nearly all of which is related to the Sheriff's Office.
500320 Uniform Allowance	683,450	341,725	258,000	83,725	75%	425,450	38%	
500330 Holiday Worked	3,159,827	1,540,416	1,778,919	(238,503)	115%	1,380,908	56%	
500340 Line-up Pay	3,174,687	1,547,660	1,480,682	66,978	96%	1,694,005	47%	
500350 Other Employee Pymts	2,865,972	1,397,551	936,398	461,154	67%	1,929,574	33%	
501000 Overtime	26,261,203	12,626,219	14,961,415	(2,335,196)	118%	11,299,788	57%	
Non-Salaries	38,855,922	18,774,719	20,793,632	(2,018,913)	111%	18,062,291	54%	
504990 Reductions Per Srv	(3,000,000)	(1,462,500)	0	(1,462,500)	0%	(3,000,000)	0%	Salary Reserve related to the unbudgeted expenses for new PT positions in Sheriff's Office for Pistol Permits.
504992 Salary Reserves	1,948,781	155,466	0	155,466	0%	1,948,781	0%	
504995 HELP-Personnel Reser	(8,685,841)	(4,234,348)	0	(4,234,348)	0%	(8,685,841)	0%	
Countywide Adjustments	(9,737,060)	(5,541,382)	0	(5,541,382)	0%	(9,737,060)	0%	
Personnel Related Expense	**341,709,850**	**162,377,353**	**159,297,672**	**3,079,681**	**98%**	**182,412,178**	**47%**	
502000 Fringe Benefits	170,550,189	73,897,673	(3,575)	73,901,247	0%	170,553,764	0%	All departmental Fringe Benefit expense is budgeted in account 502000. Actual expense is recorded at the detailed level indicated. The exception is the budget for Workers Compensation and ECMC legacy-related expense.
502010 Employer FICA	0	0	9,623,081	(9,623,081)	0%	(9,623,081)	0%	
502020 Empler FICA-Medicare	0	0	2,237,110	(2,237,110)	0%	(2,237,110)	0%	
502030 Employee Health Ins	0	0	17,791,322	(17,791,322)	0%	(17,791,322)	0%	
502040 Dental Plan	0	0	818,625	(818,625)	0%	(818,625)	0%	
502050 Workers' Compensation	10,392,900	5,066,539	5,574,271	(507,733)	110%	4,818,629	54%	
502060 Unemployment Ins	0	0	154,866	(154,866)	0%	(154,866)	0%	
502070 Hosp & Med-Retirees'	1,336,644	657,986	13,945,463	(13,287,477)	2119%	(12,608,819)	1043%	
502090 Hlth Ins Waiver	0	0	1,582,342	(1,582,342)	0%	(1,582,342)	0%	
502100 Retirement	1,900,000	1,900,000	20,918,185	(19,018,185)	1101%	(19,018,185)	1101%	After 50% of the year, the County has spent 40% of the total budgeted Fringe Benefit expense.
502130 WkrsCmp OtherFd Reim	(8,265,900)	(4,029,626)	(2,897,409)	(1,132,218)	72%	(5,368,491)	35%	
502140 3rd Party Recoveries	(1,500,000)	(731,250)	(516,471)	(214,779)	71%	(983,529)	34%	
Fringe Benefit Total	**174,413,833**	**76,761,321**	**69,227,811**	**7,533,510**	**90%**	**105,186,022**	**40%**	
505000 Office Supplies	1,297,752	542,532	297,958	244,574	55%	999,793	23%	
505200 Clothing Supplies	1,378,895	747,330	404,065	343,265	54%	974,829	29%	
505400 Food & Kitchen Supp	3,316,745	1,058,633	895,370	163,263	85%	2,421,375	27%	
505600 Auto Tr & Hvy Eq Sup	736,162	429,824	191,326	238,498	45%	544,836	26%	
505650 Fuel	2,125,000	1,067,500	822,311	245,189	77%	1,302,689	39%	
505800 Medical & Hlth Supp	2,474,970	1,093,550	736,196	357,354	67%	1,738,774	30%	
506200 Maintenance & Repair	3,883,985	1,538,250	1,133,877	404,374	74%	2,750,108	29%	
507000 E-Z Pass Supplies	3,859	1,930	0	1,930	0%	3,859	0%	
Supplies and Repairs	15,217,366	6,479,549	4,481,103	1,998,446	69%	10,736,263	29%	
555000 General Liability	5,372,575	3,028,212	(12,180)	3,040,391	0%	5,384,755	0%	

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555010 Settlmts/Jdgmnts-Lit	0	0	929,082	(929,082)	0%	(929,082)	0%	Risk Retention expense is budgeted in account 555000 while actual expense is recorded at a detailed level in the accounts indicated. In total Risk Retention is on budget for the period.
555015 Litigation - ECC	0	0	2,288	(2,288)	0%	(2,288)	0%	
555030 Litig & Rel Disburs.	0	0	50,925	(50,925)	0%	(50,925)	0%	
555040 Expert/Cons Fees-Lit	0	0	1,054,728	(1,054,728)	0%	(1,054,728)	0%	
555050 Insurance Premiums	0	0	933,370	(933,370)	0%	(933,370)	0%	
Risk Retention	5,372,575	3,028,212	2,958,212	70,000	98%	2,414,363	55%	
510000 Local Mileage Reimb	1,891,309	974,810	772,429	202,381	79%	1,118,880	41%	
510100 Out Of Area Travel	917,325	451,266	217,028	234,237	48%	700,297	24%	
510200 Training And Educat	1,164,012	587,187	362,633	224,554	62%	801,379	31%	
511000 Control Board Expense	540,000	270,000	190,000	80,000	70%	350,000	35%	
515000 Utility Charges	3,464,823	1,733,287	1,489,701	243,586	86%	1,975,121	43%	
516040 DSS Trng & Edu Pro	1,776,053	723,041	651,080	71,961	90%	1,124,973	37%	
530000 Other Expenses	5,860,283	1,474,958	1,298,235	176,723	88%	4,562,048	22%	
530010 Chargebacks	1,803,277	751,365	1,049,395	(298,030)	140%	753,882	58%	
530030 Pivot Wage Subsidies	3,354,373	1,212,730	1,143,503	69,227	94%	2,210,870	34%	
545000 Rental Charges	17,020,048	7,817,363	7,464,947	352,416	95%	9,555,101	44%	
Other	43,164,078	19,024,218	17,597,164	1,427,054	92%	25,566,914	41%	
Non Profit Agency Subsidy	35,180,701	24,510,163	24,510,163	0	100%	10,670,538	70%	
Non Profit Purchase of Services	183,406,177	69,981,925	68,922,526	1,059,400	98%	114,483,651	38%	
516015 Stadium Insp & Compl	1,500,000	416,717	339,127	77,590	81%	1,160,874	23%	
516020 Pro Ser Cnt and Fees	38,197,640	8,117,546	8,170,761	(53,215)	101%	30,026,879	21%	
516021 Incep Proced Review	121,334	25,000	25,000	0	100%	96,334	21%	
516030 Maintenance Contracts	12,083,579	8,155,705	8,155,705	0	100%	3,927,873	67%	
516042 Foreclosure Action	2,821,461	882,568	882,568	0	100%	1,938,893	31%	
516039 Shelter Improvements	1,000,000	88,140	88,140	0	100%	911,860	9%	
516055 Dept Pymnts to ECC	60,000	60,000	50,310	9,690	84%	9,690	84%	
516080 Life Safety Contract	1,826,346	836,538	836,538	0	100%	989,809	46%	
520000 Municipal Assoc Fees	131,146	124,263	124,263	(0)	100%	6,883	95%	
520010 Txs&Asses-Co Ownd Pr	600	300	123	177	41%	477	20%	
520020 Co Res Enrl Comm Col	10,831,665	4,476,893	4,476,893	0	100%	6,354,772	41%	
520040 Curr Pymts Mass Tran	3,657,200	1,828,600	1,828,600	0	100%	1,828,600	50%	
520050 Garbage Disposal	131,518	66,268	56,813	9,455	86%	74,705	43%	
520070 Buffalo Bills Maint	3,250,685	1,017,727	1,017,727	0	100%	2,232,958	31%	
520072 Working Capital Asst	2,082,283	0	0	0	0%	2,082,283	0%	
Professional Srvs Contracts and Fees	77,695,457	26,096,265	26,052,568	43,697	100%	51,642,889	34%	
516050 Dept Payments-ECMCC	6,155,499	2,438,893	2,438,893	0	100%	3,716,606	40%	
516051 ECMCC Drug & Alcohol	566,031	283,015	283,015	0	100%	283,016	50%	
ECMCC Payments	6,721,530	2,721,909	2,721,909	0	100%	3,999,621	40%	
516060 Sales Tax Loc Gov 3%	432,451,271	207,690,320	214,118,956	(6,428,637)	103%	218,332,315	50%	
516070 Flat Dist from 1%	12,500,000	12,500,000	12,500,000	0	100%	0	100%	
520030 NFTA-Share Sales Tax	28,991,973	13,376,081	13,790,119	(414,038)	103%	15,201,854	48%	
Sales Tax to Local Government	473,943,244	233,566,401	240,409,076	(6,842,675)	103%	233,534,169	51%	

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Contractual	776,947,109	356,876,663	362,616,240	(5,739,578)	102%	414,330,869	47%	
561410 Lab & Tech Eqt	6,368,517	1,637,217	1,637,217	0	100%	4,731,300	26%	
561420 Office Furn & Fixt	910,640	355,384	355,384	0	100%	555,256	39%	
561430 Bldg Grs & Hvy Eq	334,500	243,674	243,674	0	100%	90,826	73%	
561440 Motor Vehicles	492,599	5,265	5,265	0	100%	487,334	1%	
Equipment	8,106,256	2,241,540	2,241,540	0	100%	5,864,716	28%	
559000 County Share - Grants	22,820,501	172,459	172,459	0	100%	22,648,041	1%	
570000 InterFund Trans-Subs	3,003,588	503,588	503,588	0	100%	2,500,000	17%	
570020 Interfund - Road	13,804,466	10,190,109	10,190,109	0	100%	3,614,357	74%	
570025 InterFd Co Share 911	8,778,315	4,281,930	4,281,930	0	100%	4,496,385	49%	
570030 Interfund-ECC Sub	19,809,317	19,804,317	19,804,317	0	100%	5,000	100%	
570050 InterFund Trans-Cap	51,511,541	1,920,965	1,920,965	0	100%	49,590,576	4%	
575040 I/F Expense-Utility	4,785,020	2,387,010	2,245,172	141,838	94%	2,539,848	47%	
Interfund Expense	124,512,748	39,260,378	39,118,540	141,838	100%	85,394,207	31%	
910600 ID Purchasing Srv	(330,829)	(165,415)	(146,787)	(18,627)	89%	(184,042)	44%	
910700 ID Fleet Services	(3,081,758)	(1,540,879)	(1,161,192)	(379,687)	75%	(1,920,566)	38%	
911400 ID District Atty Srv	(982,349)	(491,175)	(297,116)	(194,059)	60%	(685,233)	30%	
911500 ID Sheriff Div. Srvs	(240,263)	(120,132)	(151,723)	31,592	126%	(88,540)	63%	
911630 ID Correctional Fac	(28,846)	(14,423)	(88,391)	73,968	613%	59,545	306%	
911650 ID Corr Hea Srvc Div	0	(4,686)	0	(4,686)	0%	0	0%	
912215 ID DPW Mail Srvs	(13,117)	(6,559)	(6,179)	(379)	94%	(6,938)	47%	
912300 ID Highways Services	32,000	16,000	1,197	14,803	7%	30,803	4%	
912700 ID Health Services	(36,098)	(18,049)	(117,304)	99,255	650%	81,206	325%	
912730 ID Health Lab Srv	22,007	11,004	18,576	(7,573)	169%	3,431	84%	
912740 ID Med Ex Services	0	0	(3,081)	3,081	0%	3,081	0%	
914000 ID CW Accts Budget	(5,871)	(2,936)	(7,800)	4,865	266%	1,929	133%	
916000 ID County Attny Srv	(224,528)	(112,264)	(9,944)	(102,320)	9%	(214,584)	4%	
916200 ID Env & Plan Srv	55,083	27,542	(16,839)	44,380	-61%	71,922	-31%	
916390 ID Senior Srvs Grant	25,882	12,941	12,503	438	97%	13,379	48%	
916500 ID CPS Services	(50)	(25)	0	(25)	0%	(50)	0%	
942000 ID Library Services	175,898	87,949	98,356	(10,407)	112%	77,542	56%	
980000 ID DISS Services	(2,442,493)	(1,221,247)	(1,440,617)	219,371	118%	(1,001,876)	59%	
Interdepartmental Billings	(7,075,332)	(3,542,352)	(3,316,341)	(226,011)	94%	(3,758,991)	47%	
Allocations	117,437,416	35,718,026	35,802,199	(84,173)	100%	81,635,217	30%	
525000 MMIS-Medicaid Loc Sh	213,379,184	101,350,703	101,350,703	0	100%	112,028,481	47%	The phase-out of eFMAP credits by NYS end in 2025. Beginning in 2026, Erie County will return to our "hard cap" requirement of $215.8M.
525020 UPL Expense	14,087,139	0	0	0	0%	14,087,139	0%	
525030 MA - Gross Loc Pymts	25,840	15,659	15,659	0	100%	10,181	61%	
525040 Family Assistance-FA	40,058,078	15,636,332	15,501,913	134,419	99%	24,556,165	39%	
525050 CWS - Foster Care	114,224,153	39,635,187	39,458,525	176,662	100%	74,765,628	35%	
525060 Safety Net Assist	41,052,864	20,532,245	22,173,922	(1,641,677)	108%	18,878,942	54%	
525070 Emer Assist To Adlts	2,015,641	707,821	395,699	312,122	56%	1,619,942	20%	
525080 Ed Handicapped Child	323,819	161,910	90,470	71,439	56%	233,349	28%	

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525091 Child Care - Title XX	2,158,893	1,079,447	841,224	238,223	78%	1,317,669	39%	
525092 Child Care - CCBG	57,775,186	31,887,593	33,589,701	(1,702,108)	105%	24,185,485	58%	
525097 Emer Rental Assist	1,430,933	680,933	881,226	(200,293)	129%	549,707	62%	
525098 Child Care Initiative	250,000	0	0	0	0%	250,000	0%	
525110 Meals On Wheels WNY	70,000	35,000	35,000	0	100%	35,000	50%	
525120 Adult Special Needs	2,310	1,155	0	1,155	0%	2,310	0%	For DSH, temporarily over budget due to initial $40.2M payment in Feb. A $6.7M net credit is expected later in the year to reconcile prior period over payments for SFY 21-22 & 22-23.
525130 OCFS Yth Fac Charges	6,713,138	2,963,138	2,750,000	213,138	93%	3,963,138	41%	
525140 HEAP Program Costs	891,613	445,807	691,553	(245,747)	155%	200,060	78%	
525150 DSH Expense	62,252,090	40,246,369	40,246,369	0	100%	22,005,722	65%	
525160 Indigent Care DSH	10,114,808	5,057,404	5,057,404	0	100%	5,057,404	50%	
528000 Svcs Spec Need Child	73,884,688	36,442,344	41,913,318	(5,470,974)	115%	31,971,370	57%	
528010 Srvs Early Inv Prog	8,451,044	3,727,522	3,509,962	217,560	94%	4,941,082	42%	
Program Specific	649,161,421	300,606,565	308,502,647	(7,896,082)	103%	340,658,775	48%	
570040 I/F Subsidy Debt Srv	45,015,517	13,581,898	13,581,898	0	100%	31,433,620	30%	
Debt Services	45,015,517	13,581,898	13,581,898	0	100%	31,433,620	30%	
All Other Operating Expense	1,655,049,163	734,528,458	744,822,790	(10,294,332)	101%	910,226,372	45%	
County Expense	2,171,172,846	973,667,132	973,348,274	318,858	100%	1,197,824,572	45%	
Net	181,524,622	(166,248,342)	(190,088,732)	23,840,390		371,613,354		

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ADM CL LEG	51008245	GRP 08	FT	P	09/12/2024	DISTRICT OFFICE STAFF	110		55,132.00		05	100.000
55,132.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
DIR PORE LEG	51018927	GRP 12	FT	P	06/13/2025	LEGISLATURE MAJORITY STAFF	110		72,051.00		05	100.000
72,051.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
FIR AD AS LE	51018847	GRP 13	FT	P	06/02/2025	LEGISLATURE MAJORITY STAFF	110		78,000.00		05	100.000
78,000.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
Totals for Legislative Branch												
205,183.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
MGT CONS(CE)	51017910	GRP 15	FT	P	04/19/2025	BUDGET & MANAGEMENT DIVISION	110		94,652.00		02	100.000

94,652.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Budget & Management

94,652.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BUS IN SY AN	51017021	GRP 12	FT	P	05/29/2025	APPLICATION SERVICES	110		72,051.00		01	100.000
72,051.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
SR TCH SS SP	51016755	GRP 13	FT	P	07/01/2025	INFRASTRUCTURE SERVICES	110		78,000.00		01	100.000
78,000.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		

Totals for Information & Support Services

150,051.00 Perm Budget Amt		2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP DIR PUR	51019003	GRP 15	FT	P	01/01/2025	PROCUREMENT	110		94,652.00		02	100.000
94,652.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		
SUR AS WA WK	51010435	GRP 07	FT	P	05/12/2025	SURPLUS AND ASSET MANAGEMENT	110		47,524.00		02	67.380
47,524.00 Perm Budget Amt			1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			1		

Totals for Bureau of Purchase

142,176.00 Perm Budget Amt			2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP CO SEAL	00002336	GRP 08	FT	T	06/14/2025	WEIGHTS AND MEASURES	110		55,132.00		01	100.000

0.00 Perm Budget Amt 0 Perm Vac 55,132.00 Temp Budget Amt 1 Temp Vac 1

Totals for Office of Public Advocacy

0.00 Perm Budget Amt 0 Perm Vac 55,132.00 Temp Budget Amt 1 Temp Vac 1

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51011177	GRP 09	FT	P	05/12/2025	ACCOUNTING	110		58,577.00		01	100.000
58,577.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PR ACCT ANAL	51017088	GRP 13	FT	T	01/04/2025	ACCOUNTING	110		78,000.00		01	100.000
	51017151	GRP 13	FT	P	10/21/2023	ACCOUNTING	110		78,000.00		01	100.000
78,000.00	Perm Budget Amt		1	Perm Vac	78,000.00	Temp Budget Amt	1	Temp Vac		2		
SR SYS ACCT	51015426	GRP 13	FT	P	04/05/2025	ACCOUNTING	110		78,000.00		01	100.000
78,000.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
STAFF AUD	51009171	GRP 11	FT	T	03/22/2025	AUDIT & CONTROL	110		67,823.00		01	100.000
	51009172	GRP 11	FT	P	06/21/2025	AUDIT & CONTROL	110		67,823.00		01	100.000
	51012879	GRP 11	FT	P	06/20/2025	AUDIT & CONTROL	110		67,823.00		01	100.000
135,646.00	Perm Budget Amt		2	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac		3		

Totals for Comptroller

350,223.00	Perm Budget Amt		5	Perm Vac	145,823.00	Temp Budget Amt	2	Temp Vac		7		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCOUNTANT	51018230	GRP 09	FT	P	05/31/2025	RECORDING	110		58,577.00		01	100.000
58,577.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
DOC CLK	00003099	GRP 05	FT	T	06/07/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		46,261.00		01	100.000
	51001596	GRP 05	FT	T	06/07/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		46,261.00		01	100.000
0.00 Perm Budget Amt				0	Perm Vac	92,522.00	Temp Budget Amt	2	Temp Vac		2	
MESSENGER	51016039	GRP 03	FT	T	01/01/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		38,490.00		03	100.000
0.00 Perm Budget Amt				0	Perm Vac	38,490.00	Temp Budget Amt	1	Temp Vac		1	
MOT VEH REP	51001432	GRP 05	FT	T	06/17/2025	AUTO BUREAU BRANCH OFFICES	110		46,261.00		01	100.000
	51001434	GRP 05	FT	T	01/01/2025	AUTO BUREAU BRANCH OFFICES	110		46,261.00		01	100.000
0.00 Perm Budget Amt				0	Perm Vac	92,522.00	Temp Budget Amt	2	Temp Vac		2	
PRIN DOC CLK	51018865	GRP 08	FT	P	05/16/2025	RECORDING	110		55,132.00		01	100.000
55,132.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
SR DOC CLK	00008734	GRP 06	FT	T	05/05/2025	RECORDING	110		49,021.00		01	100.000
	00008744	GRP 06	FT	T	06/09/2025	RECORDING	110		49,021.00		01	100.000
	51001414	GRP 06	FT	T	05/03/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		49,021.00		01	100.000
	51008346	GRP 06	FT	T	07/27/2024	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		49,021.00		01	100.000
	51018862	GRP 06	FT	P	04/21/2025	RECORDING	110		49,021.00		01	100.000
49,021.00 Perm Budget Amt				1	Perm Vac	196,084.00	Temp Budget Amt	4	Temp Vac		5	

Totals for County Clerk

162,730.00 Perm Budget Amt				3	Perm Vac	419,618.00	Temp Budget Amt	9	Temp Vac		12	

Erie County
POSITION CONTROL
BENEFIT EARN VACANCY BY DEPARTMENT, JOB

As of: 06/30/2025

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST DA III	51017791	GRP 14	FT	P	02/22/2025	LOWER COURTS	110		86,143.00		04	100.000
86,143.00 Perm Budget Amt				1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
ASST DA IV	51003876	GRP 15	FT	P	06/28/2025	SUPERIOR COURTS	110		94,652.00		04	100.000
	51008232	GRP 15	FT	P	03/29/2025	SUPERIOR COURTS	110		94,652.00		04	100.000
189,304.00 Perm Budget Amt				2	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	2		
ASST DA V	51001960	GRP 16	FT	P	06/14/2025	SUPERIOR COURTS	110		103,811.00		04	100.000
	51007252	GRP 16	FT	P	06/28/2025	SUPERIOR COURTS	110		103,811.00		04	100.000
207,622.00 Perm Budget Amt				2	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	2		
ASST DI A VI	51014351	GRP 17	FT	P	01/02/2025	APPEALS	110		112,865.00		07	100.000
112,865.00 Perm Budget Amt				1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
AST CNF SC D	51017038	GRP 11	FT	P	10/21/2024	ADMINISTRATION	110		67,823.00		04	100.000
67,823.00 Perm Budget Amt				1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
CO CR IN TF	51010927	GRP 12	FT	P	07/17/2025	SUPERIOR COURTS	110		72,051.00		02	100.000
72,051.00 Perm Budget Amt				1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
DATA ENT OPR	00002202	GRP 04	FT	P	06/21/2025	ADMINISTRATION	110		44,227.00		01	100.000
	51016915	GRP 04	FT	T	03/24/2025	LOWER COURTS	110		44,227.00		01	100.000
44,227.00 Perm Budget Amt				1	Perm Vac	44,227.00 Temp Budget Amt		1	Temp Vac	2		
DEP DA PROS	00002348	GRP 19	FT	P	03/15/2025	ADMINISTRATION	110		132,725.00		04	100.000
132,725.00 Perm Budget Amt				1	Perm Vac	0.00 Temp Budget Amt		0	Temp Vac	1		
LEGAL DAT SY	51015526	GRP 07	FT	T	06/14/2025	LOWER COURTS	110		51,960.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
0.00	Perm Budget Amt		0	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac		1		
PARALEGAL	51016771	GRP 05	FT	T	06/23/2025	SUPERIOR COURTS	110		46,261.00		01	100.000
	51017046	GRP 05	FT	T	02/08/2025	SUPERIOR COURTS	110		46,261.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	92,522.00	Temp Budget Amt	2	Temp Vac		2		
TCH SP COMM	51018242	GRP 07	FT	P	06/28/2025	ADMINISTRATION	110		51,960.00		01	100.000
51,960.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
AST DA IV-RP	51014368	GRP 15	RPT	P	09/07/2024	SUPERIOR COURTS	110		70,989.00		07	100.000
70,989.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
AST DI A V R	51018327	GRP 16	RPT	P	01/11/2025	SUPERIOR COURTS	110		77,858.00		07	100.000
77,858.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for District Attorney

1,113,567.00	Perm Budget Amt		13	Perm Vac	188,709.00	Temp Budget Amt	4	Temp Vac		17		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACCT CLK SH	51019240	GRP 04	FT	P	06/05/2025	CIVIL PROCESS	110		46,170.00		01	100.000
	51019241	GRP 04	FT	P	06/05/2025	CIVIL PROCESS	110		46,170.00		01	100.000
92,340.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
ADM ASST SH	51018680	GRP 10	FT	T	02/23/2025	ADMINISTRATION AND PROFESSIONAL SERVICES	110		64,495.00		01	100.000
	51019247	GRP 10	FT	P	06/05/2025	ADMINISTRATION AND PROFESSIONAL SERVICES	110		64,495.00		01	100.000
	51019248	GRP 10	FT	P	06/05/2025	ADMINISTRATION AND PROFESSIONAL SERVICES	110		64,495.00		01	100.000
128,990.00	Perm Budget Amt		2	Perm Vac	64,495.00	Temp Budget Amt	1	Temp Vac		3		
CAPTAIN	51019242	GRP 11	FT	T	06/15/2025	POLICE SUPPORT SERVICES	110		86,106.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	86,106.00	Temp Budget Amt	1	Temp Vac		1		
DEP SH CRIM	0C002429	GRP 08	FT	T	06/29/2025	POLICE/PATROL SERVICES	110		70,928.00		01	100.000
	0C002437	GRP 08	FT	P	00/00/0000	POLICE/PATROL SERVICES	110		70,928.00		01	0.000
	0C002440	GRP 08	FT	T	06/14/2025	POLICE/PATROL SERVICES	110		70,928.00		01	100.000
	0C002457	GRP 08	FT	T	04/19/2025	POLICE/PATROL SERVICES	110		70,928.00		01	100.000
	51001201	GRP 08	FT	T	06/29/2025	COMMUNITY PROGRAMS	110		70,928.00		01	100.000
70,928.00	Perm Budget Amt		1	Perm Vac	283,712.00	Temp Budget Amt	4	Temp Vac		5		
DET DEP	51018283	GRP 09	FT	T	06/29/2025	INVESTIGATIVE SERVICES	110		75,042.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	75,042.00	Temp Budget Amt	1	Temp Vac		1		
DOM VIO AD	51002648	GRP 06	FT	P	01/07/2025	COMMUNITY PROGRAMS	110		51,070.00		01	100.000
51,070.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
LIEUTENANT	51019243	GRP 10	FT	P	06/05/2025	POLICE SUPPORT SERVICES	110		79,406.00		01	100.000
79,406.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
REC TEAM WKR	51003051	GRP 05	FT	T	05/31/2025	COMMUNITY PROGRAMS	110		48,248.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	0.00 Perm Budget Amt			0 Perm Vac	48,248.00 Temp Budget Amt			1 Temp Vac		1		
SERGEANT	00009587	GRP 09	FT	P	09/02/2025	POLICE/PATROL SERVICES	110		75,042.00		01	100.000
	51016358	GRP 09	FT	P	11/20/2021	PROFESSIONAL STANDARDS	110		75,042.00		01	100.000
	150,084.00 Perm Budget Amt			2 Perm Vac	0.00 Temp Budget Amt			0 Temp Vac		2		
SR TA FL OFA	51019245	GRP 10	FT	P	06/05/2025	POLICE SUPPORT SERVICES	110		79,406.00		07	100.000
	51019246	GRP 10	FT	P	06/05/2025	POLICE SUPPORT SERVICES	110		79,406.00		07	100.000
	158,812.00 Perm Budget Amt			2 Perm Vac	0.00 Temp Budget Amt			0 Temp Vac		2		
Totals for Office of the Sheriff												
	731,630.00 Perm Budget Amt			11 Perm Vac	557,603.00 Temp Budget Amt			8 Temp Vac		19		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CAP OFFC	51012191	GRP 12	FT	T	06/14/2025	SECURITY HC	110		86,975.00		01	100.000
	0.00 Perm Budget Amt		0 Perm Vac		86,975.00 Temp Budget Amt		1 Temp Vac			1		
COR FAC MED	51007818	GRP 13	FT	P	06/13/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51010436	GRP 13	FT	P	10/15/2024	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51012334	GRP 13	FT	P	05/04/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51012510	GRP 13	FT	P	01/07/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	51018880	GRP 13	FT	P	01/01/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		62,385.00		02	100.000
	311,925.00 Perm Budget Amt		5 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac			5		
COR LIEUT	00001934	GRP 13	FT	T	04/06/2025	SECURITY CF	110		71,138.00		01	100.000
	0.00 Perm Budget Amt		0 Perm Vac		71,138.00 Temp Budget Amt		1 Temp Vac			1		
COR OFF CF	51011257	GRP 11	FT	T	04/25/2025	SECURITY CF	110		59,559.00		01	100.000
	51017810	GRP 11	FT	T	05/31/2025	COMMUNITY RE-INTEGRATION PROGRAM	110		59,559.00		01	100.000
	51017817	GRP 11	FT	P	06/05/2025	SECURITY CF	110		59,559.00		01	100.000
	51018019	GRP 11	FT	P	05/10/2025	SECURITY CF	110		59,559.00		01	100.000
	51018377	GRP 11	FT	P	04/29/2025	SECURITY CF	110		59,559.00		01	100.000
	51018954	GRP 11	FT	P	02/21/2025	SECURITY CF	110		59,559.00		01	100.000
	51019252	GRP 11	FT	P	06/18/2025	SECURITY CF	110		59,559.00		01	100.000
	297,795.00 Perm Budget Amt		5 Perm Vac		119,118.00 Temp Budget Amt		2 Temp Vac			7		
COR SERG	51010817	GRP 12	FT	T	05/03/2025	SECURITY CF	110		65,002.00		01	100.000
	51010818	GRP 12	FT	T	05/03/2025	SECURITY CF	110		65,002.00		01	100.000
	0.00 Perm Budget Amt		0 Perm Vac		130,004.00 Temp Budget Amt		2 Temp Vac			2		
DEP SH OF	00002560	GRP 08	FT	T	09/08/2025	SECURITY HC	110		66,581.00		01	100.000
	00002622	GRP 08	FT	P	05/09/2025	SECURITY HC	110		66,581.00		01	100.000
	00002639	GRP 08	FT	P	07/24/2025	TRANSPORTATION	110		66,581.00		01	100.000
	00002654	GRP 08	FT	P	06/09/2025	TRANSPORTATION	110		66,581.00		01	100.000
	00002754	GRP 08	FT	T	05/04/2025	SECURITY HC	110		66,581.00		01	100.000
	00002794	GRP 08	FT	P	04/01/2024	SECURITY HC	110		66,581.00		01	100.000
	00002811	GRP 08	FT	P	05/20/2025	SECURITY HC	110		66,581.00		01	100.000
	00002877	GRP 08	FT	P	06/25/2025	TRANSPORTATION	110		66,581.00		01	100.000
	51002381	GRP 08	FT	T	05/04/2025	SECURITY HC	110		66,581.00		01	100.000
	51002383	GRP 08	FT	P	05/31/2025	SECURITY HC	110		66,581.00		01	100.000
	51002705	GRP 08	FT	P	05/16/2025	SECURITY HC	110		66,581.00		01	100.000
	51010813	GRP 08	FT	P	06/09/2025	SECURITY HC	110		66,581.00		01	100.000
	51010996	GRP 08	FT	T	04/19/2025	SECURITY HC	110		66,581.00		01	100.000
	51012180	GRP 08	FT	P	05/08/2025	SECURITY HC	110		66,581.00		01	100.000
	51016779	GRP 08	FT	T	04/20/2025	SECURITY HC	110		66,581.00		01	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
665,810.00	Perm Budget Amt		10	Perm Vac	332,905.00	Temp Budget Amt	5	Temp Vac		15		
HC MED AIDE	51010447	GRP 07	FT	P	06/12/2025	HOLDING CENTER MEDICAL SERVICES	110		67,793.00		02	100.000
	51019249	GRP 07	FT	P	06/05/2025	HOLDING CENTER MEDICAL SERVICES	110		67,793.00		02	100.000
135,586.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
HD NRS HC	51010587	GRP 10	FT	T	01/02/2025	HOLDING CENTER MEDICAL SERVICES	110		94,838.00		02	100.000
0.00	Perm Budget Amt		0	Perm Vac	94,838.00	Temp Budget Amt	1	Temp Vac		1		
ID OFFI (CF)	51018941	GRP 10	FT	P	01/23/2025	SECURITY CF	110		53,924.00		01	100.000
53,924.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
KIT HLP HC	00005417	GRP 03	FT	P	03/23/2025	FOOD SERVICES HC	110		44,691.00		03	100.000
44,691.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
LABORER SHER	00005684	GRP 04	FT	P	04/20/2025	PROGRAMS HC	110		46,170.00		03	100.000
46,170.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
LIEUT OF	00006273	GRP 11	FT	T	05/31/2025	SECURITY HC	110		82,025.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac	82,025.00	Temp Budget Amt	1	Temp Vac		1		
MEDRECADM CF	51011707	GRP 10	FT	P	10/21/2024	HOLDING CENTER MEDICAL SERVICES	110		53,637.00		01	100.000
53,637.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
REG NURS HC	51007848	GRP 08	FT	P	05/05/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51010471	GRP 08	FT	T	09/10/2022	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51010475	GRP 08	FT	P	02/05/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51016085	GRP 08	FT	T	05/18/2024	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51016087	GRP 08	FT	P	02/23/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000
	51017176	GRP 08	FT	P	01/25/2025	HOLDING CENTER MEDICAL SERVICES	110		84,450.00		02	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
337,800.00	Perm Budget Amt		4	Perm Vac	168,900.00	Temp Budget Amt	2	Temp Vac		6		
REG NURSE CH	51013383	GRP 08	FT	P	01/25/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		83,901.00		02	100.000
	51013385	GRP 08	FT	T	09/24/2023	CORRECTIONAL FACILITY MEDICAL SERVICES	110		83,901.00		02	100.000
	51013387	GRP 08	FT	P	06/13/2025	CORRECTIONAL FACILITY MEDICAL SERVICES	110		83,901.00		02	100.000
167,802.00	Perm Budget Amt		2	Perm Vac	83,901.00	Temp Budget Amt	1	Temp Vac		3		
SGT OFFICER	00009611	GRP 11	FT	P	12/30/2024	TRANSPORTATION	110		76,550.00		01	100.000
	51005313	GRP 11	FT	T	04/06/2025	SECURITY HC	110		76,550.00		01	100.000
	51011039	GRP 11	FT	T	05/31/2025	SECURITY HC	110		76,550.00		01	100.000
76,550.00	Perm Budget Amt		1	Perm Vac	153,100.00	Temp Budget Amt	2	Temp Vac		3		
SR AC CL T C	00008138	GRP 06	FT	P	10/19/2024	SECURITY HC	110		51,070.00		01	100.000
51,070.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR MD SC SH	51007811	GRP 04	FT	P	09/12/2024	HOLDING CENTER MEDICAL SERVICES	110		46,170.00		01	100.000
46,170.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR NUR PR CH	51018061	GRP 16	FT	P	07/12/2024	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
	51018062	GRP 16	FT	P	06/25/2025	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
	51018063	GRP 16	FT	P	01/08/2025	HOLDING CENTER MEDICAL SERVICES	110		127,835.00		07	100.000
383,505.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3		
Totals for Jail Management												
2,672,435.00	Perm Budget Amt		38	Perm Vac	1,322,904.00	Temp Budget Amt	18	Temp Vac		56		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	51017001	GRP 04	FT	T	09/10/2022	PERSONNEL/PAYROLL	110		44,227.00		01	47.370
0.00 Perm Budget Amt		0 Perm Vac		44,227.00 Temp Budget Amt		1 Temp Vac				1		
ACC CLK TYP	00000067	GRP 04	FT	P	07/01/2023	FINANCIAL RECORDS & SERVICES	110		44,227.00		01	49.200
	51003940	GRP 04	FT	P	10/18/2023	FINANCIAL RECORDS & SERVICES	110		44,227.00		01	47.370
88,454.00 Perm Budget Amt		2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				2		
ADM DIR I	51013369	GRP 12	FT	P	06/23/2025	SNAP ELIGIBILITY TEAMS	110		72,051.00		01	50.000
72,051.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
ADMIN CLERK	00000150	GRP 07	FT	T	04/19/2025	ADULT & FAMILY SERVICES	110		51,960.00		01	49.200
0.00 Perm Budget Amt		0 Perm Vac		51,960.00 Temp Budget Amt		1 Temp Vac				1		
AST SP INV	51004404	GRP 07	FT	T	05/31/2025	INVESTIGATIONS AND COLLECTIONS	110		51,960.00		01	37.870
	51006665	GRP 07	FT	T	05/03/2025	INVESTIGATIONS AND COLLECTIONS	110		51,960.00		01	37.870
	51016929	GRP 07	FT	T	05/31/2025	INVESTIGATIONS AND COLLECTIONS	110		51,960.00		01	37.870
0.00 Perm Budget Amt		0 Perm Vac		155,880.00 Temp Budget Amt		3 Temp Vac				3		
ATTORNEY SS	00002138	GRP 15	FT	T	01/26/2025	LEGAL SERVICES -IVD	110		94,652.00		01	39.200
	00002139	GRP 15	FT	T	01/11/2025	LEGAL SERVICES -IVD	110		94,652.00		01	39.200
	00002142	GRP 15	FT	T	04/19/2025	CHILDREN'S SERVICES	110		94,652.00		01	49.200
	51002110	GRP 15	FT	T	01/26/2025	CHILDREN'S SERVICES	110		94,652.00		01	49.200
0.00 Perm Budget Amt		0 Perm Vac		378,608.00 Temp Budget Amt		4 Temp Vac				4		
CASEWKR HP	51010086	GRP 09	FT	P	04/19/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		02	49.200
	51018443	GRP 09	FT	P	07/02/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		02	49.200
	51018600	GRP 09	FT	P	06/18/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		02	49.200
	51018601	GRP 09	FT	P	06/04/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		02	49.200
	51018602	GRP 09	FT	P	07/07/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		02	49.200
292,885.00 Perm Budget Amt		5 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				5		
CASEWORKER	00000894	GRP 09	FT	T	11/02/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	00000900	GRP 09	FT	P	06/11/2025	ADOPTION	110		58,577.00		01	49.200
	00000913	GRP 09	FT	P	10/05/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	00000941	GRP 09	FT	T	11/02/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	00000945	GRP 09	FT	P	06/15/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	00000948	GRP 09	FT	P	02/10/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	00000959	GRP 09	FT	P	08/09/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	00000966	GRP 09	FT	P	08/24/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	00000972	GRP 09	FT	P	09/06/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	00000978	GRP 09	FT	T	12/31/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	00001308	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	00001317	GRP 09	FT	P	06/11/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51002677	GRP 09	FT	P	06/27/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51003672	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51004326	GRP 09	FT	P	02/22/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51004556	GRP 09	FT	T	02/08/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	51007959	GRP 09	FT	P	04/14/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009583	GRP 09	FT	P	02/22/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009585	GRP 09	FT	P	12/23/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009587	GRP 09	FT	P	01/27/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51009590	GRP 09	FT	P	05/17/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009594	GRP 09	FT	P	04/19/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009600	GRP 09	FT	P	05/17/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51009721	GRP 09	FT	P	10/22/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51009741	GRP 09	FT	T	06/28/2025	ADOPTION	110		58,577.00		01	49.200
	51009746	GRP 09	FT	P	09/21/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51010689	GRP 09	FT	T	03/09/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51011562	GRP 09	FT	P	07/25/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51011900	GRP 09	FT	P	03/26/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51011929	GRP 09	FT	P	03/08/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51011930	GRP 09	FT	P	09/21/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51011952	GRP 09	FT	P	07/19/2023	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51011955	GRP 09	FT	P	08/24/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51012060	GRP 09	FT	T	06/17/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51012071	GRP 09	FT	P	08/12/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51012078	GRP 09	FT	P	12/13/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51012128	GRP 09	FT	T	05/17/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51012355	GRP 09	FT	P	04/10/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51012360	GRP 09	FT	P	02/08/2025	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51012904	GRP 09	FT	P	11/16/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51012905	GRP 09	FT	P	12/16/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51013676	GRP 09	FT	P	05/17/2025	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51014078	GRP 09	FT	P	08/24/2024	ADOPTION	110		58,577.00		01	49.200
	51018906	GRP 09	FT	P	01/01/2025	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
2,108,772.00	Perm Budget Amt		36	Perm Vac	468,616.00	Temp Budget Amt	8	Temp Vac		44		
CH PR TM LDR	51013359	GRP 11	FT	T	01/25/2025	CHILD PROTECTIVE SERVICES	110		67,823.00		01	49.200
0.00	Perm Budget Amt		0	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac		1		
CH SUP INV	00001335	GRP 07	FT	T	03/09/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
	00001356	GRP 07	FT	P	03/08/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
	00001368	GRP 07	FT	P	04/22/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		51,960.00		01	39.200
103,920.00	Perm Budget Amt		2	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac		3		
CH SWE	51005513	GRP 12	FT	T	05/17/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110		72,051.00		01	38.650
0.00	Perm Budget Amt		0	Perm Vac	72,051.00	Temp Budget Amt	1	Temp Vac		1		
CHF ACT CLK	00001163	GRP 07	FT	T	06/14/2025	FINANCIAL RECORDS & SERVICES	110		51,960.00		01	47.370
	51010953	GRP 07	FT	T	02/01/2024	FINANCIAL RECORDS & SERVICES	110		51,960.00		01	47.370
0.00	Perm Budget Amt		0	Perm Vac	103,920.00	Temp Budget Amt	2	Temp Vac		2		
CLERK	00001487	GRP 01	FT	P	06/14/2025	EC WORKS CENTER	110		40,941.00		01	38.650
	51009639	GRP 01	FT	T	06/15/2025	EC WORKS CENTER	110		40,941.00		01	38.650
	51009641	GRP 01	FT	P	06/14/2025	EC WORKS CENTER	110		40,941.00		01	38.650
	51009644	GRP 01	FT	P	06/14/2025	SNAP ELIGIBILITY TEAMS	110		40,941.00		01	50.000
	51009645	GRP 01	FT	T	06/15/2025	EC WORKS CENTER	110		40,941.00		01	38.650
	51009647	GRP 01	FT	T	05/17/2025	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
	51016330	GRP 01	FT	P	06/14/2025	EC WORKS CENTER	110		40,941.00		01	38.650
163,764.00	Perm Budget Amt		4	Perm Vac	122,823.00	Temp Budget Amt	3	Temp Vac		7		
CLERK TYPIST	51009667	GRP 01	FT	T	01/26/2025	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
	51009668	GRP 01	FT	T	05/03/2025	FINANCIAL RECORDS & SERVICES	110		40,941.00		01	47.370
0.00	Perm Budget Amt		0	Perm Vac	81,882.00	Temp Budget Amt	2	Temp Vac		2		
CLK SS 55A	00001523	GRP 01	FT	P	08/16/2024	FINANCIAL RECORDS & SERVICES	110		40,941.00		02	47.370

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
40,941.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
CSWK ARAB SP	51017991	GRP 09	FT	P	05/04/2024	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
58,577.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
CSWK SPAN SP	00000985	GRP 09	FT	P	06/15/2024	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	00001327	GRP 09	FT	P	10/20/2021	ADULT & FAMILY SERVICES	110		58,577.00		01	49.200
	51004745	GRP 09	FT	P	03/22/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51006969	GRP 09	FT	P	02/22/2022	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
	51011555	GRP 09	FT	P	07/24/2023	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		58,577.00		01	49.200
	51017351	GRP 09	FT	P	04/27/2022	CHILD PROTECTIVE SERVICES	110		58,577.00		01	49.200
351,462.00 Perm Budget Amt					6 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		6		
EMP COUNS	00003229	GRP 09	FT	T	04/19/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	00003253	GRP 09	FT	T	05/03/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	51016885	GRP 09	FT	P	09/10/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	51018957	GRP 09	FT	P	05/17/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
	51018958	GRP 09	FT	P	03/12/2025	EMPLOYMENT ASSESSMENT	110		58,577.00		01	32.290
175,731.00 Perm Budget Amt					3 Perm Vac	117,154.00 Temp Budget Amt		2 Temp Vac		5		
EN CR 3	51006754	GRP 08	FT	T	06/28/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		55,132.00		02	0.000
0.00 Perm Budget Amt					0 Perm Vac	55,132.00 Temp Budget Amt		1 Temp Vac		1		
EN CR A W SS	51006782	GRP 05	FT	P	02/12/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		46,261.00		07	0.000
46,261.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
HD SWE	00004219	GRP 10	FT	P	05/23/2025	TTW-TRANSITION TO WORK TEAMS	110		62,215.00		01	0.000
	00004230	GRP 10	FT	P	04/01/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		62,215.00		01	0.000
	00004240	GRP 10	FT	P	05/03/2025	TTW-TRANSITION TO WORK TEAMS	110		62,215.00		01	38.650
	51003675	GRP 10	FT	T	03/08/2025	LONG TERM CARE ELIGIBILITY	110		62,215.00		01	0.000
186,645.00 Perm Budget Amt					3 Perm Vac	62,215.00 Temp Budget Amt		1 Temp Vac		4		
HOMELES SV S	51018855	GRP 10	FT	P	01/02/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110		62,215.00		01	38.650
	51018856	GRP 10	FT	P	01/02/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110		62,215.00		01	38.650

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
124,430.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
JR EMP COUNS	51014033	GRP 07	FT	T	04/19/2025	EMPLOYMENT ASSESSMENT	110		51,960.00		01	32.290
0.00	Perm Budget Amt			0	Perm Vac	51,960.00	Temp Budget Amt	1	Temp Vac		1		
MGT&ORG CONS	00006354	GRP 14	FT	T	07/29/2023	FISCAL MANAGEMENT	110		86,143.00		01	47.370
0.00	Perm Budget Amt			0	Perm Vac	86,143.00	Temp Budget Amt	1	Temp Vac		1		
PARALEGAL	51009119	GRP 05	FT	P	04/05/2025	CHILDREN'S SERVICES	110		46,261.00		01	49.200
46,261.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PERS CLK	51018025	GRP 06	FT	P	02/22/2025	PERSONNEL/PAYROLL	110		49,021.00		01	47.370
49,021.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PR SEC TYP	51017760	GRP 07	FT	P	08/01/2025	DSS COMMISS. OFFICE & COMM RELATIONS	110		51,960.00		01	47.370
51,960.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PRIN CLERK	00007389	GRP 06	FT	T	05/04/2025	FINANCIAL RECORDS & SERVICES	110		49,021.00		01	47.370
	51003954	GRP 06	FT	T	01/25/2025	SERVICES DIVISION ADMINISTRATION	110		49,021.00		01	49.200
0.00	Perm Budget Amt			0	Perm Vac	98,042.00	Temp Budget Amt	2	Temp Vac		2		
RECEPTIONIST	51016857	GRP 03	FT	P	04/19/2025	ADMIN. SUPPORT SERVICES ADMIN.	110		42,767.00		02	47.370
42,767.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SOC CS SP UN	00009675	GRP 11	FT	T	06/28/2025	ADOPTION	110		67,823.00		01	49.200
	00009677	GRP 11	FT	P	08/18/2025	CASA - HOME CARE ELIGIBILITY TEAMS	110		67,823.00		01	0.000
67,823.00	Perm Budget Amt			1	Perm Vac	67,823.00	Temp Budget Amt	1	Temp Vac		2		
SOC W EX HP	51009796	GRP 06	FT	T	05/31/2025	SNAP ELIGIBILITY TEAMS	110		49,021.00		02	50.000
	51016890	GRP 06	FT	T	05/17/2025	SNAP ELIGIBILITY TEAMS	110		49,021.00		02	50.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
	0.00 Perm Budget Amt				0 Perm Vac	98,042.00 Temp Budget Amt		2 Temp Vac		2		
SOC WEL EX	00009762	GRP 06	FT	P	01/25/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	00009764	GRP 06	FT	P	05/30/2025	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	00009781	GRP 06	FT	P	07/02/2024	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	00009832	GRP 06	FT	P	08/24/2024	INVESTIGATIONS AND COLLECTIONS	110		49,021.00		01	37.870
	00009834	GRP 06	FT	T	02/23/2025	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	00009837	GRP 06	FT	T	01/27/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
	00009855	GRP 06	FT	T	04/19/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	00009858	GRP 06	FT	P	07/13/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	00009864	GRP 06	FT	P	09/09/2024	TEMPORARY ASSISTANCE SERVICE TEAMS	110		49,021.00		01	38.650
	00009866	GRP 06	FT	P	08/24/2024	INVESTIGATIONS AND COLLECTIONS	110		49,021.00		01	37.870
	00009873	GRP 06	FT	T	05/18/2025	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	00009896	GRP 06	FT	P	02/08/2025	CHILD DAY CARE	110		49,021.00		01	49.200
	00009912	GRP 06	FT	T	06/01/2024	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	00009920	GRP 06	FT	P	04/22/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	00009921	GRP 06	FT	P	05/31/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		49,021.00		01	38.650
	00009932	GRP 06	FT	P	06/21/2024	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	00009938	GRP 06	FT	T	10/05/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	51002106	GRP 06	FT	T	08/24/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		49,021.00		01	38.650
	51002536	GRP 06	FT	P	04/01/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	51002538	GRP 06	FT	T	09/07/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	51005503	GRP 06	FT	P	04/17/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	51005505	GRP 06	FT	P	02/22/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		49,021.00		01	38.650
	51007113	GRP 06	FT	P	05/17/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
	51009784	GRP 06	FT	T	08/10/2024	TEMPORARY ASSISTANCE SERVICE TEAMS	110		49,021.00		01	38.650
	51009785	GRP 06	FT	T	03/09/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
	51009787	GRP 06	FT	P	10/16/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	51009791	GRP 06	FT	P	05/21/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	51009798	GRP 06	FT	P	08/27/2024	TEMPORARY ASSISTANCE SERVICE TEAMS	110		49,021.00		01	38.650
	51009807	GRP 06	FT	P	05/03/2024	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	51009820	GRP 06	FT	P	02/22/2025	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	51009825	GRP 06	FT	P	06/11/2024	TEMP ASSIST SPECIALIZED TEAMS	110		49,021.00		01	38.650
	51009827	GRP 06	FT	T	08/24/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
	51009836	GRP 06	FT	P	08/20/2024	LONG TERM CARE ELIGIBILITY	110		49,021.00		01	0.000
	51009845	GRP 06	FT	P	07/27/2024	INVESTIGATIONS AND COLLECTIONS	110		49,021.00		01	37.870
	51011710	GRP 06	FT	P	06/01/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	51016386	GRP 06	FT	T	01/27/2024	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		49,021.00		01	0.000
	51016889	GRP 06	FT	T	08/24/2024	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		49,021.00		01	38.650
	51018831	GRP 06	FT	T	12/28/2024	SNAP ELIGIBILITY TEAMS	110		49,021.00		01	50.000
	51018902	GRP 06	FT	P	01/01/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000
	51018903	GRP 06	FT	T	01/26/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		49,021.00		01	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
1,225,525.00	Perm Budget Amt		25	Perm Vac	735,315.00	Temp Budget Amt	15	Temp Vac		40		
SOC WEL EX S	00009946	GRP 06	FT	P	06/01/2024	TEMPORARY ASSISTANCE SERVICE TEAMS	110		49,021.00		01	38.650
	00009948	GRP 06	FT	P	09/07/2024	EC WORKS CENTER	110		49,021.00		01	38.650
	00009956	GRP 06	FT	P	12/14/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
	51009779	GRP 06	FT	P	06/01/2024	TTW-TRANSITION TO WORK TEAMS	110		49,021.00		01	38.650
196,084.00	Perm Budget Amt		4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		4		
SR CASWRKER	00008227	GRP 10	FT	P	01/09/2025	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	00008272	GRP 10	FT	P	03/10/2025	ADULT & FAMILY SERVICES	110		62,215.00		01	49.200
	00008298	GRP 10	FT	P	06/30/2025	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	00008302	GRP 10	FT	P	05/17/2025	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	00008314	GRP 10	FT	T	12/28/2024	CPS AFTER HOURS PROGRAM	110		62,215.00		01	49.200
	00008318	GRP 10	FT	T	03/09/2025	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	51010083	GRP 10	FT	T	06/29/2025	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	51013131	GRP 10	FT	T	12/15/2024	CHILD PROTECTIVE SERVICES	110		62,215.00		01	49.200
	51013677	GRP 10	FT	P	04/19/2025	ADULT & FAMILY SERVICES	110		62,215.00		01	49.200
311,075.00	Perm Budget Amt		5	Perm Vac	248,860.00	Temp Budget Amt	4	Temp Vac		9		
SR CL TYP	00008604	GRP 04	FT	P	04/20/2024	CHILD PROTECTIVE SERVICES	110		44,227.00		01	49.200
	51003221	GRP 04	FT	P	05/22/2025	EC WORKS CENTER	110		44,227.00		01	38.650
	51009631	GRP 04	FT	P	02/10/2025	EC WORKS CENTER	110		44,227.00		01	38.650
	51009634	GRP 04	FT	P	05/31/2025	EC WORKS CENTER	110		44,227.00		01	38.650
	51009635	GRP 04	FT	P	05/20/2025	CHILD SUPPORT ESTABLISHMENT/ENFORCEMENT	110		44,227.00		01	39.200
	51012480	GRP 04	FT	P	05/31/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		44,227.00		01	0.000
	51012555	GRP 04	FT	T	05/17/2025	FINANCIAL RECORDS & SERVICES	110		44,227.00		01	47.370
	51013183	GRP 04	FT	T	05/18/2024	EMPLOYMENT ASSESSMENT	110		44,227.00		01	32.290
	51017014	GRP 04	FT	P	03/08/2025	CHILD DAY CARE	110		44,227.00		01	49.200
309,589.00	Perm Budget Amt		7	Perm Vac	88,454.00	Temp Budget Amt	2	Temp Vac		9		
SR CLERK	00008370	GRP 03	FT	T	04/21/2025	LEGAL SERVICES -IVD	110		42,767.00		01	39.200
	00008407	GRP 03	FT	P	11/16/2024	LONG TERM CARE ELIGIBILITY	110		42,767.00		01	0.000
	51008319	GRP 03	FT	T	04/05/2025	SNAP ELIGIBILITY TEAMS	110		42,767.00		01	50.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
42,767.00 Perm Budget Amt					1 Perm Vac	85,534.00 Temp Budget Amt		2 Temp Vac		3		
SR EMP COUNS	00008769	GRP 10	FT	P	06/14/2025	EMPLOYMENT ASSESSMENT	110		62,215.00		01	32.290
	51013180	GRP 10	FT	P	09/26/2025	EMPLOYMENT ASSESSMENT	110		62,215.00		01	32.290
124,430.00 Perm Budget Amt					2 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		2		
SR SWE	00009331	GRP 07	FT	T	03/08/2025	SNAP ELIGIBILITY TEAMS	110		51,960.00		01	50.000
	00009379	GRP 07	FT	T	04/19/2025	CHILD DAY CARE	110		51,960.00		01	49.200
	00009393	GRP 07	FT	P	10/23/2024	SNAP ELIGIBILITY TEAMS	110		51,960.00		01	50.000
	00009419	GRP 07	FT	T	05/17/2025	INVESTIGATIONS AND COLLECTIONS	110		51,960.00		01	37.870
	00009420	GRP 07	FT	P	05/06/2025	LONG TERM CARE ELIGIBILITY	110		51,960.00		01	0.000
	00009426	GRP 07	FT	T	06/14/2025	LONG TERM CARE ELIGIBILITY	110		51,960.00		01	0.000
	00009427	GRP 07	FT	P	06/28/2025	TTW-TRANSITION TO WORK TEAMS	110		51,960.00		01	38.650
	00009439	GRP 07	FT	T	05/31/2025	COMMUNITY MEDICAID ELIGIBILITY TEAMS	110		51,960.00		01	0.000
	00009441	GRP 07	FT	T	03/08/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		51,960.00		01	38.650
	00009458	GRP 07	FT	P	02/28/2025	LONG TERM CARE ELIGIBILITY	110		51,960.00		01	0.000
	00009463	GRP 07	FT	P	03/01/2025	TEMPORARY ASSISTANCE SERVICE TEAMS	110		51,960.00		01	38.650
	00009478	GRP 07	FT	P	06/28/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		51,960.00		01	38.650
	00009482	GRP 07	FT	P	06/14/2025	TEMP ASSIST SPECIALIZED TEAMS	110		51,960.00		01	38.650
	00009500	GRP 07	FT	T	03/08/2025	TTW-TRANSITION TO WORK TEAMS	110		51,960.00		01	38.650
	00009513	GRP 07	FT	T	08/24/2024	SNAP ELIGIBILITY TEAMS	110		51,960.00		01	50.000
	51005466	GRP 07	FT	T	11/16/2024	SNAP ELIGIBILITY TEAMS	110		51,960.00		01	50.000
363,720.00 Perm Budget Amt					7 Perm Vac	467,640.00 Temp Budget Amt		9 Temp Vac		16		
SS TM WKR	00009760	GRP 05	FT	T	10/20/2024	CHILD PROTECTIVE SERVICES	110		46,261.00		01	49.200
	51012085	GRP 05	FT	P	10/19/2024	CHILDREN'S SERVICES - DIRECT/INDIRECT	110		46,261.00		01	49.200
	51012086	GRP 05	FT	P	08/06/2025	CHILD PROTECTIVE SERVICES	110		46,261.00		01	49.200
	51016882	GRP 05	FT	P	07/01/2025	EFP - EMPLOYMENT & FIN PLANNING TEAMS	110		46,261.00		01	38.650
138,783.00 Perm Budget Amt					3 Perm Vac	46,261.00 Temp Budget Amt		1 Temp Vac		4		
SUP OF CL AD	51012154	GRP 10	FT	P	04/01/2025	FISCAL MANAGEMENT	110		62,215.00		01	47.370
62,215.00 Perm Budget Amt					1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac		1		
WK REL SUP	00010483	GRP 04	FT	P	10/05/2024	EMPLOYMENT ASSESSMENT	110		39,539.00		02	78.650
	51003667	GRP 04	FT	P	12/14/2024	EMPLOYMENT ASSESSMENT	110		39,539.00		02	78.650

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
79,078.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
WKF DEV SP	51019254	GRP 10	FT	P	06/28/2025	EMPLOYMENT ASSESSMENT	110		62,215.00		01	0.000
	51019255	GRP 10	FT	P	06/28/2025	EMPLOYMENT ASSESSMENT	110		62,215.00		01	0.000
124,430.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		

Totals for Department of Social Services

7,049,421.00	Perm Budget Amt		131	Perm Vac	3,908,325.00	Temp Budget Amt	71	Temp Vac		202		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LABORER	00005533	GRP 03	FT	T	03/22/2025	UNIFIED COURT SYSTEM	110		38,490.00		03	11.000
	51001160	GRP 03	FT	T	06/14/2025	UNIFIED COURT SYSTEM	110		38,490.00		03	11.000
	51016608	GRP 03	FT	P	05/31/2025	UNIFIED COURT SYSTEM	110		38,490.00		03	11.000
38,490.00	Perm Budget Amt		1	Perm Vac	76,980.00	Temp Budget Amt	2	Temp Vac		3		
RECEPTIONIST	51011575	GRP 03	FT	T	02/10/2024	ADMINISTRATION - B&G	110		42,767.00		02	100.000
0.00	Perm Budget Amt		0	Perm Vac	42,767.00	Temp Budget Amt	1	Temp Vac		1		

Totals for Dept of Public Works

38,490.00	Perm Budget Amt		1	Perm Vac	119,747.00	Temp Budget Amt	3	Temp Vac		4		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
FOR MH S I A	51016702	GRP 11	FT	T	05/18/2025	ADULT MENTAL HEALTH SERVICES	110		67,823.00		01	50.000
0.00	Perm Budget Amt		0	Perm Vac		67,823.00	Temp Budget Amt	1	Temp Vac	1		
MH EM D R C	51018076	GRP 14	FT	P	03/22/2025	MENTAL HEALTH SERVICES	110		86,143.00		01	0.000
86,143.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac	1		

Totals for Dept of Mental Health

86,143.00	Perm Budget Amt		1	Perm Vac		67,823.00	Temp Budget Amt	1	Temp Vac	2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DET HM IN WK	00002973	GRP 09	FT	P	06/27/2024	INTAKE	110		58,577.00		01	51.000
	51016008	GRP 09	FT	P	09/30/2024	INTAKE	110		58,577.00		01	51.000
117,154.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
DET SEC GD	51016805	GRP 06	FT	P	08/27/2022	BUILDING SERVICES	110		44,441.00		01	51.000
44,441.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
DET SHF SUPV	51003492	GRP 10	FT	P	07/10/2025	DETENTION SHIFT SUPERVISION	110		62,215.00		01	51.000
62,215.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
DETFAC SG HP	00002964	GRP 06	FT	P	04/14/2025	BUILDING SERVICES	110		44,441.00		02	51.000
44,441.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
DIR DET PROG	51019105	GRP 14	FT	P	05/03/2025	ADMINISTRATION - DETENTION	110		86,143.00		01	51.000
86,143.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
JR YDW	51017894	GRP 06	FT	P	01/11/2025	SECURE DIRECT CARE SUPPORT	110		44,441.00		07	51.000
	51017896	GRP 06	FT	P	05/07/2025	SECURE DIRECT CARE SUPPORT	110		44,441.00		07	51.000
88,882.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
JUVE JUS CON	51010680	GRP 10	FT	P	05/23/2024	JUVENILE DELINQUENCY SVCS TEAM-SSD JJC'S	110		62,215.00		01	51.000
	51010682	GRP 10	FT	P	06/14/2025	NON-SECURE CHILD CARE-JDST	110		62,215.00		01	0.000
	51010684	GRP 10	FT	T	01/27/2024	JUVENILE DELINQUENCY SVCS TEAM-SSD JJC'S	110		62,215.00		01	51.000
	51010687	GRP 10	FT	T	06/15/2025	NON-SECURE CHILD CARE-JDST	110		62,215.00		01	0.000
124,430.00	Perm Budget Amt		2	Perm Vac	124,430.00	Temp Budget Amt	2	Temp Vac		4		
SR PERS CLK	51019109	GRP 07	FT	P	05/03/2025	ADMINISTRATION - DETENTION	110		51,960.00		01	51.000
51,960.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR YTH DT WK	51017666	GRP 08	FT	P	10/26/2024	YOUTH DETENTION - RAISE THE AGE	110		50,821.00		01	51.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
50,821.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
YTH DE WK HP	00010498	GRP 07	FT	P	04/08/2025	SECURE CHILD CARE	110		47,524.00		02	51.000
	00010501	GRP 07	FT	P	07/15/2025	SECURE CHILD CARE	110		47,524.00		02	51.000
	00010516	GRP 07	FT	P	05/08/2025	SECURE CHILD CARE	110		47,524.00		02	51.000
	51016804	GRP 07	FT	P	05/22/2025	SECURE CHILD CARE	110		47,524.00		02	51.000
190,096.00	Perm Budget Amt		4	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		4		
YTH DET WK	00010493	GRP 07	FT	P	06/16/2025	SECURE CHILD CARE	110		47,524.00		01	51.000
	00010496	GRP 07	FT	P	07/20/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	00010506	GRP 07	FT	T	02/24/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	51008656	GRP 07	FT	P	11/12/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	51010482	GRP 07	FT	P	02/25/2025	SECURE CHILD CARE	110		47,524.00		01	51.000
	51013102	GRP 07	FT	P	08/09/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	51015081	GRP 07	FT	T	03/09/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	51016667	GRP 07	FT	P	07/22/2024	SECURE CHILD CARE	110		47,524.00		01	51.000
	51019106	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110		47,524.00		01	51.000
	51019107	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110		47,524.00		01	51.000
	51019108	GRP 07	FT	P	05/03/2025	SECURE CHILD CARE	110		47,524.00		01	51.000
427,716.00	Perm Budget Amt		9	Perm Vac	95,048.00	Temp Budget Amt	2	Temp Vac		11		
Totals for Youth Services Division												
1,288,299.00	Perm Budget Amt		25	Perm Vac	219,478.00	Temp Budget Amt	4	Temp Vac		29		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BILL ACCT CL	51005932	GRP 06	FT	P	05/31/2025	PROBATION ADMINISTRATION & OPERATIONS	110		49,021.00		01	88.000
49,021.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
PROB OFF SP	51019151	GRP 11	FT	P	04/30/2025	PROBATION SERVICES - ADULT	110		67,823.00		01	88.000
67,823.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
PROB OFFICER	51002465	GRP 11	FT	T	03/23/2025	PROBATION SERVICES - JUVENILE/FAM CRT.	110		67,823.00		01	88.000
	51016699	GRP 11	FT	T	04/19/2025	PROBATION SERVICES - JUVENILE/FAM CRT.	110		67,823.00		01	88.000
	51018056	GRP 11	FT	T	05/17/2025	PROBATION SERVICES - ADULT	110		67,823.00		01	88.000
0.00 Perm Budget Amt				0	Perm Vac	203,469.00	Temp Budget Amt	3	Temp Vac	3		
SR CL TYP	51009763	GRP 04	FT	T	02/08/2025	PROBATION SERVICES - ADULT	110		44,227.00		01	88.000
	51016683	GRP 04	FT	T	10/19/2024	PROBATION SERVICES - ADULT	110		44,227.00		01	88.000
0.00 Perm Budget Amt				0	Perm Vac	88,454.00	Temp Budget Amt	2	Temp Vac	2		
Totals for Probation												
116,844.00 Perm Budget Amt				2	Perm Vac	291,923.00	Temp Budget Amt	5	Temp Vac	7		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ACC CLK	51017987	GRP 04	FT	T	01/25/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		44,227.00		01	55.000
0.00 Perm Budget Amt		0 Perm Vac		44,227.00 Temp Budget Amt		1 Temp Vac				1		
ACCOUNTANT	51002635	GRP 09	FT	T	05/31/2025	ACCOUNTING AND FISCAL MANAGEMENT	110		58,577.00		01	64.000
0.00 Perm Budget Amt		0 Perm Vac		58,577.00 Temp Budget Amt		1 Temp Vac				1		
ADV EM ME TE	51019188	GRP 08	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		55,132.00		01	91.000
	51019189	GRP 08	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		55,132.00		01	91.000
110,264.00 Perm Budget Amt		2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				2		
AST DR CHD	00000398	GRP 10	FT	P	07/11/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		62,215.00		01	55.000
62,215.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
CLIN LAB TEC	51016659	GRP 11	FT	T	02/22/2025	ENVIRONMENTAL HEALTH LAB	110		67,823.00		01	64.000
0.00 Perm Budget Amt		0 Perm Vac		67,823.00 Temp Budget Amt		1 Temp Vac				1		
DENT HYG	51009235	GRP 07	FT	P	10/05/2024	DENTAL HEALTH EDUCATION	110		51,960.00		01	64.000
51,960.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
EMER MED TEC	51019190	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019191	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019192	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019193	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019194	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019195	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019196	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019197	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019198	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019199	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019200	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019201	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019202	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019203	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019204	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019205	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000
	51019206	GRP 07	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		51,960.00		01	91.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
883,320.00 Perm Budget Amt		17 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				17		
INV PH SAN	000C5209	GRP 08	FT	T	05/31/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		55,132.00		01	64.000
	000C5227	GRP 08	FT	T	05/17/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		55,132.00		01	64.000
	510C2735	GRP 08	FT	P	05/12/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		55,132.00		01	64.000
55,132.00 Perm Budget Amt		1 Perm Vac		110,264.00 Temp Budget Amt		2 Temp Vac				3		
JR ADM ASST	51016831	GRP 07	FT	P	04/19/2025	EMS ADMINISTRATION	110		51,960.00		01	100.000
51,960.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
PARAMEDIC I	51019181	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019182	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019183	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019184	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019185	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019186	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
	51019187	GRP 09	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		58,577.00		01	91.000
410,039.00 Perm Budget Amt		7 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				7		
PARAMEDIC II	51019124	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019125	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019176	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019177	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019178	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019179	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
	51019180	GRP 10	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		62,215.00		01	91.000
435,505.00 Perm Budget Amt		7 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				7		
PHEMPREP COR	51016735	GRP 09	FT	T	07/03/2025	EMERGENCY PREPAREDNESS & RESPONSE	110		58,577.00		01	64.000
0.00 Perm Budget Amt		0 Perm Vac		58,577.00 Temp Budget Amt		1 Temp Vac				1		
CRTY CLERK	51016704	GRP 06	FT	T	02/09/2025	ACCOUNTING AND FISCAL MANAGEMENT	110		49,021.00		01	64.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
0.00	Perm Budget Amt		0	Perm Vac	49,021.00	Temp Budget Amt	1	Temp Vac		1		
PRJ ADM HEAL	51019253	GRP 12	FT	P	05/23/2025	PUBLIC/GOVERNMENT OUTREACH	110		72,051.00		01	64.000
72,051.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SCENE INV	51009212	GRP 08	FT	T	04/19/2025	MEDICAL EXAMINER'S OFFICE	110		55,132.00		01	100.000
	51019251	GRP 08	FT	P	06/12/2025	MEDICAL EXAMINER'S OFFICE	110		55,132.00		01	100.000
55,132.00	Perm Budget Amt		1	Perm Vac	55,132.00	Temp Budget Amt	1	Temp Vac		2		
SR CA MG PP	51010551	GRP 09	FT	T	05/31/2025	CHILDREN WITH SPECIAL NEEDS ADMIN.	110		58,577.00		01	55.000
0.00	Perm Budget Amt		0	Perm Vac	58,577.00	Temp Budget Amt	1	Temp Vac		1		
SR INV PH SN	51016415	GRP 10	FT	T	06/28/2025	LEAD POISONING PREVENTION	110		62,215.00		01	64.000
0.00	Perm Budget Amt		0	Perm Vac	62,215.00	Temp Budget Amt	1	Temp Vac		1		
SR PST CN WK	00009185	GRP 07	FT	P	09/02/2025	ENVIRONMENTAL HEALTH ADM& ASSESSMENT-PHL	110		47,524.00		03	64.000
47,524.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR SCENE INV	51018912	GRP 11	FT	P	01/01/2025	MEDICAL EXAMINER'S OFFICE	110		67,823.00		01	100.000
67,823.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SUPV PARAMED	51019122	GRP 11	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		67,823.00		01	91.000
	51019123	GRP 11	FT	P	06/28/2025	EMS AMBULANCE OPERATIONS	110		67,823.00		01	91.000
135,646.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
REG NURS RPT	51013501	GRP 08	RPT	P	05/28/2025	YOUTH DETENTION HEALTH SERVICES	110		72,607.00		02	50.000
72,607.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE

Totals for Health

2,511,178.00	Perm Budget Amt	44	Perm Vac	564,413.00	Temp Budget Amt	10	Temp Vac	54				

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
AST DP CM BD	51007154	GRP 13	FT	P	02/13/2025	ADMINISTRATION-BOE - REP.	110		78,000.00		05	100.000
78,000.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
CHF EL CL CJ	00001199	GRP 09	FT	P	12/14/2024	ADMINISTRATION-BOE - DEM.	110		58,577.00		05	100.000
	51007706	GRP 09	FT	P	04/22/2023	ADMINISTRATION-BOE - REP.	110		58,577.00		05	100.000
117,154.00 Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
COM OP BD EL	51004171	GRP 07	FT	P	01/17/2020	ADMINISTRATION-BOE - DEM.	110		51,960.00		05	100.000
	51006950	GRP 07	FT	P	01/20/2018	ADMINISTRATION-BOE - DEM.	110		51,960.00		05	100.000
103,920.00 Perm Budget Amt				2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	2		
ELEC INFSYAS	51016503	GRP 08	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		55,132.00		05	100.000
55,132.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
ELECT CLK	51004928	GRP 06	FT	P	01/28/2023	ADMINISTRATION-BOE - DEM.	110		49,021.00		05	100.000
	51004934	GRP 06	FT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51007031	GRP 06	FT	P	09/21/2024	ADMINISTRATION-BOE - DEM.	110		49,021.00		05	100.000
	51008971	GRP 06	FT	P	07/01/2024	ADMINISTRATION-BOE - DEM.	110		49,021.00		05	100.000
	51009356	GRP 06	FT	P	01/09/2021	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51010510	GRP 06	FT	P	08/02/2019	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51012978	GRP 06	FT	P	09/18/2023	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51013177	GRP 06	FT	P	02/22/2021	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51013451	GRP 06	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		49,021.00		05	100.000
	51013458	GRP 06	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		49,021.00		05	0.000
490,210.00 Perm Budget Amt				10	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	10		
INF SY SP BD	51011939	GRP 11	FT	P	05/09/2024	ADMINISTRATION-BOE - REP.	110		67,823.00		05	100.000
67,823.00 Perm Budget Amt				1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac	1		
JR ELECT CLK	00005297	GRP 04	FT	P	01/06/2025	ADMINISTRATION-BOE - REP.	110		44,227.00		05	100.000
	51002204	GRP 04	FT	P	12/11/2024	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51003564	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51003566	GRP 04	FT	P	03/23/2024	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51004714	GRP 04	FT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51004715	GRP 04	FT	P	03/23/2024	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51006175	GRP 04	FT	P	01/06/2025	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000
	51010579	GRP 04	FT	P	11/06/2021	ADMINISTRATION-BOE - DEM.	110		44,227.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
353,816.00	Perm Budget Amt			8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		8		
PRIN EL CLK	C0007410	GRP 08	FT	P	01/01/2025	ADMINISTRATION-BOE - REP.	110		55,132.00		05	100.000
55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
SEC COM ELEC	51011881	GRP 08	FT	P	01/09/2014	ADMINISTRATION-BOE - REP.	110		55,132.00		05	100.000
55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
SR COM OP BD	51008095	GRP 08	FT	P	12/30/2024	ADMINISTRATION-BOE - DEM.	110		55,132.00		05	100.000
55,132.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
SR ELEC CLK	00008757	GRP 07	FT	P	02/26/2025	ADMINISTRATION-BOE - REP.	110		51,960.00		05	100.000
	51002174	GRP 07	FT	P	05/10/2024	ADMINISTRATION-BOE - DEM.	110		51,960.00		05	100.000
	51003617	GRP 07	FT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		51,960.00		05	100.000
155,880.00	Perm Budget Amt			3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3	
VOT MAC TECH	51008243	GRP 07	FT	P	03/28/2015	ADMINISTRATION-BOE - REP.	110		51,960.00		05	100.000
	51010042	GRP 07	FT	P	04/06/2024	ADMINISTRATION-BOE - REP.	110		51,960.00		05	100.000
103,920.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2	
ADM AS BOE R	51003727	GRP 09	RPT	P	05/17/2014	ADMINISTRATION-BOE - REP.	110		53,677.00		05	100.000
53,677.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
CLK BE ELC R	51010140	GRP 01	RPT	P	01/10/2025	ADMINISTRATION-BOE - DEM.	110		39,917.00		05	100.000
39,917.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1	
COUN BOE-RPT	51012853	GRP 14	RPT	P	02/10/2023	ADMINISTRATION-BOE - DEM.	110		83,990.00		05	100.000
	51014301	GRP 14	RPT	P	09/25/2023	ADMINISTRATION-BOE - DEM.	110		83,990.00		05	100.000
167,980.00	Perm Budget Amt			2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2	
ELEC CLK RPT	51008525	GRP 06	RPT	P	06/09/2023	ADMINISTRATION-BOE - REP.	110		47,796.00		05	100.000
	51013452	GRP 06	RPT	P	01/29/2025	ADMINISTRATION-BOE - REP.	110		47,796.00		05	100.000
	51013453	GRP 06	RPT	P	05/22/2025	ADMINISTRATION-BOE - REP.	110		47,796.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
143,388.00	Perm Budget Amt			3	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		3		
JR EL CL RPT	51007130	GRP 04	RPT	P	06/14/2025	ADMINISTRATION-BOE - DEM.	110		43,121.00		05	100.000
	51007131	GRP 04	RPT	P	04/05/2025	ADMINISTRATION-BOE - DEM.	110		43,121.00		05	100.000
	51007554	GRP 04	RPT	P	12/15/2020	ADMINISTRATION-BOE - REP.	110		43,121.00		05	100.000
	51009884	GRP 04	RPT	P	01/06/2025	ADMINISTRATION-BOE - DEM.	110		43,121.00		05	100.000
	51016601	GRP 04	RPT	P	01/01/2024	ADMINISTRATION-BOE - REP.	110		33,170.00		05	100.000
205,654.00	Perm Budget Amt			5	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		5		
SR COM OP RP	51010731	GRP 08	RPT	P	10/19/2024	ADMINISTRATION-BOE - DEM.	110		53,754.00		05	100.000
53,754.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		
SR EL CL RPT	51004642	GRP 07	RPT	P	05/20/2023	ADMINISTRATION-BOE - REP.	110		25,980.00		05	100.000
	51005446	GRP 07	RPT	P	07/26/2023	ADMINISTRATION-BOE - DEM.	110		25,980.00		05	100.000
	51006647	GRP 07	RPT	P	09/04/2018	ADMINISTRATION-BOE - REP.	110		50,661.00		05	100.000
102,621.00	Perm Budget Amt			3	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		3		
VO MA TE RPT	51010013	GRP 07	RPT	P	03/20/2025	ADMINISTRATION-BOE - REP.	110		50,661.00		05	100.000
50,661.00	Perm Budget Amt			1	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		1		

Totals for Board of Elections

2,508,903.00	Perm Budget Amt			50	Perm Vac	0.00	Temp Budget Amt		0	Temp Vac		50

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
ASST CA PG15	51017926	GRP 15	FT	P	05/10/2025	CIVIL LITIGATION	110		94,652.00		04	100.000
94,652.00	Perm Budget Amt		1	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac		1	
LEGAL SEC	51010515	GRP 07	FT	T	06/28/2025	CIVIL LITIGATION	110		51,960.00		01	100.000
0.00	Perm Budget Amt		0	Perm Vac		51,960.00	Temp Budget Amt	1	Temp Vac		1	

Totals for County Attorney - Dept of Law

94,552.00	Perm Budget Amt		1	Perm Vac		51,960.00	Temp Budget Amt	1	Temp Vac		2	

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
PERS CLK	51018913	GRP 06	FT	P	01/01/2025	BENEFIT SERVICES	110		49,021.00		01	100.000

49,021.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Personnel

49,021.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DIR IN AS PR	51015091	GRP 15	FT	P	05/05/2025	ECONOMIC DEVELOPMENT	110		94,652.00		01	100.000
94,652.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PLANNER	51016838	GRP 10	FT	P	12/16/2024	PLANNING	110		62,215.00		01	100.000
62,215.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for Environment & Planning Divis'n

156,867.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CHF DIETITIA	00001192	GRP 12	FT	P	09/20/2025	SENIOR SERVICES ADMIN & SUPPORT	110		72,051.00		01	100.000
72,051.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
CS MG SR SRV	00000859	GRP 07	FT	P	10/19/2024	COMMUNITY SERVICES COORDINATOR	110		51,960.00		01	50.000
	00000860	GRP 07	FT	P	04/01/2024	COMMUNITY SERVICES COORDINATOR	110		51,960.00		01	50.000
103,920.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
Totals for Senior Services												
175,971.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DEP COM RECR	51015582	GRP 15	FT	P	05/03/2025	PARKS ADMINISTRATION	110		94,652.00		04	100.000
94,652.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		
GREENSKEEPER	51019153	GRP 10	FT	P	06/28/2025	WILLOWDALE PARK	110		58,026.00		02	100.000
58,026.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		
PARK SUPT	51019152	GRP 13	FT	P	06/28/2025	WILLOWDALE PARK	110		78,000.00		02	100.000
78,000.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		
PK MN WK I	51009899	GRP 03	FT	P	06/06/2025	ELMA MEADOWS PARK	110		42,840.00		02	100.000
42,840.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		
PK MN WK II	51018291	GRP 05	FT	P	06/11/2025	COMO LAKE PARK	110		45,246.00		02	100.000
45,246.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		
RECEPTIONIST	51009708	GRP 03	FT	P	04/24/2025	PARKS ADMINISTRATION	110		42,767.00		02	100.000
42,767.00 Perm Budget Amt		1 Perm Vac	0.00 Temp Budget Amt		0 Temp Vac					1		

Totals for Parks

361,531.00 Perm Budget Amt 6 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 6

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
BLDG GD	51015601	GRP 06	FT	P	06/28/2025	BUILDING SECURITY	110		44,441.00		01	100.000
	51017637	GRP 06	FT	T	05/24/2025	BUILDING SECURITY	110		44,441.00		01	100.000

44,441.00 Perm Budget Amt 1 Perm Vac 44,441.00 Temp Budget Amt 1 Temp Vac 2

Totals for Emergency Services

44,441.00 Perm Budget Amt 1 Perm Vac 44,441.00 Temp Budget Amt 1 Temp Vac 2

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE

Totals for FUND 110

20,104,438.00	Perm Fund Amt	346	Perm Vac	7,957,899.00	Temp Fund Amt	138	Temp Vac	484				

Run Totals: Total Perm Vac 346 Total Temp Vac 138 Total Vacancies 484 Total Positions 4,210 Percent 11%

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

As of: 06/30/2025

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LARESTUIN SE	51016728	GRP 01	SeasonP		07/08/2021	DEPARTMENT OF LABOR RELATIONS	110		14,959.00		07	100.000

14,959.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Labor Relations

14,959.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
SUP ACCT PT	51018297	GRP 11	PT	P	06/01/2024	DEPARTMENT OF REAL PROPERTY TAX	110		32,216.00		01	100.000
32,216.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		
TAX ACCT PT	51015554	GRP 10	PT	P	01/01/2022	DEPARTMENT OF REAL PROPERTY TAX	110		29,552.00		01	100.000
29,552.00 Perm Budget Amt		1 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				1		

Totals for Real Property Tax Services

61,768.00 Perm Budget Amt		2 Perm Vac		0.00 Temp Budget Amt		0 Temp Vac				2		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
MAN FELL SEA	51018938	SPECIAL	SeasonP		05/17/2025	AUDIT & CONTROL	110		0.00		07	100.000

0.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Totals for Comptroller

0.00 Perm Budget Amt 1 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 1

Erie County
POSITION CONTROL
PART TIME VACANCY BY DEPARTMENT, JOB

As of: 06/30/2025

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CLERK PT	51002309	GRP 01	PT	P	08/01/2024	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		19,447.00		02	100.000
	51002354	GRP 01	PT	P	10/07/2023	RECORDING	110		19,447.00		02	100.000
	51002358	GRP 01	PT	P	03/01/2025	ACTIONS AND PROCEEDINGS/PISTOL PERMITS	110		19,447.00		02	100.000
	51004349	GRP 01	PT	T	01/13/2024	RECORDING	110		19,447.00		02	100.000
58,341.00	Perm Budget Amt		3	Perm Vac		19,447.00	Temp Budget Amt		1	Temp Vac		4
JR MT V CS P	51002288	GRP 05	PT	T	09/21/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002290	GRP 05	PT	P	10/26/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002291	GRP 05	PT	P	06/07/2025	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002296	GRP 05	PT	P	12/11/2023	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002299	GRP 05	PT	P	04/25/2025	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002300	GRP 05	PT	P	11/22/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002331	GRP 05	PT	P	06/15/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002332	GRP 05	PT	P	10/05/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002333	GRP 05	PT	P	10/12/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002336	GRP 05	PT	P	12/20/2024	AUTO BUREAU BRANCH OFFICES	110		18,905.00		02	100.000
	51002340	GRP 05	PT	P	06/15/2024	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51002343	GRP 05	PT	P	06/14/2025	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
	51008178	GRP 05	PT	P	05/30/2023	AUTO BUREAU BRANCH OFFICES	110		21,974.00		02	100.000
260,619.00	Perm Budget Amt		12	Perm Vac		21,974.00	Temp Budget Amt		1	Temp Vac		13

Totals for County Clerk

318,960.00	Perm Budget Amt		15	Perm Vac		41,421.00	Temp Budget Amt		2	Temp Vac		17

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
DS SE RE S S	51011332	GRP 51	SeasonP		07/15/2023	STADIUM DETAIL	110		4,682.00		07	0.000
	51011333	GRP 51	SeasonP		04/19/2025	STADIUM DETAIL	110		4,682.00		07	0.000
	51011340	GRP 51	SeasonP		08/14/2021	STADIUM DETAIL	110		4,682.00		07	0.000
	51011342	GRP 51	SeasonP		08/13/2021	STADIUM DETAIL	110		4,682.00		07	0.000
	51011344	GRP 51	SeasonP		07/17/2021	STADIUM DETAIL	110		4,682.00		07	0.000
	51011346	GRP 51	SeasonP		04/19/2025	STADIUM DETAIL	110		4,682.00		07	0.000
	51011348	GRP 51	SeasonP		06/29/2024	STADIUM DETAIL	110		4,682.00		07	0.000
	51011349	GRP 51	SeasonP		04/05/2025	STADIUM DETAIL	110		4,682.00		07	0.000
37,456.00	Perm Budget Amt	8	Perm Vac		0.00	Temp Budget Amt	0	Temp Vac		8		
DS SEC RES S	51011386	GRP 50	SeasonP		06/30/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011393	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011396	GRP 50	SeasonP		05/04/2015	STADIUM DETAIL	110		2,840.00		07	0.000
	51011401	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011402	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011421	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011426	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011430	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011439	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011462	GRP 50	SeasonP		12/18/2024	STADIUM DETAIL	110		2,840.00		07	0.000
	51011483	GRP 50	SeasonP		07/18/2020	STADIUM DETAIL	110		2,840.00		07	0.000
	51011484	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011491	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		2,840.00		07	0.000
	51011499	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		2,840.00		07	0.000
	51011578	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011583	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011585	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011586	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011592	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51011593	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		2,840.00		07	0.000
	51017493	GRP 50	SeasonP		06/17/2023	STADIUM DETAIL	110		1,420.00		07	0.000
	51017500	GRP 50	SeasonP		07/16/2023	STADIUM DETAIL	110		1,420.00		07	0.000
	51017502	GRP 50	SeasonP		05/18/2024	STADIUM DETAIL	110		1,420.00		07	0.000
	51017507	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00		07	0.000
	51017517	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00		07	0.000
	51017521	GRP 50	SeasonP		07/20/2024	STADIUM DETAIL	110		1,420.00		07	0.000
	51017534	GRP 50	SeasonP		12/18/2024	STADIUM DETAIL	110		1,420.00		07	0.000
	51017542	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00		07	0.000
	51017547	GRP 50	SeasonP		04/19/2025	STADIUM DETAIL	110		1,420.00		07	0.000
	51017548	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00		07	0.000
	51017549	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00		07	0.000
	51017552	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00		07	0.000
	51017553	GRP 50	SeasonP		06/23/2022	STADIUM DETAIL	110		1,420.00		07	0.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
75,250.00	Perm Budget Amt		33	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		33		
DEP SH CR PT	51019132	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
	51019133	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
	51019134	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
	51019135	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
	51019136	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
	51019137	GRP 08	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		33,691.00		07	100.000
202,146.00	Perm Budget Amt		6	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		6		
DEP SH RES P	00002369	GRP 08	PT	P	01/13/2025	POLICE SUPPORT SERVICES	110		23,258.00		02	100.000
	51011893	GRP 08	PT	P	02/18/2025	POLICE SUPPORT SERVICES	110		7,753.00		02	100.000
31,011.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
LIEUT PT	51019138	GRP 10	PT	P	01/02/2025	PROFESSIONAL STANDARDS	110		37,718.00		07	100.000
37,718.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
Totals for Office of the Sheriff												
383,591.00	Perm Budget Amt		50	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		50		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
HC GD PT	51017847	GRP 08	PT	P	11/02/2024	SECURITY HC	110		19,149.00		02	100.000
	51017848	GRP 08	PT	P	11/11/2025	SECURITY HC	110		19,149.00		02	100.000
	51017854	GRP 08	PT	P	03/08/2025	SECURITY HC	110		19,149.00		02	100.000
	51017856	GRP 08	PT	P	11/15/2024	SECURITY HC	110		19,149.00		02	100.000

76,596.00 Perm Budget Amt 4 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 4

Totals for Jail Management

76,596.00 Perm Budget Amt 4 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 4

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CASEWKR PT	51011888	GRP 09	PT	P	09/04/2024	CHILD PROTECTIVE SERVICES	110		27,824.00		02	49.200
	51011889	GRP 09	PT	P	09/18/2024	CHILD PROTECTIVE SERVICES	110		27,824.00		02	49.200
55,648.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
EN CR 2 PT	00003365	GRP 05	PT	P	06/14/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	51017071	GRP 05	PT	P	06/18/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	51017074	GRP 05	PT	P	05/03/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	51017079	GRP 05	PT	P	04/22/2025	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
	51017081	GRP 05	PT	P	11/24/2023	HEAP - HOME ENERGY ASSISTANCE PROGRAM	110		21,974.00		02	0.000
109,870.00	Perm Budget Amt		5	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		5		
PR SVC IN PT	51012162	GRP 12	PT	P	10/19/2024	CHILD PROTECTIVE SERVICES	110		34,224.00		01	49.200
34,224.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		

Totals for Department of Social Services

199,742.00	Perm Budget Amt		8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		8		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CHAPLAIN PT	00031023	GRP 11	PT	P	03/15/2025	SECURE CHILD CARE	110		3,391.00		04	51.000
	51018227	GRP 11	PT	P	03/15/2025	SECURE CHILD CARE	110		16,956.00		04	51.000
20,347.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
DET HM IN PT	00002980	GRP 09	PT	P	03/15/2024	INTAKE	110		22,530.00		02	51.000
	00002982	GRP 09	PT	P	06/14/2025	INTAKE	110		22,530.00		02	51.000
45,060.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
DET SEC GD P	00002970	GRP 06	PT	P	07/09/2021	BUILDING SERVICES	110		14,102.00		01	51.000
14,102.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
YTH DET WK P	51016802	GRP 07	PT	P	05/31/2025	SECURE PART TIME YDW CHILD CARE	110		15,080.00		02	51.000
15,080.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
Totals for Youth Services Division												
94,589.00	Perm Budget Amt		6	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		6		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
C IN C EMS P	51005153	GRP 15	PT	P	05/20/2023	EMS TRAINING	110		7,645.00		02	100.000
	51005174	GRP 15	PT	P	06/28/2025	EMS TRAINING	110		7,281.00		02	100.000
	51005175	GRP 15	PT	P	03/26/2025	EMS TRAINING	110		5,233.00		02	100.000
20,159.00	Perm Budget Amt		3	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		3		
C L IN EMS P	51005230	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		3,490.00		02	100.000
	51005231	GRP 08	PT	P	05/20/2023	EMS TRAINING	110		3,499.00		02	100.000
	51005232	GRP 08	PT	P	12/04/2024	EMS TRAINING	110		2,173.00		02	100.000
	51005244	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		2,810.00		02	100.000
	51006162	GRP 08	PT	P	03/26/2025	EMS TRAINING	110		3,976.00		02	100.000
15,948.00	Perm Budget Amt		5	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		5		
LAB TEC EC P	51017937	GRP 11	PT	P	07/31/2023	ENVIRONMENTAL HEALTH LAB	110		32,216.00		01	0.000
32,216.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PARAMED I PT	51018033	GRP 09	PT	T	05/17/2025	EMS AMBULANCE OPERATIONS	110		27,824.00		01	91.000
	51018036	GRP 09	PT	T	06/01/2025	EMS AMBULANCE OPERATIONS	110		27,824.00		01	91.000
0.00	Perm Budget Amt		0	Perm Vac	55,648.00	Temp Budget Amt	2	Temp Vac		2		
PR WK IN PT	51005284	GRP 01	PT	P	10/19/2024	EMS TRAINING	110		1,201.00		02	100.000
	51005289	GRP 01	PT	P	05/26/2021	EMS TRAINING	110		827.00		02	100.000
	51005293	GRP 01	PT	P	01/15/2022	EMS TRAINING	110		1,201.00		02	100.000
	51005297	GRP 01	PT	P	12/14/2024	EMS TRAINING	110		1,397.00		02	100.000
	51005299	GRP 01	PT	P	03/26/2025	EMS TRAINING	110		1,476.00		02	100.000
	51006178	GRP 01	PT	P	05/19/2023	EMS TRAINING	110		590.00		02	100.000
	51006180	GRP 01	PT	P	04/20/2024	EMS TRAINING	110		590.00		02	100.000
	51006183	GRP 01	PT	P	12/14/2024	EMS TRAINING	110		590.00		02	100.000
7,872.00	Perm Budget Amt		8	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		8		
Totals for Health												
76,195.00	Perm Budget Amt		17	Perm Vac	55,648.00	Temp Budget Amt	2	Temp Vac		19		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
CH EL CL C P	51003576	GRP 09	PT	P	01/08/2016	ADMINISTRATION-BOE - DEM.	110		27,824.00		05	100.000
27,824.00 Perm Budget Amt		1 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				1		
DAPRCOBOE PT	51014951	GRP 13	PT	P	06/20/2020	ADMINISTRATION-BOE - REP.	110		10,500.00		05	100.000
10,500.00 Perm Budget Amt		1 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				1		
ELC FIN CL P	51007156	GRP 06	PT	P	01/01/2020	ADMINISTRATION-BOE - REP.	110		23,285.00		05	100.000
23,285.00 Perm Budget Amt		1 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				1		
ELC IN S S P	51007157	GRP 11	PT	P	03/19/2020	ADMINISTRATION-BOE - REP.	110		32,216.00		05	100.000
32,216.00 Perm Budget Amt		1 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				1		
ELE WKR PTNB	00003141	GRP 01	PT	P	08/20/2021	ADMINISTRATION-BOE - REP.	110		10,708.00		05	100.000
	00003143	GRP 01	PT	P	01/04/2025	ADMINISTRATION-BOE - REP.	110		9,711.00		05	100.000
	00003145	GRP 01	PT	P	08/16/2024	ADMINISTRATION-BOE - REP.	110		10,708.00		05	100.000
	00003157	GRP 01	PT	P	01/18/2020	ADMINISTRATION-BOE - REP.	110		3,897.00		05	100.000
	00003161	GRP 01	PT	P	05/01/2021	ADMINISTRATION-BOE - REP.	110		6,850.00		05	100.000
	00003165	GRP 01	PT	P	11/05/2022	ADMINISTRATION-BOE - REP.	110		3,897.00		05	100.000
	51012654	GRP 01	PT	P	05/30/2025	ADMINISTRATION-BOE - DEM.	110		19,447.00		05	100.000
	51012655	GRP 01	PT	P	11/18/2024	ADMINISTRATION-BOE - DEM.	110		19,447.00		05	100.000
	51016026	GRP 01	PT	P	08/17/2023	ADMINISTRATION-BOE - REP.	110		19,447.00		05	100.000
	51016027	GRP 01	PT	P	06/26/2025	ADMINISTRATION-BOE - REP.	110		19,447.00		05	100.000
	51016028	GRP 01	PT	P	10/21/2023	ADMINISTRATION-BOE - REP.	110		19,447.00		05	100.000
	51016030	GRP 01	PT	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		19,447.00		05	100.000
	51016105	GRP 01	PT	P	08/27/2022	ADMINISTRATION-BOE - REP.	110		19,447.00		05	100.000
181,900.00 Perm Budget Amt		13 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				13		
JR EL CL PT	51005585	GRP 04	PT	P	01/11/2025	ADMINISTRATION-BOE - REP.	110		21,008.00		05	100.000
	51008264	GRP 04	PT	P	11/29/2024	ADMINISTRATION-BOE - DEM.	110		21,008.00		05	100.000
	51012979	GRP 04	PT	P	01/01/2016	ADMINISTRATION-BOE - REP.	110		21,008.00		05	100.000
63,024.00 Perm Budget Amt		3 Perm Vac		0.00	Temp Budget Amt	0 Temp Vac				3		
MAPECBOE PT	51007110	GRP 07	PT	P	12/17/2022	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000
	51008695	GRP 07	PT	P	08/16/2024	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
49,362.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		
PR EL C A PT	51016471	GRP 08	PT	P	01/01/2022	ADMINISTRATION-BOE - REP.	110		26,188.00		05	100.000
26,188.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
PR SUVP EL P	51005970	GRP 09	PT	P	04/26/2021	ADMINISTRATION-BOE - DEM.	110		27,824.00		05	100.000
27,824.00	Perm Budget Amt		1	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		1		
SR EL CL PT	51004839	GRP 07	PT	P	05/07/2022	ADMINISTRATION-BOE - DEM.	110		24,681.00		05	100.000
	51014079	GRP 07	PT	P	09/02/2017	ADMINISTRATION-BOE - REP.	110		24,681.00		05	100.000
49,362.00	Perm Budget Amt		2	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		2		

Totals for Board of Elections

491,485.00	Perm Budget Amt		26	Perm Vac	0.00	Temp Budget Amt	0	Temp Vac		26		

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
INTERN SEAS	50016837	GRP 01	SeasonP		03/16/2024	PLANNING	110		14,959.00		07	100.000
	50017359	GRP 01	SeasonP		05/17/2024	ENVIRONMENTAL COMPLIANCE	110		9,448.00		07	32.400
	50017360	GRP 01	SeasonP		11/12/2024	ENVIRONMENTAL COMPLIANCE	110		9,448.00		07	32.400
	50017361	GRP 01	SeasonP		05/22/2025	ENVIRONMENTAL COMPLIANCE	110		9,448.00		07	32.400
	50017362	GRP 01	SeasonP		08/14/2023	ENVIRONMENTAL COMPLIANCE	110		9,448.00		07	32.400

52,751.00 Perm Budget Amt 5 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 5

Totals for Environment & Planning Divis'n

52,751.00 Perm Budget Amt 5 Perm Vac 0.00 Temp Budget Amt 0 Temp Vac 5

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE
LIFEGD SEAS	51003309	GRP 45	SeasonP		08/26/2024	WENDT/BENNETT BEACH PARK	110		8,520.00		02	100.000
	51003603	GRP 45	SeasonP		08/12/2024	WENDT/BENNETT BEACH PARK	110		8,520.00		02	100.000
	51005656	GRP 45	SeasonP		09/08/2024	WENDT/BENNETT BEACH PARK	110		4,260.00		02	100.000
21,300.00	Perm Budget Amt		3	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac		3
PARK ATT SEA	51012680	GRP 33	SeasonP		06/28/2025	ELMA MEADOWS PARK	110		12,456.00		03	100.000
	51018542	GRP 33	SeasonP		06/08/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018545	GRP 33	SeasonP		04/21/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018547	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018548	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018550	GRP 33	SeasonP		05/23/2024	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018576	GRP 33	SeasonP		03/29/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018579	GRP 33	SeasonP		04/26/2025	PARKS ADMINISTRATION	110		13,148.00		03	100.000
	51018581	GRP 33	SeasonP		12/06/2024	PARKS ADMINISTRATION	110		13,148.00		03	100.000
117,640.00	Perm Budget Amt		9	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac		9
Totals for Parks												
138,940.00	Perm Budget Amt		12	Perm Vac		0.00	Temp Budget Amt		0	Temp Vac		12

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE

SHORT DESC	POSITION NUMBER	JOB GROUP	EE GRP	FILL STAT	REFILL DATE	FUNCTION	FUND	GRANT	BUDGETED AMOUNT	TOT VAC	CS CD	COUNTY SHARE

Totals for FUND 110

1,909,576.00 Perm Fund Amt 147 Perm Vac 97,069.00 Temp Fund Amt 4 Temp Vac 151

Run Totals: Total Perm Vac 147 Total Temp Vac 4 Total Vacancies 151 Total Positions 673 Percent 22%

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16D-8 ECDSS COMMISSIONER COMM. 12E-34 Compliance Report

Attachments

25COMM. 16D-8

ECLEG SEP 8 '25 PM1:10

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 8, 2025

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

Dear Honorable Members:

RE: Comm. 12E-34 Compliance Report

In accordance with Comm. 12E-34, please find an update of Child Protective caseloads for the month of August.

	August	Change Since July
Caseload size at the last day of the Month	856	-177
Number of CPS workers assigned at least five cases last day of month	77	-9
Average number of cases per worker	11.12	-0.89
Cases Closed in Month	696	-113
Intake during Month	500	-77
Overdue Investigations at the last day of month	135	-14
Timely Determinations during month	438	-33

Thank you.

Sincerely,

Karen Rybicki

Karen Rybicki, Commissioner
Erie County Department of Social Services

cc: Erie County Executive Mark Poloncarz

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16M-1	ASSIGNED COUNSEL PROGRAM	2024 Financial Statements & Auditor Reports

Attachments

25COMM. 16M-1

ASSIGNED COUNSEL PROGRAM

Michelle Parker, Executive Director

The Brisbane Building
403 Main Street, Suite 215
Buffalo, NY 14203

Phone (716) 856-8804
Fax (716) 856-0424

Real Attorneys
Professional Defenders

EC LEG AUG 13 '25 AM11:22

Officers 2025-2026

Peter Vasilion
President

Rachel Saeli
Vice President

Pamela Thibodeau
Secretary

Kristin Arcuri
Treasurer

Kevin Stadelmaier
First Deputy Defender
Criminal Division

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Lori A. Hoffman
Deputy for Quality Assurance

David Heraty
Deputy for Litigation Support
And Appellate Bureau

Matthew Powers
Deputy for Legal Education
Director of the
John R. Nuchereno
Center for Legal Excellence

Kevin C. Condon
Deputy for Child Welfare

Mary Beth DePasquale
Deputy for Family Court
Litigation Support

Mission Statement

We strive to help those who cannot help themselves; who face steep odds against the power of the State; and who struggle with poverty, mental issues, helplessness, and dread. We save lives and we save families. We are the first line of defense for the freedome grantcd to us by the U.S. Constitution and the Bill of Rights.

August 8, 2025 Sent via email; hard copy mailed

Mark Cornell
Director, Budget & Management
Erie County Division of Budget & Management
1603 Rath Building
95 Franklin Street
Buffalo, NY 14202

Dear Mr. Cornell,

I enclose for your reference a copy of our 2024 financial statements, prepared by an independent auditor. There was no need for a management letter, so none was provided.

I also enclose a detailed explanation from the auditor of the calculation of the amount due to the County of Erie. The amount owed back is $2,781,271. As discussed in our email which I have also attached for reference, please credit the $2,781,271 from our third quarterly payment from the County.

Finally, I enclose a copy of the independent auditor's Report on Applying Agreed-Upon Procedures for the past year.

Please feel free to contact me if you have any questions,

Very truly yours,

Michelle Parker
Executive Director/Chief Defender

MP:hpk

Encs.

cc: Olivia Owens, Clerk of the Erie County Legislature
cc: Hope Keilman, CFO

EFPR GROUP CPAs
Certified Public Accountants
6390 Main Street, Suite 200
Williamsville, New York 14221
P 716.634.0700
TF 800.546.7556
W EFPRgroup.com

August 6, 2025

Ms. Michelle Parker
Director/Chief Defender
Erie County Bar Association Aid to
Indigent Prisoners Society, Inc.
The Brisbane Building
403 Main Street, Suite 215
Buffalo, New York 14203

Dear Ms. Parker:

The following is the detail for the calculation of funds due to the County of Erie as reported in the Society's financial statements as of December 31, 2024. Note 4 to the financial statements reported the following:

Amounts returnable to the County of Erie from 2023	$ (3,260,301)
Prior year receivable for State Aid to Defense Program	(104,484)
Amounts received from prior year receivable for State Aid to Defense Program	104,484
Amount reserved by the County of Erie in excess of future obligations of the Society for 2024	(2,781,271)
Amount withheld by the County of Erie during 2024	3,260,301
Total amount due to the County of Erie	$ (2,781,271)

The total cash receipts received by the Society from the County of Erie amounted to $17,062,132. The total expenses for the contract, for the year ended December 31, 2024, were as follows:

Program Services - Aid to Indigent Prisoners Program	$ 17,186,084
Management and general	362,818
Total contract expenses	17,548,902
Add - fixed asset additions not paid with donor restricted funds	-
Less - depreciation and amortization	(7,740)
Net contract expenses	$ 17,541,162
Net contract expenses	17,541,162
Less - amount withheld from 2024 payment for 2023 excess funds	(3,260,301)
Less - grant cash receipts	(17,062,132)
Total due to the County of Erie (as reported in Note 4 of the audited financial statements)	$ (2,781,271)

Please call me if you have any questions.

Very truly yours,

EFPR GROUP, CPAs, PLLC

Jennifer Kiblin, CPA
Partner

DEZ:jk

Hope Keilman

From: Cornell, Mark <Mark.Cornell@erie.gov>
Sent: Tuesday, July 29, 2025 1:46 PM
To: Michelle Parker; Walder, Kristen; Toth, Jeremy
Cc: Hope Keilman; Cathcart, Robert
Subject: RE: 2024 Indigent Defense -- Amount Returnable to Erie County
Attachments: RE: Money owed back to Erie County for 2023

Thanks Michelle:

As was the case last year, if you would prefer the refund to be reconciled via a credit memo against your 3rd quarter 2025 payment please note as such in the cover letter to your audited financials when those are complete/ready to be disseminated. I've attached the chain from last year for reference.

Once we get that, Robert, in the Law Dept, can credit memo same as last year.

Doc.Type : KG (Vendor credit memo) Normal document
Parked by CATHCAR2 Posted by MCFEELYE
Doc. Number 1720004362 Company Code 1000 Fiscal Year 2024
Doc. Date 08/19/2024 Posting Date 08/22/2024 Period 08
Calculate Tax
Ref.Doc. 2023ACPREFUND
Doc. Currency USD

Itm	PK	Account	Account short text	Assignment	Amount	Bus	Cost Ct	Fun	Func.	Grant	Text
1	21	103845	ERIE COUNTY BAR ASSC	2023ACPREFUND	3,260,301.00	160					'ECBA 2023 ACP Surplus Reimbur
2	50	423000	REFUNDS P/Y EXPENSES	20240822	3,260,301.00-	160	1601040	110	92701	NOT RELEVANT	'ECBA 2023 Indigent Legal Serp
					0.00						

--
Mark Cornell | Budget Director
Erie County | Division of Budget & Management
95 Franklin St., Room 1605 | Buffalo, NY 14202
P:+1(716)858-2920 | F:+1(716)858-8837
Mark.Cornell@erie.gov | http://www.erie.gov/budget

From: Michelle Parker <mparker@assigned.org>
Sent: Tuesday, July 29, 2025 1:18 PM
To: Cornell, Mark <Mark.Cornell@erie.gov>; Walder, Kristen <Kristen.Walder@erie.gov>; Toth, Jeremy <Jeremy.Toth@erie.gov>
Cc: Hope Keilman <hope.keilman@assigned.org>
Subject: 2024 Indigent Defense -- Amount Returnable to Erie County

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

Hi Mark, Kristen, and Jeremy –

We have our draft financials from the annual audit for 2024; awaiting our Board's review before it will be finalized.

This is to let you know that the 2024 amount returnable to Erie County will be $2,781,281.

We will continue to be in touch -- MMP

Michelle Parker (she/her)
Executive Director/Chief Defender, Assigned Counsel Program
Erie County Bar Association's Aid To Indigent Prisoners Society, Inc.
403 Main Street - Suite 215, Brisbane Building, Buffalo NY 14203
716.856.8804; Fax:716.856.0424; mparker@assigned.org
Sometimes I choose to send email outside of typical office hours.
Please note that I do not expect a response outside of your work hours.



I took the pledge to



Challenge Disparity.
Build Diversity.

Bar Association of Erie County: Member Assistance Program
- *Get help from partners in problem solving at 716-681-4300*
- *All calls are confidential.*

From: Cornell, Mark <Mark.Cornell@erie.gov>
Sent: Thursday, August 3, 2023 12:37 PM
To: Michelle Parker <mparker@assigned.org>
Cc: Hope Keilman <hope.keilman@assigned.org>; Keating, Robert <Robert.Keating@erie.gov>; Walder, Kristen <Kristen.Walder@erie.gov>
Subject: 2024 Indigent Defense Fund Budget Submission

Michelle:

Attached please find the 2024 Budget Document for the Indigent Defense Fund. Hard copies will be put in the mail as well. We're asking for a September 1st return date.

In the meantime, please let me know if you have any questions and I'll be happy to assist.

--
Mark Cornell | Deputy Budget Director
Erie County | Division of Budget & Management
95 Franklin St., Room 1605 | Buffalo, NY 14202
P:+1(716)858-2920 | F:+1(716)858-8837
Mark.Cornell@erie.gov | http://www.erie.gov/budget

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.

Financial Statements

December 31, 2024 and 2023

(With Independent Auditors' Report Thereon)

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.

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* * * * * *

EFPR GROUP
Certified Public Accountants

6390 Main Street, Suite 200
Williamsville, New York 14221

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TF 800.546.7556
W EFPRadvisory.com

INDEPENDENT AUDITORS' REPORT

The Board of Directors
Erie County Bar Association Aid to
Indigent Prisoners Society, Inc.:

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of Erie County Bar Association Aid to Indigent Prisoners Society, Inc. (the Society) (a nonprofit organization), which comprise the statements of financial position as of December 31, 2024 and 2023, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to financial statements.

In our opinion, the financial statements present fairly, in all material respects, the financial position of Erie County Bar Association Aid to Indigent Prisoners Society, Inc. as of December 31, 2024 and 2023, and the changes in its net assets and its cash flows for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Society and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Society's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audits.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audits in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Society's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Society's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audits.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated August 6, 2025, on our consideration of the Society's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Society's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Society's internal control over financial reporting and compliance.

EFPR Group, CPAs, PLLC

Williamsville, New York
August 6, 2025

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Statements of Financial Position
December 31, 2024 and 2023

Assets	2024	2023
Current assets:		
Cash and equivalents	$ 9,125,333	9,261,883
Grants receivable	6,510,338	4,701,238
Prepaid expenses	24,211	24,211
Total current assets	15,659,882	13,987,332
Right-of-use asset - operating lease	1,011,634	1,170,876
Furniture and equipment, at cost	414,081	400,232
Less accumulated depreciation	(343,858)	(311,666)
Net furniture and equipment	70,223	88,566
Total assets	$16,741,739	15,246,774
Liabilities and Net Assets		
Current liabilities:		
Accounts payable	11,819,140	9,934,211
Due to the County of Erie	2,781,271	3,260,301
Accrued expenses	293,764	236,406
Deferred revenue	65,217	125,159
Current installments of operating lease liabilities	186,723	159,242
Total current liabilities	15,146,115	13,715,319
Operating lease, net of current installments	824,911	1,011,634
Total liabilities	15,971,026	14,726,953
Net assets:		
Without donor restrictions	756,978	494,332
With donor restrictions	13,735	25,489
Total net assets	770,713	519,821
Contingency (note 11)		
Total liabilities and net assets	$16,741,739	15,246,774

See accompanying notes to financial statements.

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Statements of Activities
Years ended December 31, 2024 and 2023

	2024	2023
Revenue:		
County of Erie:		
Aid to Indigent Prisoners Program	$17,541,162	14,320,937
State Aid to Defense Program	104,484	104,484
Indigent Legal Services	10,009,064	6,732,562
Total County of Erie	27,654,710	21,157,983
Other grants	310,571	219,029
Interest	282,513	98,708
Net assets released from donor restrictions	29,512	3,333
Total revenue	28,277,306	21,479,053
Expenses:		
Program services:		
Legal services	26,719,367	20,178,187
Supplemental programs	5,617	-
Total program services	26,724,984	20,178,187
Management and general	1,289,676	1,233,886
Total expenses	28,014,660	21,412,073
Change in net assets without donor restrictions	262,646	66,980
Change in net assets with donor restrictions:		
Revenue	17,758	9,670
Net assets released from donor restrictions	(29,512)	(3,333)
Change in net assets with donor restrictions	(11,754)	6,337
Total change in net assets	250,892	73,317
Net assets at beginning of year	519,821	446,504
Net assets at end of year	$ 770,713	519,821

See accompanying notes to financial statements.

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Statements of Functional Expenses
Year ended December 31, 2024
with comparative totals for 2023

	Program Services			
	Legal services	Supplemental programs	Total program services	Management and general
Legal:				
Attorney fees	$22,258,081	-	22,258,081	-
Experts, investigative and transcript fees	454,191	-	454,191	-
Total legal	22,712,272	-	22,712,272	-
Salaries	2,419,317	-	2,419,317	806,439
Payroll taxes and employee benefits	807,173	-	807,173	269,058
Temporary help	17,502	-	17,502	5,834
Insurance	19,296	-	19,296	6,432
Rent	173,610	-	173,610	57,870
Reproduction	5,813	-	5,813	1,937
Professional fees	200,432	-	200,432	66,810
Attorney recognition	-	5,617	5,617	-
Office expenses	19,829	-	19,829	6,610
Minor equipment	62,761	-	62,761	20,920
Postage	6,035	-	6,035	2,011
Telephone	29,740	-	29,740	9,913
Training	113,040	-	113,040	-
Legal publications	25,021	-	25,021	-
Depreciation	24,144	-	24,144	8,048
Miscellaneous	83,382	-	83,382	27,794
Total expenses	$26,719,367	5,617	26,724,984	1,289,676

See accompanying notes to financial statements.

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Statements of Functional Expenses
Year ended December 31, 2023

	Program Services			
	Legal services	Supplemental programs	Total program services	Manag an gen
Legal:				
Attorney fees	$ 15,944,747	-	15,944,747	
Experts, investigative and transcript fees	414,895	-	414,895	
Total legal	16,359,642	-	16,359,642	
Salaries	2,347,449	-	2,347,449	78
Payroll taxes and employee benefits	766,835	-	766,835	25
Temporary help	15,955	-	15,955	
Insurance	16,160	-	16,160	
Rent	168,159	-	168,159	5
Reproduction	6,855	-	6,855	
Professional fees	160,852	-	160,852	5
Office expenses	18,950	-	18,950	
Minor equipment	63,775	-	63,775	2
Postage	2,735	-	2,735	
Telephone	29,633	-	29,633	
Training	82,301	-	82,301	
Legal publications	34,577	-	34,577	
Depreciation	26,323	-	26,323	
Miscellaneous	77,986	-	77,986	2
Total expenses	$ 20,178,187	-	20,178,187	1,23

See accompanying notes to financial statements.

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Statements of Cash Flows
Years ended December 31, 2024 and 2023

	2024	2023
Cash flows from operating activities:		
Change in net assets	$ 250,892	73,317
Adjustments to reconcile change in net assets to net cash provided by (used in) operating activities:		
Depreciation	32,192	35,097
Changes in:		
Grants receivable	(1,809,100)	(225,806)
Accounts payable	1,884,929	2,558,328
Due to the County of Erie	(479,030)	3,260,301
Accrued expenses	57,358	41,909
Deferred revenue	(59,942)	50,159
Net cash provided by (used in) operating activities	(122,701)	5,793,305
Cash flows from investing activities - additions to furniture and equipment	(13,849)	(11,256)
Net change in cash and equivalents	(136,550)	5,782,049
Cash and equivalents at beginning of year	9,261,883	3,479,834
Cash and equivalents at end of year	$ 9,125,333	9,261,883
Supplemental schedule of cash flow information - cash paid for amounts included in measurement of lease liability - operating lease payments	$ 159,242	152,349

See accompanying notes to financial statements.

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.
Notes to Financial Statements
December 31, 2024 and 2023

(1) Summary of Significant Accounting Policies

(a) Nature of Activities

Erie County Bar Association Aid to Indigent Prisoners Society, Inc. (the Society) was incorporated in 1962 as a nonprofit membership corporation administered under the Erie County Bar Association. The Society was formed to give legal assistance and provide representation in criminal matters to needy persons residing, or charged with a crime, within the County of Erie (the County), State of New York, in accordance with County Law, Section 722.

The Society is funded by three County programs: the Aid to Indigent Prisoners Program, State Aid to Defense Program, and Indigent Legal Services.

Funding for administrative and legal expenses is provided through annual agreements between the Society and the County.

(b) Basis of Accounting

The accompanying financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

(c) Basis of Presentation

The Society reports information regarding its financial position and activities according to two classes of net assets: net assets without donor restrictions and net assets with donor restrictions. Net assets of the Society and changes therein are classified and reported as follows:

Net assets without donor restrictions - Net assets that are not subject to donor-imposed stipulations and may be used for any purpose designated by the Society's Board of Directors.

Net assets with donor restrictions - Net assets subject to donor-imposed stipulations that may or will be met either by actions of the Society and/or the passage of time.

(d) Estimates

The preparation of financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

(e) Cash and Equivalents

For purposes of reporting cash flows, cash and equivalents includes money market accounts and any highly liquid debt instruments purchased with a maturity of three months or less.

(1) Summary of Significant Accounting Policies, Continued

(f) Concentration of Credit Risk

Financial instruments that potentially subject the Society to concentrations of credit risk consist principally of cash and cash equivalents accounts in financial institutions. The Society maintains cash and cash equivalents at financial institutions which periodically may exceed federally insured limits (FDIC); however at the end of each day, funds are transferred to numerous banks in amounts less than the FDIC limits to ensure all funds are fully collateralized at the end of the day. At December 31, 2024 and 2023, the Society's cash and cash equivalents were fully collateralized.

(g) Capitalization and Depreciation

Property and equipment are recorded at cost. If donors stipulate how long the assets must be used, the contributions are recorded as support with donor restrictions. In the absence of such stipulations, contributions of property and equipment are recorded as support without donor restrictions. Depreciation is provided for in amounts sufficient to relate the cost of depreciable assets to operations over their estimated service lives using the straight-line method. Improvements are capitalized, while expenditures for maintenance and repairs are charged to expense as incurred. Upon disposal of depreciable property, the appropriate property accounts are reduced by the related costs and accumulated depreciation. The resulting gains and losses are reflected in the statements of activities. The estimated useful life of assets are as follows:

Improvements	15 years
Furniture	7 years
Equipment	5 years

(h) Grants and Contributions

Grant awards accounted for as exchange transactions are recorded as revenue when expenditures have been incurred in compliance with the grant restrictions. Amounts unspent are recorded in the statements of financial position as deferred revenue.

The Society is the recipient of grants that require expenditure for specified activities before the Society is reimbursed by the grantor for the costs incurred. Documentation showing actual costs expended is included when submitting reports for reimbursement. Certain grantors pay in advance of incurring the specified costs; in those cases, the amount received in excess of amounts spent on reimbursable costs is reported as deferred revenue.

Contributions (including nonfinancial assets) that are restricted by the donor are reported as increases in net assets without donor restrictions if the restrictions expire (that is, when a stipulated time restriction ends or purpose restriction is accomplished) in the reporting period in which the revenue is recognized. All other donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statements of activities as net assets released from restrictions.

(1) Summary of Significant Accounting Policies, Continued

(i) Receivables and Credit Losses

The Society's receivables are primarily derived from grant income. At each statement of financial position date, the Society recognizes an expected allowance for credit losses. This estimate is calculated on a pooled basis where similar characteristics exist and individually when there are no shared characteristics.

The allowance method is derived from a review of the Society's historical losses based on an aging of receivables. Historical losses have been consistent. This estimate is adjusted for management's assessment of current conditions, forecasts of future events, and other factors deemed relevant risk factors. As a result, management has determined that no allowance for credit losses is necessary.

The Society writes off receivables when there is information that indicates that there is no possibility of collection. If any recoveries are made from any accounts receivable previously written off, they will be recognized in revenue. There were no write-offs for the years ended December 31, 2024 and 2023.

(j) Subsequent Events

The Society has evaluated subsequent events through the date of the accompanying report which is the date the financial statements were available to be issued.

(k) Income Taxes

The Society is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code (IRC), therefore, no provision for income taxes is reflected in the financial statements. The Society has been classified as a publicly supported organization that is not a private foundation under Section 509(a) of the IRC. The Society presently discloses or recognizes income tax positions based on management's estimate of whether it is reasonably possible or probable that a liability has been incurred for unrecognized income taxes. Management has concluded that the Society has taken no uncertain tax positions that require adjustment in its financial statements. U.S. Forms 990 filed by the Society are subject to examination by taxing authorities.

(2) Liquidity

The Society has $15,635,671 of financial assets available within one year of the statements of financial position date to meet cash needs for general expenditures, consisting of $9,125,333 of cash and equivalents and $6,510,338 of grants receivable. Of these financial assets, $13,735 are subject to donor or contractual restrictions for the attorney training program and attorney recognition. The remaining financial assets are for general expenditures within one year of the statements of financial position date.

(3) Grants Receivable

The Society has grant contracts with the County of Erie for the State Aid to Defense Program (ATD), Indigent Legal Services (ILS), New York State Division of Criminal Justice Services (DCJS) and a contract with Niagara County. At December 31, 2024, the amount due to the Society amounted to $6,510,338 ($3,400 for DCJS and $6,506,938 for ILS). At December 31, 2023, the amount due to the Society amounted to $4,701,238 ($104,484 for ATD, $8,362 for DCJS, $4,578,950 for ILS and $9,442 for Niagara County). Grants receivable have been deemed fully collectible based on management's evaluation.

(4) Due to the County of Erie

The amount due to the County at December 31, 2024 and 2023 is summarized as follows:

	2024	2023
Amount returnable to the County to fund the future obligations of the Society	$ (3,260,301)	-
Prior year receivable for State Aid to Defense Program	(104,484)	(104,484)
Amounts received from prior year receivable for State Aid to Defense Program	104,484	104,484
Current year receivable for State Aid to Defense Program	-	(104,484)
Amount withheld by County during 2024	3,260,301	-
Amount reserved by the County in excess of the future obligations of the Society	(2,781,271)	(3,260,301)
	(2,781,271)	(3,364,785)
Receivable for State Aid to Defense Program	-	104,484
Total due to the County	$ (2,781,271)	(3,260,301)

(5) Accounts Payable

The Society's accounts payable balance is based partly on estimates of vouchers not submitted as of year-end, other accounts payable which consist of normal recurring trade payables and amounts due to attorneys for vouchers submitted. A summary of the two types of accounts payable at December 31, 2024 and 2023 is as follows:

	2024	2023
Accounts payable	$ 4,489,707	2,992,062
Accounts payable - vouchers not submitted	7,329,433	6,942,149
Total accounts payable	$ 11,819,140	9,934,211

(5) Accounts Payable, Continued

The Society estimates the "accounts payable - vouchers not submitted" balance as follows:

(a) A calculation is made of the historical average cost, over at least the past two years, of each case having a particular initial charge, using the most serious of multiple charges which may be pending against a client.
(b) The average time for completion of cases with each such charge is calculated using the same information base.
(c) The historical average cost for each charge, as calculated above, is applied to each unvouchered open case at year-end.
(d) A percentage of completion is calculated for each outstanding voucher using the date of assignment of the outstanding voucher as compared to the average time of completion, as calculated above.
(e) For each unvouchered open case at year-end, the historical average cost is multiplied by the percentage of completion. The sum of each of these calculations represents accounts payable for all cases for which the attorney has not yet submitted a voucher.

(6) Net Assets With Donor Restrictions

Net assets with donor restrictions amounted to $13,735 and $25,489 at December 31, 2024 and 2023, respectively, and consists of funds restricted for the attorney training program and the attorney recognition.

(7) Retirement Plans

The Society provides retirement benefits for employees through a tax deferred annuity plan and a simplified employee pension (SEP) plan. The tax deferred annuity plan is available to all employees and is funded through a salary reduction of the participating employee. The SEP plan includes all employees who work at least 20 hours per week and requires that the Society contribute 10% of the employees' annual salary. Participants of both plans are fully vested from their first day of participation in the plans. Pension plan costs amounted to $318,194 and $306,308 for the years ended December 31, 2024 and 2023, respectively.

(8) Economic Dependency

Substantially all of the Society's funding is dependent upon contracts with the County. The loss of these contracts would have a material adverse effect on the operations of the Society.

(9) Related Party Transactions

Certain members of the Board of Directors of the Society, who are attorneys, are also involved in providing services to the Society, through representation of assigned indigent prisoners, for which they receive payment consistent with the guidelines specified in the contracts with the County. Payments to these Board members amounted to $1,093,299 and $959,426 for the years ended December 31, 2024 and 2023, respectively.

(10) Right-of-Use Assets - Lease Liabilities

The Society leases building space for program services at 403 Main Street Buffalo, NY under an operating lease and has elected the practical expedient not to separate lease and nonlease components for all lease transactions. The lease includes options to extend the lease term. The Society only includes these options in the measurement of the lease assets and liabilities when it believes these options are reasonably certain of being exercised. The lease also contains variable lease payments, which the Society has elected to recognize when incurred. The lease provides for monthly payments of various amounts through December 31, 2029. The lease assets and liabilities were calculated using the risk-free discount rate at the later of lease inception or period of adoption, unless explicitly stated, in accordance with the Society's accounting policies. Additional information about the Society's lease is as follows:

	2024	2023
Lease expenses:		
Operating lease:		
Program services	$ 152,250	152,250
Management and general	50,750	50,750
	203,000	203,000
Variable payments:		
Program services	21,360	15,909
Management and general	7,120	5,303
	28,480	21,212
Total lease expense	$ 231,480	224,212
Weighted Averages:		
Remaining lease term - operating lease	5.00 years	6.00 years
Discount rate - operating lease	4.11%	4.11%

(10) Right-of-Use Assets - Lease Liabilities, Continued

The aggregate maturity of the lease payments under ASC 842 for the five years following December 31, 2024 is as follows:

	Operating
2025	$ 223,299
2026	223,299
2027	223,299
2028	223,299
2029	223,299
	1,116,495
Less unamortized discount	(104,861)
Total lease liability	$ 1,011,634

	2024	2023
Lease liability:		
Operating lease:		
Current installments	$ 186,723	159,242
Noncurrent installments	824,911	1,011,634
Total lease liability	$ 1,011,634	1,170,876

(11) Contingency

The County may perform periodic audits of the Society and certain costs may be questioned as not being appropriate expenditures under the terms of the grants. Such questioned costs could lead to reimbursement to the County. Management believes that it would be able to provide support acceptable to the County and that any disallowances would not be material.

(12) Functional Expenses

The Society's purpose is to give legal assistance and provide representation in criminal matters to needy persons residing, or charged with a crime, within the County of Erie and County of Niagara, State of New York, in accordance with County Law, Section 722. All expenses related to these services have been allocated to program services with the exception of certain administrative expenses. Salaries and benefits are allocated among program and support services based on time and effort. Office and other expenses are allocated based on direct usage.

EFPR GROUP
Certified Public Accountants

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

The Board of Directors
Erie County Bar Association Aid to
Indigent Prisoners Society, Inc.:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, the financial statements of Erie County Bar Association Aid to Indigent Prisoners Society, Inc. (the Society) (a nonprofit organization), which comprise the statement of financial position as of December 31, 2024, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to financial statements, and have issued our report thereon dated August 6, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Society's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Society's internal control. Accordingly, we do not express an opinion on the effectiveness of the Society's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements, on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Society's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Society's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Society's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Society's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

EFPR Group, CPAs, PLLC

Williamsville, New York
August 6, 2025

ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS
SOCIETY, INC.

Independent Accountants' Report On
Applying Agreed-Upon Procedures

As of and for the year ended December 31, 2024

EFPR GROUP CPAs
Certified Public Accountants
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INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

The Board of Directors
Erie County Bar Association Aid to Indigent
Prisoners Society, Inc. and the County of Erie:

We have performed the procedures enumerated below on Erie County Bar Association Aid to Indigent Prisoners Society, Inc.'s (the Society) compliance with their agreement with the County of Erie as of and for the year ended December 31, 2024. The Society's management is responsible for compliance with the requirements of their agreement with the County of Erie.

The Society has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of their compliance with their agreement with the County of Erie. Additionally the County of Erie has agreed to and acknowledged that the procedures performed are appropriate for their purposes. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are as follows:

1. We obtained and reviewed the agreement between Erie County Bar Association Aid to Indigent Prisoners Society, Inc. (the Society) and the County of Erie (the County).

   FINDING - No exceptions were noted as a result of applying this procedure.

2. We reviewed a sample of vouchers to ascertain that the Society is charging $158 per hour with a maximum of $10,000 for all legal representation in all cases.

   FINDING - No exceptions were noted as a result of applying this procedure.

3. We ascertained that expenditures of County funds were separately accounted for and expended to promote the County purpose underlying the agreement.

   FINDING - No exceptions were noted as a result of applying this procedure.

4. We ascertained that the Society furnished to the County Comptroller and the County's Budget Director any independent auditors' report made for the Society, within thirty days after receipt of the report.

   FINDING - No exceptions were noted as a result of applying this procedure.

5. We ascertained that the Society refunded to the County within ninety days of the Society's independent auditors' report any unused amount of monies paid to the Society.

   FINDING - No exceptions were noted as a result of applying this procedure.

6. We ascertained that the Society filed with the Clerk of the Erie County Legislature on July 9, 2024 and January 17, 2025 a membership list, a full financial report, including sources and uses of funds, and minutes of each meeting held during the preceding six months. The memorandum of agreement states that the reports be filed before January 1st and July 1st of each calendar year.

   FINDING - No exceptions were noted as a result of applying this procedure.

7. We ascertained that the Society submitted to the Erie County Attorney, for filing with the Erie County Legislature, quarterly reports showing the disposition and status of the County funds provided for indigent defense, including all appropriations, and denoting which attorneys have received such funds for their services.

   FINDING - No exceptions were noted as a result of applying this procedure.

8. We ascertained that the Society provided the Erie County Attorney with the required State Aid Voucher, together with the back-up documentation, so as to enable the County to obtain State reimbursement under the Indigent Parolee Program.

   FINDING - No exceptions were noted as a result of applying this procedure.

9. We reviewed the Society's requirement to maintain records with respect to the "Attorney of the Day," including amount of compensation paid, the number of hours and days the attorneys are so assigned and the number of indigent defendants represented thereby.

   FINDING - No exceptions were noted as a result of applying this procedure.

10. We ascertained that the Society's use of County funds was limited to expenses such as salaries, fringe benefits, rent, utilities, office supplies and equipment and educational programs and services.

    FINDING - No exceptions were noted as a result of applying this procedure.

We were engaged by the Society to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the Society's compliance with their agreement with the County of Erie. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Society and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the Society and the County of Erie and is not intended to be, and should not be, used by anyone other than those specified parties.

EFPR Group, CPAs, PLLC

Williamsville, New York
August 6, 2025

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16M-2	TOWN OF ALDEN	Resolution Opposing Further Electric Rate Hikes, Condemning Poor Utility Oversight, & Rejecting Unrealistic Energy Mandates

Attachments

25COMM. 16M-2

OFFICE OF THE ALDEN TOWN CLERK

Alecia Barrett | 716.937.6969 ext. 2 | alecia.barrett@erie.gov

August 08, 2025

RE: TOWN OF ALDEN RESOLUTION OPPOSING FURTHER ELECTRIC RATE HIKES, CONDEMNING POOR UTILITY OVERSIGHT, AND REJECTING UNREALISTIC ENERGY MANDATES

Sponsored by Alden Councilwoman Gwendolyn Bork

Erie County Legislature
92 Franklin St # 4
Buffalo, New York 14202

Enclosed please find a copy of the Town of Alden's Resolution opposing further electric rate hikes.

This Resolution was passed unanimously by the Town Supervisor and the Town Board at the Regular Town Board Meeting on August 04, 2025 which was held at the Alden Town Hall at 3311 Wende Road.

Town Supervisor Colleen Pautler
Town Councilmember Gina Waiss
Town Councilmember Randy Crist
Town Councilmember Gwendolyn Bork - Resolution Sponsor

Please contact the Alden Town Clerk's Office if we may be of assistance regarding the enclosure.

Respectfully,

Linda J. Marzolf

1st Deputy Town Clerk
Town of Alden, New York

ENCLOSURE

TOWN OF ALDEN RESOLUTION OPPOSING FURTHER ELECTRIC RATE HIKES, CONDEMNING POOR UTILITY OVERSIGHT, AND REJECTING UNREALISTIC ENERGY MANDATES

Sponsored by Alden Councilwoman Gwendolyn Bork

WHEREAS, the Town of Alden is committed to advocating for the economic and physical well-being of its residents, many of whom are working families, seniors, and small business owners already struggling with inflation and rising utility bills; and

WHEREAS, New York State Electric and Gas (NYSEG), a subsidiary of Avangrid, has already implemented significant electric rate increases, with more under review by the New York State Public Service Commission (PSC); and

WHEREAS, the PSC recently released findings from an independent third-party audit which revealed major deficiencies in NYSEG's operations and transparency; and

WHEREAS, the audit resulted in one hundred and twenty-eight separate recommendations, underscoring widespread customer dissatisfaction with skyrocketing bills, unexplained rate increases, and poor customer service; and

WHEREAS, the auditor further recommended that Avangrid revise and simplify its cost allocation process and improve transparency, so ratepayers are not unknowingly subsidizing corporate inefficiency or inappropriate allocations; and

WHEREAS, the Town of Alden believes our residents deserve clarity, accountability, and fairness—not unchecked rate hikes to fund a bloated, opaque utility structure that fails to prioritize customer service; and

WHEREAS, the aggressive green energy mandates pushed by Governor Kathy Hochul and the PSC are impractical and dangerous for Western New York, where full electrification is not feasible due to long, harsh winters—as demonstrated during the December 2022 blizzard, when natural gas fireplaces and generators saved lives amid widespread power outages; and

WHEREAS, the Town of Alden supports renewable energy goals, but not at the expense of public safety, affordability, or regional practicality; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Alden strongly opposes any further electric rate increases proposed by NYSEG, and urges the Governor Hochul and the PSC to halt any new approvals until Avangrid fully implements the one hundred and twenty eight recommendations, including full transparency and cost accountability.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Kathy Hochul, the New York State Public Service Commission, NYSEG, State Senator Patrick Gallivan, Assemblymember Paul Bologna, and the Erie County Legislature.

Adopted this 4th day of August, 2025 by the Town Board of the Town of Alden.

THE ABOVE RESOLUTION WAS OFFERED BY SUPERVISOR PAUTLER,
WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER WAISS.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 4, 2025, resulting as follows:

Councilmember Crist	Aye
Councilmember Waiss	Aye
Councilmember Bork	Aye
Supervisor Pautler	Aye

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT		
COMM. 16M-3	OFFICE OF THE STATE COMPTROLLER	Acknowledging Receipt of COMM. 12E-7 (2025)

Attachments

25COMM. 16M-3

THOMAS P. DiNAPOLI
STATE COMPTROLLER

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

DIVISION OF LEGAL SERVICES
110 State Street – 14th Floor
Albany, NY 12236
Tel: (518) 474-3444
Fax: (518) 473-9104

EC LEG AUG 22 '25 AM 9:29

August 13, 2025

Hon. Olivia M. Owens, Clerk of the Legislature
Office of the Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: County of Erie;
Increase and Improvement of
Facilities of Sewer District No. 3

Dear Ms. Owens:

This will acknowledge receipt of the order of the County Legislature of the County of Erie dated July 24, 2025, providing for the increase and improvement of facilities for the above referenced district.

This order was filed in the Office of the State Comptroller on August 12, 2025.

Very truly yours,

Laura M. Crisafulli

Laura M. Crisafulli
Assistant Counsel

LMC:jaw

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT

COMM. 16M-4	NYS DEPARTMENT OF TAXATION & FINANCE	List of Certified 2025 State Equalization Rates

Attachments

25COMM. 16M-4

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

List of Certified 2025 State Equalization Rates

Mr. Olivia M Owens , Clerk
Erie County Legislature
Old County Hall, 4th Fl.
92 Franklin Street
Buffalo, NY 14202

EC LEG AUG 27 '25 PM11:00

Subpart 8186-2 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York specifies that a certified statement setting forth the final State equalization rate for each municipality shall be filed with the clerk of the legislative body of the county.

Listed below are final State equalization rates for the 2025 assessment rolls which have been established to date for the municipalities in your county. If a final equalization rate for a municipality has been certified to you and subsequently rescinded this is also noted.

Municipal Code	Municipal Name	State Equalization Rate	Date Established	County Full Valuation of Taxable Real Property
140000	County of Erie	67.38	08/12/2025	114,818,976,056
140200	City of Buffalo	100.00	03/25/2025	
140900	City of Lackawanna	64.00	04/08/2025	
141600	City of Tonawanda	87.00	05/13/2025	
142000	Town of Alden	56.95	05/13/2025	
142200	Town of Amherst	99.00	06/10/2025	
142400	Town of Aurora	20.00	06/10/2025	
142600	Town of Boston	50.00	06/10/2025	
142800	Town of Brant	48.00	06/10/2025	
143000	Town of Cheektowaga	75.00	06/10/2025	
143200	Town of Clarence	100.00	06/10/2025	
143400	Town of Colden	25.00	06/10/2025	
143600	Town of Collins	28.00	05/13/2025	
143800	Town of Concord	26.00	06/10/2025	
144000	Town of Eden	37.00	05/13/2025	
144200	Town of Elma	2.60	06/10/2025	
144400	Town of Evans	49.00	05/13/2025	
144600	Town of Grand Island	100.00	06/10/2025	
144800	Town of Hamburg	29.00	05/13/2025	
145000	Town of Holland	48.00	06/10/2025	
145200	Town of Lancaster	64.00	06/10/2025	
145400	Town of Marilla	24.00	05/13/2025	
145600	Town of Newstead	90.00	05/13/2025	
145800	Town of North Collins	49.00	05/13/2025	

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

List of Certified 2025 State Equalization Rates

Municipal Code	Municipal Name	State Equalization Rate	Date Established	County Full Valuation of Taxable Real Property
146000	Town of Orchard Park	30.00	06/10/2025	
146200	Town of Sardinia	33.00	06/10/2025	
146400	Town of Tonawanda	21.00	06/13/2025	
146600	Town of Wales	26.00	06/10/2025	
146800	Town of West Seneca	24.00	05/13/2025	

* The final State equalization rate has been rescinded, the revised State equalization rate is shown.

Villages that have adopted the provisions of Section 1402-3 of the Real Property Tax Law and have ceased to be assessing units are not listed on this report. Section 1202 of the Real Property Tax Law specifies that the State equalization rate established by the State Office for the town or county assessment roll shall be deemed to be the State equalization rate established for these villages.

I hereby certify that the State Office of Real Property Tax Services has established the State equalization rates for the 2025 assessment roll shown on this document for the above municipalities.

Jason Ayotte
Real Property Analyst 3

Mr. Scott Bylewski, County Director
Erie County RPTS
Rath Building Room 100
95 Franklin Street
Buffalo, NY 14202

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

List of Certified 2025 Class Equalization Rates

Mr. Olivia M Owens , Clerk
Erie County Legislature
Old County Hall, 4th Fl.
92 Franklin Street
Buffalo, NY 14202

Subpart 8166-2 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York specifies that a certified statement setting forth the final class equalization rates for each special assessing unit, and for each approved assessing unit which has adopted the Homestead provisions of Article 19 of the Real Property Tax Law, shall be filed with the clerk of the legislative body of the county.

Listed below are final class equalization rates for the 2025 assessment rolls which have been established to date for the municipalities in your county. Where a final class rate has been certified to you and subsequently rescinded this is also noted.

Approved Assessing Unit:	SWIS Code	Date Established
City of Buffalo	140200	3/25/2025
Portions:	Homestead	NonHomestead
City of Buffalo	100.00	100.00

Approved Assessing Unit:	SWIS Code	Date Established
Town of Tonawanda	146400	8/27/2025
Portions:	Homestead	NonHomestead
Town of Tonawanda	21.00	24.60
Village of Kenmore	21.00	21.00
Tonawanda TOV	21.00	24.97

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

List of Certified 2025 Class Equalization Rates

(continued)	SWIS Code	Date Established 8/27/2025
Portions:	Homestead	NonHomestead
Sweet Home School District	21.00	24.39

I hereby certify that the State Office of Real Property Tax Services has established the class equalization rates for the 2025 assessment roll shown on this document for the above municipalities.

Jason Ayotte
Real Property Analyst 3

Mr. Scott Bylewski, County Director
Erie County RPTS
Rath Building Room 100
95 Franklin Street
Buffalo, NY 14202

Erie County Legislature
Meeting Date: 09/11/2025

SUBJECT		
COMM. 16M-5	VBN & BCC PRESIDENT AND CEO	2nd Quarter Reports, Financial Statements & Destination Performance Reports

Attachments

25COMM. 16M-5

PATRICK J. KALER
PRESIDENT & CEO

EC LEG SEP 9 '25 AM8:53

403 Main Street, Suite 630 • Buffalo, New York 14203 • 716.961.0200 • Kaler@VisitBuffaloNiagara.com

September 4, 2025

Ms. Olivia M. Owens
Clerk, Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Ms. Owens:

Enclosed please find Visit Buffalo Niagara's and the Buffalo Convention Center's second quarter reports for 2025, along with the Destination Performance Reports for April, May, and June. Also included are the financial statements for the period ending June 30, 2025, as well as the audited financial statements for the Buffalo Convention Center.

Sincerely,

Patrick J. Kaler
President and CEO

/Enclosures

PATRICK J. KALER
PRESIDENT & CEO

403 Main Street, Suite 630 • Buffalo, New York 14203 • 716.961.0200 • Kaler@VisitBuffaloNiagara.com

September 4, 2025

I, the undersigned, do hereby certify based on my knowledge, the information provided herein:

- Is accurate, correct and does not contain any untrue statement of material fact;
- Does not omit any material fact which, if omitted, would cause the financial statements to be misleading in light of the circumstances under which such statements are made;
- Fairly presents, in all material respects, the financial condition and results of operations of the authority as of and for the periods presented in the financial statements.

Visit Buffalo Niagara
Buffalo Convention Center

Patrick J. Kaler
President and CEO

visit Buffalo Niagara

MONTHLY KPI DASHBOARDS

April 2025

BUFFALO NIAGARA SPORTS COMMISSION

BUFFALO CONVENTION CENTER

ERIE COUNTY HOTEL & SHORT-TERM RENTAL KPIs - APRIL 2025

ERIE COUNTY HOTEL PERFORMANCE - APRIL 2025

April Revenue		April Occupancy		April Demand		April Average Daily Rate		April RevPAR	
$21,769,758		56.6%		172,210		$126.41		$71.52	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
-2.0%	$22,221,374	2.5%	55.2%	-0.9%	173,772	-1.1%	$127.88	1.2%	$70.65

ERIE COUNTY HOTEL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Demand		YTD Average Daily Rate		YTD RevPAR	
$80,766,108		51.0%		621,469		$129.99		$66.35	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-6.6%	$86,504,998	-4.1%	53.2%	-3.1%	641,466	-3.6%	$134.86	-7.5%	$71.76

ERIE COUNTY SHORT-TERM RENTAL PERFORMANCE - APRIL 2025

April Revenue		April Occupancy		April Guest Check-Ins		April Average Daily Rate		April RevPAR	
$3,002,024		23.7%		5,157		$161.00		$38.00	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
16.1%	$2,585,735	12.3%	21.1%	5.2%	4,900	8.1%	$149.00	18.8%	$32.00

ERIE COUNTY SHORT TERM RENTAL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Guest Check-Ins		YTD Average Daily Rate		YTD RevPAR	
$10,404,362		21.2%		20,277		$154.00		$33.00	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-1.5%	$10,561,385	-21.2%	26.9%	-15.1%	23,896	12.4%	$137.00	-10.8%	$37.00

BUF AIRPORT PASSENGERS - APRIL 2025

April BUF Airport Passenger Traffic	
415,560	
Change	March 2025
3.6%	401,282

BUF AIRPORT PASSENGERS - FY 2025 YTD

YTD BUF Passenger Traffic	
1,467,780	
Change	2024
7.3%	1,367,936

CROSS BORDER TRAFFIC - APRIL 2025

April U.S./Canada Cross Border Bridge Traffic	
282,956	
Change	March 2025
-3.6%	293,582

CROSS BORDER TRAFFIC - FY 2024 YTD

YTD U.S./Canada Cross Border Bridge Traffic	
1,108,561	
Change	2024
-11.6%	1,254,639

CROSS BORDER TRAFFIC - FY 2024 YOY

April U.S./Canada Cross Border Bridge Traffic	
282,956	
Change	April 2024
-20.2%	354,593

SALES & SERVICES KPIs - APRIL 2025

LEADS GENERATED PERFORMANCE - APRIL 2025

April Leads Generated		April Leads Room Nights		April Leads Attendance		April Leads Economic Impact	
54		36,084		39,976		$31,822,760	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
35.0%	40	26.2%	28,595	-14.8%	46,940	21.6%	$26,180,255

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Leads Generated		YTD Leads Room Nights		YTD Leads Attendance		YTD Leads Economic Impact	
205		161,944		193,896		$163,568,763	
Change	2024	Change	2024	Change	2024	Change	2024
4.1%	197	19.3%	135,789	47.9%	131,083	49.1%	$109,716,459

DEFINITE BOOKINGS PERFORMANCE - APRIL 2025

April Definite Bookings		April Definite Room Nights		April Definite Attendance		April Definite Economic Impact	
33		9,827		21,381		$9,913,598	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
32.0%	25	-31.0%	14,244	23.2%	17,361	-4.7%	$10,401,627

DEFINITE BOOKINGS PERFORMANCE - YTD 2025

YTD Definite Bookings		YTD Definite Room Nights		YTD Definite Attendance		YTD Definite Economic Impact	
114		59,401		73,000		$47,561,747	
Change	2024	Change	2024	Change	2024	Change	2024
5.6%	108	0.9%	58,895	8.7%	67,127	-5.5%	$50,338,283

EVENTS HELD PERFORMANCE - APRIL 2025

April Events Held		April Events Held Hotel Rooms		April Events Held Attendance		April Groups Serviced	
13		3,695		4,377		9	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
-45.8%	24	-82.3%	20,896	-81.9%	24,210	-52.6%	19

EVENTS HELD PERFORMANCE - YTD 2025

YTD Events Held		YTD Events Held Hotel Rooms		YTD Events Held Attendance		YTD Groups Serviced	
73		49,930		72,429		43	
Change	2024	Change	2024	Change	2024	Change	2024
-9.9%	81	-0.7%	50,285	17.8%	61,462	2.4%	42

SALES & SERVICES ACTIVITIES - APRIL 2025

LOST LEADS - APRIL 2025		LOST LEADS - YTD 2025		PARTNER REFERRALS - APRIL 2025		PARTNER REFERRALS - YTD 2025	
April Lost Business Leads		YTD Lost Business Leads		April Partner Referrals		YTD Partner Referrals	
24		83		43		162	
Change	Mar. 2025	Change	2024	Change	Mar. 2025	Change	2024
-29.4%	34	22.1%	68	95.5%	22	-35.5%	251

TRADESHOW ATTENDANCE - APRIL 2025

Sports ETA WOMEN'S SUMMIT	PEACE, LOVE & SUMMIT	Sports ETA SYMPOSIUM	
Conference	Educational & Tradeshow	Conference & Tradeshow	
Tampa, FL	San Francisco, CA	Tulsa, OK	
April 2-4	April 3-10	April 14-17	
Lauren Vargo	Brooke Chavanne	James Adler	

CLIENT SITE VISITS - APRIL 2025

Association	SMERF	Sports	Tour & Travel
1	1	0	0

CLIENT SITE VISITS - YTD 2025

Association	SMERF	Sports	Tour & Travel
6	3	3	4

GLOBAL MEETINGS INDUSTRY DAY - WHY MEETINGS MATTER IN BUFFALO



On April 10, we joined destinations across the country in celebrating Global Meetings Industry Day (GMID)—a day dedicated to highlighting why *Meetings Matter* to communities, businesses, and economies.

From conventions and exhibitions to trade shows and business gatherings, in-person meetings and events strengthen our community fabric while fueling our local economy. In 2025, Buffalo will host an impressive lineup of events that will generate significant spending in local hotels, attractions, restaurants, and small businesses.

A few major conferences on the calendar this year include:

- **African American Travel Conference - May 19–23, 2025**
  Estimated Economic Impact: $170,000
- **World Canals Conference - September 20–25, 2025**
  Estimated Economic Impact: $621,950
- **Small Market Meetings - September 14–18, 2025**
  Estimated Economic Impact: $421,402
- **NYS Board of Law Examiners | July 27–30, 2025**
  Estimated Economic Impact: $4,112,688
- **New York School Nutrition Association Annual Conference - October 22–25, 2025**
  Estimated Economic Impact: $426,448

These events will bring thousands of attendees to Buffalo and Erie County, showcasing our city's hospitality and delivering millions in economic benefit. GMID is a reminder that the meetings industry is not just about events—it is about jobs, community growth, and long-term economic vitality.

SALES & SERVICES ACTIVITIES - APRIL 2025

GLOBAL MEETINGS INDUSTRY DAY - WHY MEETINGS MATTER IN BUFFALO



Buffalo proudly hosted the 57th International Aviation Snow Symposium, the longest continuously held meeting in our city. This prestigious gathering brings airport operations professionals from across North America to share best practices for winter weather management and snow removal. Visit Buffalo Niagara and the Buffalo Convention Center take great pride in hosting this long-standing event, especially given our strong partnership with the Niagara Frontier Transportation Authority and the Buffalo Niagara International Airport. Its decades-long presence here is a testament to Buffalo's reputation as a premier host destination and its unmatched expertise in winter operations.

2026 NCAA ROUNDS 1 & 2 MEN'S BASKETBALL - TICKET SALES



Think March Madness was exciting this year? Just wait until it comes back to Buffalo in 2026!

Visit Buffalo Niagara and the Buffalo Niagara Sports Commission along with our host partners with the Metro Atlantic Athletic Conference, Canicius College Buffalo NY and Niagara University are thrilled to host the 1st and 2nd rounds of the NCAA Men's Basketball Tournament in 2026, and trust us, it's going to be madness in the best way. The energy, the fans, the buzzer-beaters... all right here in the City of Good Neighbors.

NCAA has released an early sign-up portal for fans to receive notice when tickets go on sales.

VBN and the BNSC look forward to making 2026 an unforgetable experience for the teams and fans.

MEAGHAN ZIMMER FEATURED ON GBTA UPSTATE NY EDUCATION DAY PANEL

National Sales Director, Meaghan Zimmer, CFMP, represented Visit Buffalo Niagara as a panelist at the GBTA Upstate NY Education Day, held at the Lobozzo Alumni House at RIT.

The panel discussion focused on Economic Development and Tourism in Our Region and featured insights from leaders across the industry, including Wendy O'Duffy, Kevin Schwab, and Seth Piccirillo, with Durban Clement serving as moderator.

Meaghan highlighted Buffalo's continued growth as a meetings, conventions, and leisure travel destination, emphasizing the role of tourism in driving regional economic impact. Her participation helped position VBN as a thought leader in regional tourism and business travel development.



BNSC EXHIBIT AT DAEMEN UNIVERISTY'S SPRING NETWORKING EVENT



The Buffalo Niagara Sports Commission recently participated in the Daemen University Alfiero School of Business Spring Networking Event. Greg Gelinas and James Adler, STS, SDLT, met with a number of impressive students exploring careers in sports tourism and event management, and discussed opportunities to get involved with the Sports Commission through internships and volunteer roles.

Current BNSC intern and Daemen student, Jayven Williamson, also attended and shared valuable insights about his internship experience, providing his peers with a first-hand look at the skills, connections, and industry exposure that come with working alongside our team.

This event further strengthened our ongoing partnership with Daemen University, which continues to be an important source of emerging talent for Buffalo's sports tourism industry.

MARKETING & COMMUNICATIONS KPIs - APRIL 2025

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - APRIL 2025

April Engaged Sessions		April Mobile Sessions		April Website Views		April Search Impressions		April All Video Views	
72,500		48,771		219,806		11,026,110		463,580	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
3.0%	70,410	6.8%	45,685	1.1%	217,444	19.1%	9,259,634	113.2%	217,444

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - YTD 2025

YTD Engaged Sessions		YTD Mobile Sessions		YTD Website Views		YTD Search Impressions		YTD All Video Views	
271,487		175,833		826,220		37,614,958		1,694,966	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-43.1%	477,351	-43.7%	312,553	-50.3%	1,662,254	9.8%	34,244,849	97.9%	856,376

MEDIA RELATIONS PERFORMANCE - APRIL 2025

April Media Placements		April Media Impressions		April Media Social Shares		April Media Touchpoints		April Media Visits	
24		1,319,280,534		1,903		31		2	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
84.6%	13	29893.4%	4,398,570	127.6%	836	19.2%	26	#DIV/0!	0

MEDIA RELATIONS PERFORMANCE - YTD 2025

YTD Media Placements		YTD Media Impressions		YTD Media Social Shares		YTD Media Touchpoints		YTD Media Visits	
78		1,637,016,164		11,339		91		3	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
21.9%	64	72.4%	949,420,553	202.3%	3,751	75.0%	52	-40.0%	5

EXAMPLES OF APRIL MEDIA HITS


Forbes

What Is Dyngus Day And Why Do Polish Americans Celebrate It?

By Michele Herrmann, Contributor. Michele Herrmann reports on hotels, attractions and ...

Unique customs aside, parades and public parties bring out both those of Polish and non-Polish heritage to celebrate

Dyngus Day Is Big In Buffalo

More

Readership: 78,108,059

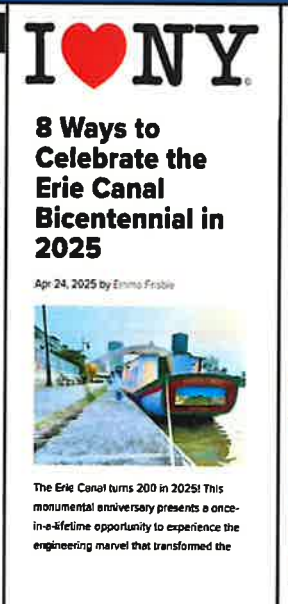

Traveler

THE INTEL

April 19, 2025

Spring has officially sprung, and so have some seriously sweet travel deals. April is that magical in-between month – winter's in the rearview, summer crowds haven't taken over yet, and the travel bargains are blooming like wildflowers. If you're traveling with the whole gang, consider a family-friendly gem like Atlantis Bahamas that blends top-tier amenities with amusement park thrills the whole family can enjoy. For avid cruisers, HX is celebrating its 120th anniversary by offering discounted cabin expeditions to Greenland, Alaska, and the Galápagos. Hertz is gearing up for road trip season with up to 25% off car rentals. We've rounded up the juiciest travel deals to grab this April—so you can pack your bags without breaking the bank.

Readership: 4,951,782


I ♥ NY

8 Ways to Celebrate the Erie Canal Bicentennial in 2025

Apr 24, 2025 by Emma Frable

The Erie Canal turns 200 in 2025! This monumental anniversary presents a once-in-a-lifetime opportunity to experience the engineering marvel that transformed the

Readership: 350,853


Smithsonian magazine

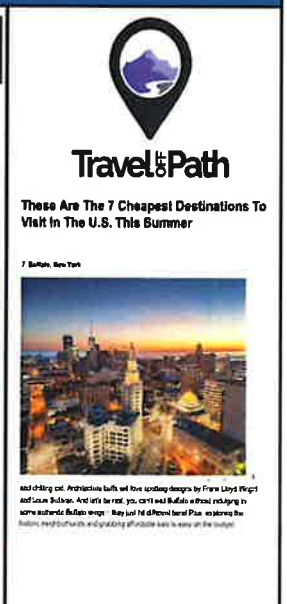
Behold the Butter Lamb of God: A Polish Catholic Easter Tradition Beloved in Buffalo, New York

A butter lamb has taken center stage on my family's Easter table for as long as I can remember.

Tiffany Slayer

Get our Newsletter!

Readership: 7,458,785


Travel to Path

These Are The 7 Cheapest Destinations To Visit In The U.S. This Summer

Readership: 350,853

MARKETING & COMMUNICATIONS KPIs - APRIL 2025

SOCIAL MEDIA PLATFORM PERFORMANCE - YTD 2025

YTD Facebook		YTD X (Twitter)		YTD Instagram		YTD TikTok		YTD Social Media Posts	
122,264		29,117		95,711		37,826		669	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
19.9%	101,982	-2.5%	29,864	10.7%	86,452	28.7%	29,395	-7.2%	721

EXAMPLES OF SOCIAL MEDIA POSTS - APRIL 2025



April

Most Viewed

Social Media Post

Heilee Steinfeld

105,092







APRIL MESSAGE TO THE INDUSTRY PARTNERS REGARDING CANADA

BUFFALO LOVES CANADA

Dear Industry Partners,

I wanted to take a moment to provide another update on the recent decline in Canadian visitation to our region. Our cross-border visitors play a significant role in enhancing our destination's vibrancy and financial health. However, data from early 2025 reveals a decrease in international arrivals, notably a marked decline in Canadian visitation—the market that has historically been our most reliable and enthusiastic international partner.

Several factors have contributed to this shift. From economic pressures, such as a strong U.S. dollar and a weakening Canadian dollar, to growing concerns about safety, political rhetoric, and border experiences, Canadian travelers are pausing to reevaluate their travel decisions. These concerns are not unique to our region, but they are strongly felt here in Western New York, where the border represents more than just a line—it's a bridge that connects families, economies, and shared histories. In March, Canadian cross-border traffic at our four bridges was 293,582, a 16.8% decrease from March 2024.

We also want to acknowledge and address an important sentiment in cross-border conversations: the suggestion of Canada becoming the 51st U.S. state. We recognize that Canadians take any proposal for Canada to become the 51st state seriously and is often perceived as disregarding their national sovereignty and identity—sentiments we deeply respect and honor. At Visit Buffalo Niagara, we see our Canadian neighbors not as an extension of the U.S., but as valued partners, with a distinct culture, voice, and heritage. Our relationship is built on mutual respect, friendship, and cooperation, and we are committed to ensuring Canadians feel genuinely welcomed and appreciated here.

In response to these challenges, Visit Buffalo Niagara continues to closely monitor Canadian sentiment and the desire to travel to the U.S.—particularly to Buffalo. While our marketing and promotional efforts in Canada remain on hold, we are actively maintaining relationships and lines of communication with key partners. This includes ongoing engagement with travel writers, tour operators, sports organizers, and meeting planners. We are committed to staying connected and collaborative, and we look forward to welcoming these partners—and their audiences—back to Buffalo when the time is right.

As we navigate this evolving environment, we remain dedicated to transparency and collaboration. I invite you to remain engaged with us as we work together to keep Western New York a vibrant, inclusive, and globally connected destination.
We want to hear from you on how these changes have affected your business or attraction. Please email Renata Toney, our Vice President of Destination Experience, with your feedback.

Thank you for your ongoing support. We're grateful to walk this journey with you.

ORGANIZATIONAL ACTIVITIES - APRIL 2025

VBN CEO ATTENDS 2025 NFL DRAFT IN GREEN BAY, WISCONSIN

In April, VBN President & CEO Patrick Kaler traveled to Green Bay, Wisconsin to attend the 2025 NFL Draft alongside members of the Buffalo Bills staff. The visit served as a valuable opportunity to experience the event firsthand, connect with NFL representatives, and gain insights into the operational, logistical, and community engagement components that make the Draft one of the largest sporting events in the country.

This trip was part of the preliminary work as VBN serves as a co-host committee member in preparing a Letter of Intent to formally submit Buffalo as a host destination for a future NFL Draft. Hosting the Draft would not only bring national exposure to Buffalo but also deliver substantial economic impact, filling hotels, restaurants, and attractions while showcasing our city to millions of viewers worldwide.

By learning from Green Bay's execution, Patrick and the local organizing committee can better position Buffalo to present a compelling, competitive bid for this high-profile event.

STAFF TEAM BUILDING AT STITCH BUFFALO

In April, the VBN staff enjoyed a hands-on team-building experience with our valued partners at Stitch Buffalo, a nonprofit organization dedicated to empowering refugee and immigrant women through the art of textile making. Founded in 2014, Stitch Buffalo provides artisans with a supportive space to create handcrafted goods, develop marketable skills, and earn income while preserving cultural traditions from around the world.

During our visit, each team member made their own Buffalo garland—a unique piece that showcased community, creativity, and teamwork. The activity was not only a fun artistic exercise but also a meaningful reminder of how arts and crafts can unite people, foster understanding, and strengthen the cultural fabric of our city.

This experience is also a great example of a unique, authentic Buffalo activity that we aim to promote to meeting planners and group tour organizers for inclusion in their event and travel programs.

We sincerely thank the whole Stitch Buffalo team for their hospitality and the important work they do to enhance Buffalo's artistic and cultural scene.



U.S. TRAVELERS UNDETERRED BY TARIFFS AND RECESSION TALK - MMGY RESEARCH STUDY

According to a flash study conducted by MMGY, more than 8 in 10 U.S. consumers still intend to travel for leisure over the next 12 months despite recent announcements regarding tariffs and declines in the market. The integrated travel marketing firm surveyed 1,000 U.S. adults to understand how the recent events may impact travel intentions.

The following are key findings from the short survey fielded April 3–5:

- 83% of U.S. consumers still intend to travel over the next 12 months despite the recent executive orders and financial news. That's down just 4% from MMGY's last *Portrait of American Travelers*™ study, which was fielded in mid-February.
- 74% of U.S. consumers feel somewhat to extremely confident in their household's financial situation for the next six months. This likely contributes to the fact that 70% of U.S. consumers intend to travel over that same period.
- In the next six to 12 months, 80% of U.S. consumers say their travel behavior will change as a result of the recent financial news. Most notably:
    - 33% say they will travel closer to home
    - 29% say they will change from an international destination to a domestic destination
    - 24% say they will change to a less expensive mode of transportation
    - 22% say they will change their length of stay
- Perception may also drive a shift from international travel to domestic travel in the coming year. Over half (53%) of U.S. consumers believe that American travelers will be less welcome in other countries as a result of the recent tariff policy decisions.

"Even in the face of economic uncertainty and polarizing headlines, the American traveler continues to show remarkable resilience," said MMGY Global CEO Katie Briscoe. "While many are adjusting their plans – opting for shorter trips, closer-to-home destinations or more cost-effective options – their intent to travel remains strong. This data underscores how travelers are making intentional trade-offs to protect the experiences that matter most. As an industry, our role is to meet them with value-driven offerings that reflect their optimism and adaptability."

BUFFALO CONVENTION CENTER KPIs - APRIL 2025

BCC REVENUE PERFORMANCE - APRIL 2025

April Total Revenue		April Rent Revenue		April Food & Beverage Revenue		April Electrical Revenue		April Other Revenue	
$594,590		$73,884		$503,600		$11,673		$5,433	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
6.0%	$560,847	-65.2%	$212,302	62.3%	$310,340	-67.4%	$35,756	117.4%	$2,449

BCC REVENUE PERFORMANCE - FY2025 YTD

YTD Total Revenue		YTD Rent Revenue		YTD Food & Beverage Revenue		YTD Electrical Revenue		YTD Other Revenue	
$1,727,414		$446,856		$1,183,827		$84,816		$11,915	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-5.8%	$1,834,630	5.6%	$423,248	-9.5%	$1,308,266	-11.8%	$96,121	70.3%	$6,995

BCC OPERATIONS PERFORMANCE - APRIL 2025

April Total Events Held		April Conventions		April Meetings		April Banquets		April Consumer/Public Shows	
9		5		2		1		1	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
28.6%	7	66.7%	3	#DIV/0!	0	-50.0%	2	-50.0%	2

BCC OPERATIONS PERFORMANCE - FY2025 YTD

YTD Total Events Held		YTD Conventions		YTD Meetings		YTD Banquets		YTD Consumer/Public Shows	
34		10		9		9		6	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-2.9%	35	-9.1%	11	0.0%	9	12.5%	8	-14.3%	7

BCC EVENT ATTENDANCE - APRIL 2025

April Total Event Attendance	
13,188	
Change	Mar. 2025
-68.5%	41,893

BCC EVENT ATTENDANCE - FY 2025 YTD

YTD Total Event Attendance	
81,886	
Change	2024
23.0%	66,581

BCC DAYS OCCUPIED - APRIL 2025

April Total Number of Days Occupied	
26	
Change	Mar. 2025
-13.3%	30

BCC DAYS OCCUPIED - FY 2025 YTD

YTD Total Number of Days Occupied	
99	
Change	2024
3.1%	96

BUFFALO CONVENTION CENTER

BCC SALES ACTIVITY KPIs - APRIL 2025

LEADS GENERATED PERFORMANCE - APRIL 2025

April Total Leads Generated		April BCC Generated Leads		April VBN Generated Leads		April Confirmed Bookings	
9		6		7		8	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
-47.1%	17	-40.0%	10	0.0%	7	60.0%	5

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Total Leads Generated		YTD BCC Generated Leads		YTD VBN Generated Leads		YTD Confirmed Bookings	
52		28		22		42	
Change	2024	Change	2024	Change	2024	Change	2024
18.2%	44	-3.4%	29	46.7%	15	-17.6%	51

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - APRIL 2025

April Total Solicitation Calls		April Existing Client Calls/Contact		April New Client Calls/Contact		April Lost Business	
68		53		15		5	
Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025	Change	Mar. 2025
11.5%	61	71.0%	31	-50.0%	30	-50.0%	10

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - YTD 2025

YTD Total Solicitation Calls		YTD Existing Client Calls/Contact		YTD New Client Calls/Contact		YTD Lost Business	
265		121		144		29	
Change	2024	Change	2024	Change	2024	Change	2024
34.5%	197	13.1%	107	60.0%	90	11.5%	26

BCC CURRENT AND FUTURE BOOKED BUSINESS - FY2025 YTD

	2019*	2024*	2025**	2026**	2027**	2028**
Number of Events	138	122	106	71	48	28
Expected Attendance	249,975	172,743	174,372	211,547	167,450	124,650
Expected Hotel Room Nights	25,000	21,094	222,387	28,304	22,140	11,928
Expected Economic Impact	$34,063,840	$27,712,443	$ 26,197,989	$ 23,663,897	$ 18,916,234	$ 14,162,528

** Final for year* ***Updated monthly*

EXAMPLES OF BCC BUSINESS HELD IN APRIL 2025



NUVO DANCE CONVENTION & COMPETITION

57th Annual INTERNATIONAL AVIATION SNOW SYMPOSIUM







NACADA THE GLOBAL COMMUNITY FOR ACADEMIC ADVISING

BUFFALO CONVENTION CENTER

Visit Buffalo Niagara Board of Directors

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Data Sources For This Key Performance Indicator Report:

Cevis Technologies
Cision
Destinations International
Google Analytics
Key Data
Longwoods International
Lou Hamond Group
MMGY
Momentus Technologies
Sales Force Marketing Cloud
Simpleview
STR (Smith Travel Research)
Tourism Economics
U.S. Travel Association
Zartico

Visit Buffalo Niagara Staff

Jennifer Bialek, Executive Assistant to the CEO
Drew Brown, Senior Content Director
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Karen Cox, Director of Convention Services
Karen Fashana, Vice President of Marketing
Brian Hayden, Senior Director of Marketing & Communications
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Michelle Kearns, Director of Communications
David Marzo, Chief Financial Officer
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Hailey Muscarella, Administrative Assistant Business Intelligence
Heather Nowakowski, Senior Director of Business Intelligence
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TBD, Marketing Specialist
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Buffalo Niagara Sports Commission Staff

James Adler, Director of Sports Sales
Greg Gelinas, Director of Sports Development
Patrick Kaler, President & CEO
Leah Mueller, Vice President of Sales & Services
Lauren Vargo, Sports Services Manager

Buffalo Convention Center Staff

Melissa Burke, Senior Director of Sales
Jeff Calkins, Vice President & General Manager
Lorna Cullen, Office Manager
Jamie Flood, Controller
Patrick Kaler, President & CEO
Craig Landseadel, Executive Chef
Mary Ann Martin, Bookkeeper & Benefits Manager
Heather Petrino, Sales & Services Coordinator
Ken Sanford, Chief Engineer
Christie Walker, Convention & Event Services Manager
Michael Will, Director of Operations
Colleen Willis, Director of Sales
Danielle Winiarski, Assistant General Manager
Marc Witman, Operations Manager
Alishia Vega, Front Desk Receptionist
Jolani Yeager, Sales & Catering Manager

Visit Buffalo Niagara

Purpose Statement:

We champion America's greatest reimagined city.

BUFFALO CONVENTION CENTER

Purpose Statement:

We inspire connection through unparalleled hospitality, collaborative partnerships, and exceptional experiences.

visit Buffalo Niagara

MONTHLY KPI DASHBOARDS

May 2025

BUFFALO NIAGARA SPORTS COMMISSION

BUFFALO CONVENTION CENTER

ERIE COUNTY HOTEL & SHORT-TERM RENTAL KPIs - MAY 2025

ERIE COUNTY HOTEL PERFORMANCE - MAY 2025

May Revenue		May Occupancy		May Demand		May Average Daily Rate		May RevPAR	
$27,574,619		62.4%		196,297		$140.47		$87.67	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
26.7%	$21,769,758	10.2%	56.6%	14.0%	172,210	11.1%	$126.41	22.6%	$71.52

ERIE COUNTY HOTEL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Demand		YTD Average Daily Rate		YTD RevPAR	
$108,362,670		53.4%		817,744		$132.51		$70.73	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-3.7%	$112,552,419	-2.4%	54.7%	-1.7%	832,039	-2.0%	$135.27	-4.4%	$74.00

ERIE COUNTY SHORT-TERM RENTAL PERFORMANCE - MAY 2025

May Revenue		May Occupancy		May Guest Check-Ins		May Average Daily Rate		May RevPAR	
$4,713,337		31.4%		8,027		$189.00		$59.00	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
57.0%	$3,002,024	32.5%	23.7%	55.7%	5,157	17.4%	$161.00	55.3%	$38.00

ERIE COUNTY SHORT TERM RENTAL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Guest Check-Ins		YTD Average Daily Rate		YTD RevPAR	
$15,091,144		23.2%		28,290		$164.00		$38.00	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-8.5%	$16,493,902	-25.4%	31.1%	-21.2%	35,898	15.5%	$142.00	-13.6%	$44.00

BUF AIRPORT PASSENGERS - MAY 2025

May BUF Airport Passenger Traffic	
459,134	
Change	Apr. 2025
10.5%	415,560

BUF AIRPORT PASSENGERS - FY 2025 YTD

YTD BUF Passenger Traffic	
1,926,584	
Change	2024
5.8%	1,820,596

CROSS BORDER TRAFFIC - MAY 2025

May U.S./Canada Cross Border Bridge Traffic	
314,136	
Change	Apr. 2025
11.0%	282,956

CROSS BORDER TRAFFIC - FY 2024 YTD

YTD U.S./Canada Cross Border Bridge Traffic	
1,422,697	
Change	2024
-13.9%	1,652,591

CROSS BORDER TRAFFIC - FY 2024 YOY

May U.S./Canada Cross Border Bridge Traffic	
314,136	
Change	May-24
-21.1%	397,952

SALES & SERVICES KPIs - MAY 2025

LEADS GENERATED PERFORMANCE - MAY 2025

May Leads Generated		May Leads Room Nights		May Leads Attendance		May Leads Economic Impact	
29		15,426		28,533		$12,984,525	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
-46.3%	54	-57.2%	36,084	-28.6%	39,976	-59.2%	$31,822,760

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Leads Generated		YTD Leads Room Nights		YTD Leads Attendance		YTD Leads Economic Impact	
234		177,370		222,429		$176,553,288	
Change	2024	Change	2024	Change	2024	Change	2024
-8.6%	256	10.6%	160,365	17.3%	189,587	35.1%	$130,681,207

DEFINITE BOOKINGS PERFORMANCE - MAY 2025

May Definite Bookings		May Definite Room Nights		May Definite Attendance		May Definite Economic Impact	
24		7,835		13,174		$6,917,564	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
-27.3%	33	-20.3%	9,827	-38.4%	21,381	-30.2%	$9,913,598

DEFINITE BOOKINGS PERFORMANCE - YTD 2025

YTD Definite Bookings		YTD Definite Room Nights		YTD Definite Attendance		YTD Definite Economic Impact	
138		67,236		86,174		$54,479,311	
Change	2024	Change	2024	Change	2024	Change	2024
-1.4%	140	-4.9%	70,705	-3.4%	89,201	-8.8%	$59,737,592

EVENTS HELD PERFORMANCE - MAY 2025

May Events Held		May Events Held Hotel Rooms		May Events Held Attendance		May Groups Serviced	
24		11,443		14,703		17	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
84.6%	13	209.7%	3,695	235.9%	4,377	88.9%	9

EVENTS HELD PERFORMANCE - YTD 2025

YTD Events Held		YTD Events Held Hotel Rooms		YTD Events Held Attendance		YTD Groups Serviced	
97		61,373		87,132		60	
Change	2024	Change	2024	Change	2024	Change	2024
-3.0%	100	10.6%	55,475	13.9%	76,469	20.0%	50

SALES & SERVICES ACTIVITIES - MAY 2025

LOST LEADS - MAY 2025		LOST LEADS - YTD 2025		PARTNER REFERRALS - MAY 2025		PARTNER REFERRALS - YTD 2025	
May Lost Business Leads		YTD Lost Business Leads		May Partner Referrals		YTD Partner Referrals	
36		119		54		216	
Change	Apr. 2025	Change	2024	Change	Apr. 2025	Change	2024
50.0%	24	50.6%	79	25.6%	43	-27.3%	297

TRADESHOW ATTENDANCE - MAY 2025

ACES
ASSOCIATION OF CHIEF EXECUTIVES FOR SPORT

Conference & Tradeshow
Louisville, KY
May 5-7
Greg Gelinas



FEA
FRATERNITY EXECUTIVES ASSOCIATION

Conference & Tradeshow
Denver, CO
May 27-30
Leah Mueller & Marisa Urbano



CLIENT SITE VISITS - MAY 2025

Association	SMERF	Sports	Tour & Travel
2	1	1	2

CLIENT SITE VISITS - YTD 2025

Association	SMERF	Sports	Tour & Travel
8	6	3	6

BUFFALO HOSTS 2025 NJCAA SWIMMING & DIVING CHAMPIONSHIPS

In just one week this May, Buffalo and Erie County hosted seven major meetings and sporting events that attracted thousands of visitors, filled our hotels, and boosted the local economy.

From top-tier championship events to specialized professional conferences, the lineup showcased the diversity and strength of our destination.

- **USA Hockey IPC Sled World Championship – $1.85M economic impact**
- **Buffalo Marathon 2025 – $1.3M economic impact**
- **National Ball Hockey League (NBHL) 5v5 World Cup 2025 – $1.49M economic impact**
- **2025 Conference for the Society for Industrial Archeology – $158K economic impact**
- **Buffalo Flag Football Tournament – $165K economic impact**
- **2025 World of Step Finale – $313K economic impact**
- **Sports Events & Tourism Association Young Professionals Retreat – $14K economic impact**



These events collectively generated over $5 million in direct economic impact and thousands of overnight stays, while also boosting local restaurants, shops, attractions, and other businesses. More importantly, they created opportunities for community pride, built new connections, and kept elevating Buffalo and Erie County's reputation as a top destination for both sports and meetings.

Kudos to the hardworking teams at Visit Buffalo Niagara and the Buffalo Niagara Sports Commission for making this extraordinary week happen.

SALES & SERVICES ACTIVITIES - MAY 2025

BUFFALO HOSTS THE 2025 AFRICAN AMERICAN TRAVELER CONFERENCE











In May, Visit Buffalo Niagara had the honor of hosting the 2025 African American Traveler Conference, welcoming travel professionals, group tour operators, and meeting planners from across the country. This annual conference serves as a key platform for connecting destinations with leaders in the African American travel market, fostering relationships that result in future group tours, meetings, and special events.

The multi-day program included educational sessions, marketplace appointments, and immersive tours showcasing Buffalo and Erie County's cultural assets, attractions, and hospitality. Attendees experienced firsthand our region's rich African American heritage through visits to the Michigan Street African American Heritage Corridor, the Colored Musicians Club, Forest Lawn Cemetary, and other historic sites.

Hosting this conference positioned Buffalo as a welcoming and inclusive destination while highlighting our commitment to growing diverse tourism markets. The event generated valuable exposure among influential travel decision-makers, paving the way for future business and strengthening our community's reputation as a vibrant, culturally rich destination.

Special thanks to the VBN and BCC sales, services, and marketing teams for delivering an exceptional event experience that left attendees inspired and eager to bring their travelers back to Buffalo.

VBN RECOGNIZED FOR BOOTH ENGAGEMENT AT ANNUAL ESSEA CONVENTION

Visit Buffalo Niagara had a standout presence at the Empire State Society of Association Executives (ESSAE) Annual Conference. This event proved to be one of our most successful trade show experiences to date.

Our booth was recognized with the "Best Attendee Engagement" award, thanks to our creative and fun "Draw a Buffalo" contest, which drew a steady stream of interaction and enthusiasm throughout the event.

A heartfelt thank you to our exceptional team—Jen Wilson, Melissa Burke, Sam Grady, Brianna Bartholomew, CHSP, and Michaela LaJoie—for representing Buffalo with professionalism, energy, and pride. Their efforts truly embody the spirit of our destination.

We also extend our sincere appreciation to Carrie Laney and Liz King for their exceptional work in executing a well-organized and engaging conference.







MARKETING & COMMUNICATIONS KPIs - MAY 2025

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - MAY 2025

May Engaged Sessions		May Mobile Sessions		May Website Views		May Search Impressions		May All Video Views	
88,248		58,257		273,633		11,026,110		514,528	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
21.7%	72,500	19.5%	48,771	24.5%	219,806	19.1%	9,259,634	11.0%	463,580

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - YTD 2025

YTD Engaged Sessions		YTD Mobile Sessions		YTD Website Views		YTD Search Impressions		YTD All Video Views	
359,735		234,090		606,414		48,641,068		606,414	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-39.5%	594,614	-39.9%	389,338	-2.6%	622,507	7.9%	45,093,480	-29.2%	856,376

MEDIA RELATIONS PERFORMANCE - MAY 2025

May Media Placements		May Media Impressions		May Media Social Shares		May Media Touchpoints		May Media Visits	
24		1,319,280,534		1,903		31		2	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
84.6%	13	29893.4%	4,398,570	127.6%	836	19.2%	26	#DIV/0!	0

MEDIA RELATIONS PERFORMANCE - YTD 2025

YTD Media Placements		YTD Media Impressions		YTD Media Social Shares		YTD Media Touchpoints		YTD Media Visits	
78		1,637,016,164		11,339		91		3	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
21.9%	64	72.4%	949,420,553	202.3%	3,751	75.0%	52	-40.0%	5

EXAMPLES OF MAY MEDIA HITS



Readership: 30,423,185



Readership: 5,167,718



Readership: 6,327,799



Readership: 9,982,385



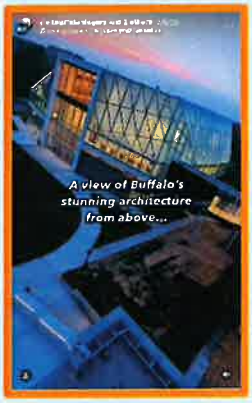
Readership: 3,762,550

MARKETING & COMMUNICATIONS KPIs - MAY 2025

SOCIAL MEDIA PLATFORM PERFORMANCE - YTD 2025

YTD Facebook		YTD X (Twitter)		YTD Instagram		YTD TikTok		YTD Social Media Posts	
122,264		29,117		95,711		37,826		832	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
19.7%	102,112	-2.6%	29,901	10.0%	86,991	32.1%	28,628	-8.1%	905

EXAMPLES OF SOCIAL MEDIA POSTS - MAY 2025



May

Most Viewed

Social Media Post

Flight 716

105,092









CELEBRATING NTTW WITH FLIGHT716 VIDEO PREMIER



On Tuesday, May 6, Visit Buffalo Niagara celebrated National Travel and Tourism Week (NTTW) with a special industry gathering at the historic North Park Theatre. This annual celebration recognizes the powerful role travel plays in driving economic growth, creating jobs, and enriching communities across the nation, and right here in Buffalo and Erie County.

The event included the unveiling of Visit Buffalo Niagara's Three-Year Strategic Plan, outlining priorities from our 2025 Business Plan designed to keep our destination competitive and ahead of market trends.

A highlight of the program was the world premiere of Flight716: Buffalo Architecture From Above, a breathtaking seven-minute drone film created in partnership with award-winning aerial cinematographer. The film showcases 18 of Buffalo's most iconic architectural treasures,including City Hall, the Richardson Olmsted Campus, Frank Lloyd Wright's Martin House, and the Buffalo Central Terminal—from striking aerial perspectives rarely seen by the public. Shown on the North Park Theatre's state-of-the-art 4K laser projector, the experience immersed the audience in sweeping bird's-eye views, highlighting the grandeur, artistry, and historical significance of our city's built environment. The production is now a valuable asset for VBN's marketing toolkit, offering a captivating way to promote Buffalo's architectural heritage to meeting planners, group tour operators, and potential visitors worldwide.

Guests enjoyed coffee and pastries from SPoT Coffee while connecting with fellow tourism professionals, exchanging ideas, and celebrating the energy and potential of Buffalo and Erie County's tourism industry.

BOSTON MEDIA AND PR MISSION

Visit Buffalo Niagara President & CEO Patrick Kaler and Lou Hammond Group Vice President Elizabeth Love traveled to Boston for a targeted media and PR mission to generate new coverage and travel interest in Buffalo and Erie County. Arranged by VBN's PR agency, Lou Hammond Group, the itinerary included meetings with leading travel writers, bloggers, and influencers.

Boston is a key growth market, with visitors showing strong interest and longer stays. The team showcased Buffalo's arts, architecture, recreation, food scene, diverse communities, and events, along with its convenient nonstop flights from Boston.
This mission strengthened key media relationships and positioned Buffalo and Erie County for increased coverage in a valuable market, supporting VBN's strategic growth goals.

ORGANIZATIONAL ACTIVITIES - MAY 2025

TOURISM ECONOMICS REPORT: THE LATEST US TRAVEL ECONOMY UPDATE - KEY TAKEAWAYS

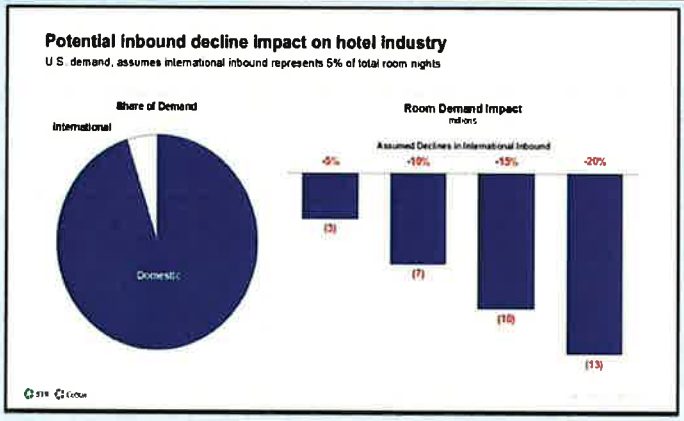


The negative outlook for inbound travel to the US remains. Travelers make choices: where and when to travel, when to book, and how long to stay. Perceptions of the US impact these decisions.

- **Sentiment headwinds are negatively impacting US inbound travel. We expect a decline of 8.7% in US international arrivals for the year overall (compared to a 9.4% decline in the March forecast).**
- **Factors contributing to the negative outlook include Trump administration posturing and policy announcements, such as 'Liberation Day' tariffs across long-standing trade partners. Media coverage of border security incidents and national travel advisories also poses risks.**
- **Visitation from Canada (-20.2%) and Western Europe (-5.8%) show the sharpest declines. We forecast international visitor spending to fall by $8.5 billion (-4.7%), relative to last year.**
- **Findings show a pullback in Canadian travel to the US, with a 35.2% April decline among Canadian land visitors returning from trips to the US and a corresponding 19.9% drop in air visitors.**
- **During March and April combined, inbound travel to the US from overseas origins (international minus Canada and Mexico) declined 1.6% compared to last year. Easter timing impacted the suppression of arrivals in March (-11.6%) and boosted arrivals in April (8.0%).**
- **Air bookings as of April show continued weakness. 10.8% fewer flights have been booked to the US for the May to July period than at the same point last year.**

MAY 2025 - STR/ TOURISM ECONOMICS: U.S. HOTEL INDUSTRY PERFORMANCE & OUTLOOK

Global travel trends remain unpredictable heading into the coming months, with lower international inbound arrivals emerging as a key concern. Tourism Economics projects a 9% overall decline in international inbound travel for 2025, including a 20% drop from Canada. Since international arrivals account for only 4–7% of U.S. hotel demand, STR modeling suggests the impact will be relatively limited — a 5% decline in inbound travel would translate to roughly 3 million fewer room nights, compared to 1.3 billion sold last year.



Q1 2025 Performance

- **Calendar shifts and major events such as the presidential inauguration, Super Bowl, and College Football Playoff influenced results, alongside unplanned disruptions from wildfires and hurricanes.**
- **RevPAR grew 2.2% for the quarter, led by ADR gains in all three months. March growth slowed to 0.8% following stronger results in January (+4.3%) and February (+2.1%).**
- **April preliminary data showed slight softness (-0.3% RevPAR YoY) due to holiday timing and eclipse comps, though weekend occupancy hit its highest level since October 2024.**
- **Border-market hotel demand has fluctuated in recent months with no clear trend.**

Forward Outlook

- **Future bookings remain generally steady in major markets, though individual city performance varies.**
- **ADR growth is expected to remain the primary RevPAR driver, but rate discounting trends will be watched closely.**
- **Group bookings may be seeing shorter lead times, though long-term softness is still unconfirmed.**
- **TSA screenings and consumer spending remain healthy indicators, with screenings up 2.7% YoY and spending up 3.1% YoY.**

Buffalo-Specific Potential Impact

With Canadians historically making up a significant share of Buffalo's leisure and shopping visitors, the projected 20% decline in Canadian inbound travel for 2025 could have a disproportionate effect on our local hotel performance compared to the national average. While STR's modeling shows limited impact nationally, Buffalo's proximity to the border means reduced Canadian visitation could soften weekend occupancy, retail spending, and ADR growth in key corridors. VBN will continue to monitor border-crossing data, Canadian consumer sentiment, and booking trends closely, and adjust marketing efforts to help mitigate potential short-term declines.

BUFFALO CONVENTION CENTER KPIs - MAY 2025

BCC REVENUE PERFORMANCE - MAY 2025

May Total Revenue		May Rent Revenue		May Food & Beverage Revenue		May Electrical Revenue		May Other Revenue	
$336,859		$44,255		$282,679		$3,935		$5,990	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
-43.3%	$594,590	-40.1%	$73,884	-43.9%	$503,600	-66.3%	$11,673	9.3%	$5,433

BCC REVENUE PERFORMANCE - FY2025 YTD

YTD Total Revenue		YTD Rent Revenue		YTD Food & Beverage Revenue		YTD Electrical Revenue		YTD Other Revenue	
$2,064,373		$491,111		$1,466,506		$88,751		$17,905	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-5.1%	$2,175,685	-0.9%	$495,393	-6.8%	$1,573,116	-11.4%	$100,141	154.5%	$7,035

BCC OPERATIONS PERFORMANCE - MAY 2025

May Total Events Held		May Conventions		May Meetings		May Banquets		May Consumer/Public Shows	
11		3		2		6		1	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
22.2%	9	-40.0%	5	0.0%	2	500.0%	1	0.0%	1

BCC OPERATIONS PERFORMANCE - FY2025 YTD

YTD Total Events Held		YTD Conventions		YTD Meetings		YTD Banquets		YTD Consumer/Public Shows	
45		13		11		15		6	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-2.2%	46	-7.1%	14	0.0%	11	15.4%	13	-25.0%	8

BCC EVENT ATTENDANCE - MAY 2025

May Total Event Attendance	
13,812	
Change	Apr. 2025
4.7%	13,188

BCC EVENT ATTENDANCE - FY 2025 YTD

YTD Total Event Attendance	
95,698	
Change	2024
12.8%	84,823

BCC DAYS OCCUPIED - MAY 2025

May Total Number of Days Occupied	
21	
Change	Apr. 2025
-19.2%	26

BCC DAYS OCCUPIED - FY 2025 YTD

YTD Total Number of Days Occupied	
120	
Change	2024
-2.4%	123

BUFFALO CONVENTION CENTER

BCC SALES ACTIVITY KPIs - MAY 2025

LEADS GENERATED PERFORMANCE - MAY 2025

May Total Leads Generated		May BCC Generated Leads		May VBN Generated Leads		May Confirmed Bookings	
6		5		3		7	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
-33.3%	9	-16.7%	6	-57.1%	7	-12.5%	8

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Total Leads Generated		YTD BCC Generated Leads		YTD VBN Generated Leads		YTD Confirmed Bookings	
64		39		25		57	
Change	2024	Change	2024	Change	2024	Change	2024
8.5%	59	-7.1%	42	47.1%	17	-3.4%	59

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - MAY 2025

May Total Solicitation Calls		May Existing Client Calls/Contact		May New Client Calls/Contact		May Lost Business	
59		25		35		4	
Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025	Change	Apr. 2025
-13.2%	68	-52.8%	53	133.3%	15	-20.0%	5

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - YTD 2025

YTD Total Solicitation Calls		YTD Existing Client Calls/Contact		YTD New Client Calls/Contact		YTD Lost Business	
324		145		179		33	
Change	2024	Change	2024	Change	2024	Change	2024
23.2%	263	2.8%	141	46.7%	122	10.0%	30

BCC CURRENT AND FUTURE BOOKED BUSINESS - FY2025 YTD

	2019*	2024*	2025**	2026**	2027**	2028**
Number of Events	138	122	103	71	51	28
Expected Attendance	249,975	172,743	176,453	210,037	170,150	126,650
Expected Hotel Room Nights	25,000	21,094	22,379	28,029	19,540	11,893
Expected Economic Impact	$34,063,840	$27,712,443	$ 26,523,901	$ 23,630,882	$ 19,039,234	$ 14,347,527

** Final for year* ***Updated monthly*

EXAMPLES OF BCC BUSINESS HELD IN MAY 2025











HEROES OF IRISH AMERICA AWARDS 2025

BUFFALO CONVENTION CENTER

Visit Buffalo Niagara Board of Directors

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Shannon Patch, Delaware North
Steven Ranalli, Erie County Stadium Corporation
David Schutte, Schutte Hospitality Group
Michelle Urbanczyk, Explore and More Children's Museum

Data Sources For This Key Performance Indicator Report:

Cevis Technologies
Cision
Destinations International
Google Analytics
Key Data
Longwoods International
Lou Hamond Group
MMGY
Momentus Technologies
Sales Force Marketing Cloud
Simpleview
STR (Smith Travel Research)
Tourism Economics
U.S. Travel Association
Zartico

Visit Buffalo Niagara Staff

Jennifer Bialek, Executive Assistant to the CEO
Drew Brown, Senior Content Director
Michele Butlak, Accounting & Benefits Manager
Brooke Chavanne, Administrative Sales Assistant
Karen Cox, Director of Convention Services
Karen Fashana, Vice President of Marketing
Brian Hayden, Senior Director of Marketing & Communications
Nick Householder, Destination Experience Specialist
Patrick Kaler, President & CEO
Michelle Kearns, Director of Communications
David Marzo, Chief Financial Officer
Leah Mueller, Vice President of Sales and Services
Hailey Muscarella, Administrative Assistant Business Intelligence
Heather Nowakowski, Senior Director of Business Intelligence
Temekia Powers, National Sales Director
Kate Scaduto, Marketing & Social Media Manager
Renata Toney, Vice President of Destination Experience
Marisa Urbana, Convention Services Manager
Meredith Walsh, National Sales Manager
Meaghan Zimmer, National Sales Director
TBD, Industry Relations Assistant
TBD, Graphic Designer
TBD, Marketing Specialist
TBD, Visitor Center Manager

Buffalo Niagara Sports Commission Staff

James Adler, Director of Sports Sales
Greg Gelinas, Director of Sports Development
Patrick Kaler, President & CEO
Leah Mueller, Vice President of Sales & Services
Lauren Vargo, Sports Services Manager

Buffalo Convention Center Staff

Melissa Burke, Senior Director of Sales
Jeff Calkins, Vice President & General Manager
Lorna Cullen, Office Manager
Jamie Flood, Controller
Patrick Kaler, President & CEO
Craig Landseadel, Executive Chef
Mary Ann Martin, Bookkeeper & Benefits Manager
Heather Petrino, Sales & Services Coordinator
Ken Sanford, Chief Engineer
Christie Walker, Convention & Event Services Manager
Michael Will, Director of Operations
Colleen Willis, Director of Sales
Danielle Winiarski, Assistant General Manager
Marc Witman, Operations Manager
Alishia Vega, Front Desk Receptionist
Jolani Yeager, Sales & Catering Manager

Visit Buffalo Niagara

Purpose Statement:

We champion America's greatest reimagined city.

BUFFALO CONVENTION CENTER

Purpose Statement:

We inspire connection through unparalleled hospitality, collaborative partnerships, and exceptional experiences.

visit Buffalo Niagara

MONTHLY KPI DASHBOARDS

June 2025

BUFFALO NIAGARA SPORTS COMMISSION

BUFFALO CONVENTION CENTER

ERIE COUNTY HOTEL & SHORT-TERM RENTAL KPIs - JUNE 20

ERIE COUNTY HOTEL PERFORMANCE - JUNE 2025

June Revenue		June Occupancy		June Demand		June Average Daily Rate		June RevPAR	
$32,432,956		72.1%		219,480		$147.77		$106.58	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
17.6%	$27,574,619	15.5%	62.4%	11.8%	196,297	5.2%	$140.47	21.6%	$87.67

ERIE COUNTY HOTEL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Demand		YTD Average Daily Rate		YTD RevPAR	
$140,795,626		56.5%		1,037,224		$135.74		$76.67	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-2.6%	$144,517,074	-2.4%	57.9%	-1.9%	1,057,484	-0.7%	$136.66	-3.2%	$79.19

ERIE COUNTY SHORT-TERM RENTAL PERFORMANCE - JUNE 2025

June Revenue		June Occupancy		June Guest Check-Ins		June Average Daily Rate		June RevPAR	
$5,944,023		36.7%		8,613		$211.00		$78.00	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
26.1%	$4,713,337	16.9%	31.4%	7.3%	8,027	11.6%	$189.00	32.2%	$59.00

ERIE COUNTY SHORT TERM RENTAL PERFORMANCE - FY2025 YTD

YTD Revenue		YTD Occupancy		YTD Guest Check-Ins		YTD Average Daily Rate		YTD RevPAR	
$21,023,492		25.3%		36,898		$175.00		$44.00	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-5.7%	$22,302,378	-23.1%	32.9%	-18.6%	45,339	15.9%	$151.00	-12.0%	$50.00

BUF AIRPORT PASSENGERS - JUNE 20

June BUF Airport Passenger Traffic	
446,067	
Change	May-25
-2.6%	458,134

BUF AIRPORT PASSENGERS - FY 2025

YTD BUF Passenger Traffic	
2,372,651	
Change	2024
4.0%	2,281,109

CROSS BORDER TRAFFIC - JUNE 2025

June U.S./Canada Cross Border Bridge Traffic	
361,264	
Change	May-25
15.0%	314,136

CROSS BORDER TRAFFIC - FY 2024 YT

YTD U.S./Canada Cross Border Bridge Traffic	
1,783,981	
Change	2024
-14.7%	2,091,307

CROSS BORDER TRAFFIC - FY 2024 YO

June U.S./Canada Cross Border Bridge Traffic	
361,284	
Change	Jun-24
-17.6%	438,716

SALES & SERVICES KPIs - JUNE 2025

LEADS GENERATED PERFORMANCE - JUNE 2025

June Leads Generated		June Leads Room Nights		June Leads Attendance		June Leads Economic Impact	
47		26,350		22,291		$24,228,266	
Change	May-25	Change	May-25	Change	May-25	Change	May-25
62.1%	29	70.8%	15,426	-21.9%	28,533	86.6%	$12,984,525

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Leads Generated		YTD Leads Room Nights		YTD Leads Attendance		YTD Leads Economic Impact	
281		203,720		244,720		$200,781,554	
Change	2024	Change	2024	Change	2024	Change	2024
-3.1%	290	19.6%	170,297	23.3%	198,401	42.4%	$141,009,462

DEFINITE BOOKINGS PERFORMANCE - JUNE 2025

June Definite Bookings		June Definite Room Nights		June Definite Attendance		June Definite Economic Impact	
29		18,660		33,421		$16,019,349	
Change	May-25	Change	May-25	Change	May-25	Change	May-25
20.8%	24	138.2%	7,835	153.7%	13,174	131.6%	$6,917,564

DEFINITE BOOKINGS PERFORMANCE - YTD 2025

YTD Definite Bookings		YTD Definite Room Nights		YTD Definite Attendance		YTD Definite Economic Impact	
167		85,896		119,595		$70,498,661	
Change	2024	Change	2024	Change	2024	Change	2024
1.8%	164	5.4%	81,480	12.5%	106,303	3.3%	$68,244,954

EVENTS HELD PERFORMANCE - JUNE 2025

June Events Held		June Events Held Hotel Rooms		June Events Held Attendance		June Groups Serviced	
24		7,419		10,631		15	
Change	May-25	Change	May-25	Change	May-25	Change	May-25
0.0%	24	-35.2%	11,443	-27.7%	14,703	-11.8%	17

EVENTS HELD PERFORMANCE - YTD 2025

YTD Events Held		YTD Events Held Hotel Rooms		YTD Events Held Attendance		YTD Groups Serviced	
121		68,792		97,763		75	
Change	2024	Change	2024	Change	2024	Change	2024
-7.6%	131	-2.8%	70,743	-60.0%	244,384	8.7%	69

SALES & SERVICES ACTIVITIES - JUNE 2025

LOST LEADS - JUNE 2025		LOST LEADS - YTD 2025		PARTNER REFERRALS - JUNE 2025		PARTNER REFERRALS - YTD 2025	
June Lost Business Leads		YTD Lost Business Leads		June Partner Referrals		YTD Partner Referrals	
20		139		4		220	
Change	May-25	Change	2024	Change	May-25	Change	2024
-44.4%	36	59.8%	87	-92.6%	54	-33.9%	333

TRADESHOW ATTENDANCE - JUNE 2025

U.S. TRAVEL'S IPW CHICAGO 2025

Travel Trade & Media Show

Chicago, IL

June 14-18

Leah Mueller, Meredith Walsh, and Patrick Kaler



COMPETE SPORTS. DIVERSITY.

Tradeshow

Tuscon, AZ

June 17-21

James Adler

MPI WEC 2025 St. Louis

Tradeshow

St. Louis, MO

June 18-21

Meaghan Zimmer

THE MILITARY REUNION NETWORK

Conference & Tradeshow

Lubbock, TX

June 19-23

Marissa Urbano

HB HELMSBRISCOE

Conference & Tradeshow

Toronto, ON

June 27-July 1

Temekia Powers

CLIENT SITE VISITS - JUNE 2025

Association	SMERF	Sports	Tour & Travel
1	1	2	1

CLIENT SITE VISITS - YTD 2025

Association	SMERF	Sports	Tour & Travel
7	6	5	8

SALES & SERVICES ACTIVITIES - JUNE 2025

MEETING WORLDWIDE TRAVEL TRADE AND MEDIA AT IPW

Visit Buffalo Niagara wrapped up a very successful week at the U.S. Travel Association's IPW in Chicago, one of the world's top marketplaces for inbound travel to the United States. The VBN team included: CEO Patrick Kaler, Karen Fashana, Leah Mueller, Meredith Walsh, and Michelle Kearns, along with industry partners, held over 100 appointments with international travel trade representatives and media outlets. Each meeting provided an opportunity to share Buffalo and Erie County's story, highlight our unique attractions, and encourage travelers from around the world to include our destination in their plans.

CEO Patrick Kaler represented Buffalo on a national platform, participating in interviews for Peter Greenberg's travel broadcast and AFAR's podcast, further expanding our reach to influential audiences in the travel and tourism industry.

The Visit Buffalo Niagara tradeshow booth was supported by a strong group of partners, including the Buffalo AKG Art Museum, Frank Lloyd Wright's Graycliff, Frank Lloyd Wright's Martin House, the National Comedy Center, and Visions Hotels. Together, we showcased a vibrant and comprehensive view of Buffalo and Erie County's cultural, architectural, and entertainment offerings.

IPW remains a crucial platform for fostering international relationships, encouraging future visits, and securing Buffalo's position on the global travel map.



HOSTING HELMS BRISCO PRE-CONFERENCE FAM



In June, Visit Buffalo Niagara participated in a New York State DMO pre-fam designed to give meeting and event planners a firsthand experience of Buffalo's meeting, convention, and group tour options. The pre-fam served as a strategic opportunity to highlight Buffalo's unique venues, revitalized waterfront, vibrant cultural attractions, and renowned culinary scene. These experiences allow planners to see the destination firsthand, helping to position Buffalo as an appealing choice for their future events.

Following the fam, VBN's National Sales Director Temekia Powers traveled with the planners to the HelmsBriscoe Annual Business Conference and Partner Fair in Toronto, Ontario. This annual event brings together top meeting planners and industry decision-makers from across North America. Throughout the conference, Temekia engaged in targeted networking and relationship-building to increase awareness of Buffalo's meeting capabilities, strengthen existing partnerships, and identify new business opportunities.

These June activities demonstrate VBN's ongoing commitment to proactive outreach, both in attracting planners to Buffalo and in taking Buffalo to prominent industry events, ensuring the destination remains top-of-mind for competitive meeting and convention business.

SALES & SERVICES ACTIVITIES - JUNE 2025

BRAND USA AUSTRALIA/NEW ZEALAND PRE-IPW FAM TOUR

As part of our June Brand USA familiarization tour, Visit Buffalo Niagara had the pleasure of hosting an enthusiastic travel delegation from Australia and New Zealand. One of the standout experiences took place at *Meet & Greet Charcuteier* in the Larkin District, where guests enjoyed a unique "Local Wine Pairing" experience that served as both an educational tasting and a celebration of Western New York's culinary talent.

The pairing featured four New York State wines thoughtfully matched with:

- **Artisan cheeses from Eden Valley Creamery and Yancey's Fancy**
- **Two signature slices from Hydraulic Hearth, spotlighting Flat 12 Mushrooms**
- **Handcrafted chocolate from Blue Table Chocolate**
- **Locally made accompaniments from Tis the Season and Top Seedz**

The guided tasting class offered an engaging way to introduce the Larkin District and left a strong impression on our international guests. We're already looking ahead to future pairings and exploring which other local purveyors might be featured next.



SPORTS COMMISSION WINS USA WOMEN'S HOCKEY RIVALRY SERIES



The Buffalo Niagara Sports Commission, in partnership with the Buffalo Sabres and KeyBank Center, is excited to bring USA Hockey back to Buffalo with a stop on the Canada vs. USA Rivalry Series. This prominent event will feature the Women's National Teams from USA Hockey and Hockey Canada as they gear up for the 2026 Winter Olympic Games in Milano Cortina, Italy.

The Rivalry Series is one of the most competitive and highly anticipated matchups in international women's hockey, attracting passionate fans and national attention. Hosting this event not only enhances Buffalo's reputation as a top destination for elite hockey but also offers significant exposure for our region through national and international media coverage.

The BNSC is grateful for the strong partnership with the Buffalo Sabres organization, USA Hockey, and KeyBank Center, which made this opportunity possible. Their collaboration was instrumental in securing the event, which will bring both economic impact and a surge of community pride to Erie County.

AAU BUFFALO NATIONALS TUNE-UP RETURNS TO BCC FOR YEAR TWO

The Buffalo Niagara Sports Commission and the Buffalo Convention Center hosted the 2nd Annual AAU Buffalo Nationals Tune-Up, presented by the Niagara Frontier Volleyball Club, over the weekend. This year's event drew 85 teams from across the Midwest, Northeast, and Canada, filling the convention center with high-energy competition and a strong spectator turnout.

The tournament offered a valuable chance for teams to prepare for the AAU Girls National Championships later this summer, while also creating a significant sports tourism boost for Buffalo. Athletes, coaches, and families booked hotels, dined at local restaurants, and explored the city between matches, helping increase weekend occupancy and spending in the hospitality industry.

We thank Niagara Frontier Volleyball Club for their ongoing partnership and all participants for bringing their A-game to Buffalo. The event's growth in just its second-year highlights Buffalo's emerging reputation as a hub for major youth sports competitions.





MARKETING & COMMUNICATIONS KPIs - JUNE 2025

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - JUNE 2025

June Engaged Sessions		June Mobile Sessions		June Website Views		June Search Impressions		June All Video Views	
123,511		88,956		387,031		11,316,984		500,278	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
40.0%	88,248	52.7%	58,257	41.4%	273,633	2.6%	11,026,110	-2.8%	514,528

WEBSITE TRAFFIC & VIDEO VIEWS PERFORMANCE - YTD 2025

YTD Engaged Sessions		YTD Mobile Sessions		YTD Website Views		YTD Search Impressions		YTD All Video Views	
483,246		323,046		1,486,884		59,958,052		2,709,502	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
-33.9%	731,380	-33.1%	482,984	22.4%	1,214,364	7.9%	57,653,999	-47.4%	5,151,365

MEDIA RELATIONS PERFORMANCE - JUNE 2025

June Media Placements		June Media Impressions		June Media Social Shares		June Media Touchpoints		June Media Visits	
33		830,901,359		50,700		21		16	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
13.8%	29	-23.6%	1,087,744,588	74.2%	29,112	10.5%	19	700.0%	2

MEDIA RELATIONS PERFORMANCE - YTD 2025

YTD Media Placements		YTD Media Impressions		YTD Media Social Shares		YTD Media Touchpoints		YTD Media Visits	
140		3,585,662,111		91,151		131		21	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
59.1%	88	139.9%	1,494,842,411	2034.2%	4,271	81.9%	72	110.0%	10

EXAMPLES OF JUNE MEDIA HITS



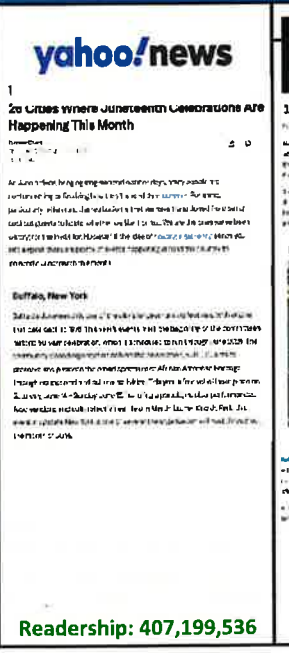
Readership: 618,973



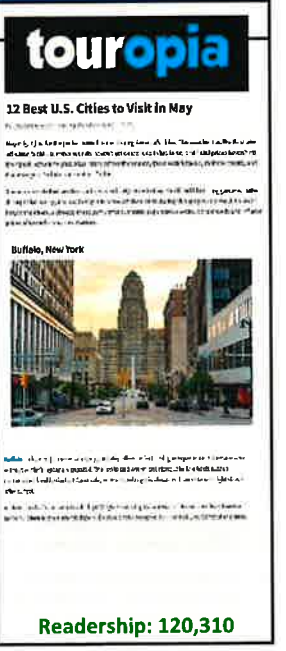
Readership: 10,262,049



Readership: 73,481,855



Readership: 407,199,536



Readership: 120,310

MARKETING & COMMUNICATIONS KPIs - JUNE 2025

SOCIAL MEDIA PLATFORM PERFORMANCE - YTD 2025

YTD Facebook		YTD X (Twitter)		YTD Instagram		YTD TikTok		YTD Social Media Posts	
123,424		29,099		96,433		39,830		998	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
20.4%	102,502	-2.6%	29,885	10.4%	87,388	35.4%	29,420	-7.0%	1073

EXAMPLES OF SOCIAL MEDIA POSTS - JUNE 2025



June

Most Viewed

Social Media Post

Botanical Gardens

117,400





SERVING UP THE ULTIMATE BUFFALO FOOD TRAIL

Just in time for summer travel, Visit Buffalo Niagara launched the "Ultimate Buffalo Food Trail," a digital guide spotlighting iconic dishes, local eateries, and regional specialties that make Buffalo a top U.S. food destination.

Announced in early June, the interactive trail offers three curated routes—Northtowns, City, and Southtowns—featuring classics like wings and beef on weck along with hidden gems. It celebrates Buffalo's food tradltions, independent restaurants, and the small business owners who define the region's culinary identity.

Special thanks to Anderson's for hosting the launch, and to fellow trail partners Bar-Bill, Glen Park Tavern, Paula's Donuts, Ted's Hot Dogs, and Watson's Chocolates.



AFRICAN AMERICAN HERITAGE GUIDE



Visit Buffalo Niagara released the updated African American Heritage Guide, showcasing the history, culture, and contributions of Buffalo's African American community. The guide highlights landmarks, cultural institutions, and businesses that tell the story from Buffalo's role in the Underground Railroad to its vibrant arts and culinary scenes.

Developed with Sandy White of Mustard Seed, the guide reflects authentic storytelling and community voices. VBN marked its release with a press event at the historic Michigan Street Baptist Church, gathering community leaders, tourism partners, media, and cultural advocates to celebrate and underscore its significance.

As part of VBN's marketing strategy, the guide serves as both an educational tool and an invitation to explore Buffalo's diverse heritage, fostering cultural tourism and supporting local businesses and preservation efforts.

ORGANIZATIONAL ACTIVITIES - JUNE 2025

GETTING ARTSY AT THE BCC



Two exciting arts initiatives are currently transforming the Buffalo Convention Center, further establishing the venue as a welcoming, lively, and uniquely Buffalo space.

First, a large-scale mural is currently being painted on the Pearl Street side of the Convention Center by local artists Cassandra Ott and Chuck Tingley. Covering the entire back wall of the building, this striking piece will serve as a bold visual statement for visitors arriving downtown, enhancing Buffalo's growing collection of public art and reinforcing the sense of place around the Center. The addition of this mural has long been a vision of the VBN/BCC Customer Advisory Council, developed in the years following Erie County's renovations to the Center's entrance, lobby, and new façade.



Second, VBN and BCC were proud to promote another opportunity for local artists through Erie County's Arts in Public Places program. A recent Call for Art invited Erie County-based artists to submit work for potential installation inside the Convention Center. Selected artists will receive up to $2,000 in funding for their pieces, aiming to enhance the interior experience for convention attendees while celebrating the creativity, talent, and diversity of our local arts community.

Together, these initiatives strengthen the Buffalo Convention Center's role not only as a place for meetings and events but also as a showcase for Buffalo's artistic spirit and cultural identity.

BUFFALO RANKS #42 IN RESONANCE'S 2025 AMERICA'S BEST CITIES REPORT



Buffalo has earned the #42 spot in Resonance Consultancy's 2025 *America's Best Cities* report, which evaluates cities based on a combination of factors including place, product, programming, people, prosperity, and promotion. This national recognition reflects Buffalo's growing reputation as a vibrant, livable, and visitor-friendly destination.

Visit Buffalo Niagara has maintained a long-standing professional relationship with Chris Fair, President and CEO of Resonance Consultancy. Over the years, this relationship has provided VBN with valuable insights, benchmarking data, and strategic guidance to help position Buffalo competitively among peer cities. This latest ranking is a testament to the city's continued momentum and appeal to both residents and visitors.

Key Categories Where Buffalo Excelled:

- **Livability: Buffalo ranked 33rd, showcasing its strong quality of life, including housing affordability and access to green spaces.**
- **Walkability: The city placed 16th, highlighting its pedestrian-friendly infrastructure and urban planning.**
- **Biking: Buffalo secured the 19th spot, reflecting its commitment to sustainable transportation options.**

These rankings underscore Buffalo's strengths in creating a livable, accessible, and sustainable urban environment.

ORGANIZATIONAL ACTIVITIES - JUNE 2025

SYNOPSIS OF FORBES ARTICLE REGARDING CANADIAN TRAVEL

Forbes: Canadian Travel to the U.S. Declines Sharply, Driving Major Economic Losses







Statistics Canada reports a steep decline in Canadian travel to the U.S., with June 2025 car crossings down 33% and air travel down 22% compared to June 2024. This marks the sixth consecutive month of double-digit year-over-year declines in both modes of travel. Canadians, who represent roughly one-quarter of all foreign visitors to the U.S. and spent $20.5 billion here in 2024, are expected to drive significant losses for the U.S. economy in 2025. The U.S. Travel Association warns even a 10% drop in Canadian inbound travel could result in $2.1 billion in lost spending and 140,000 hospitality-related jobs; current data suggests far greater impacts.

The downturn stems largely from political tensions, including tariff threats and rhetoric from the U.S. administration referring to Canada as "the 51st state." Former Prime Minister Justin Trudeau publicly urged Canadians to avoid spending vacation dollars in the U.S., and over half of surveyed Canadians who had planned trips have chosenalternate destinations. Reports of Canadian tourists being detained at the U.S. border have further fueled calls within Canada for formal travel warnings.

Tourism Economics now forecasts a 9% drop in overall international arrivals to the U.S. in 2025, translating to $8.5 billion in reduced visitor spending. Given that 2025 was projected to be a growth year, the combined impact is estimated at up to $29 billion in lost economic activity.

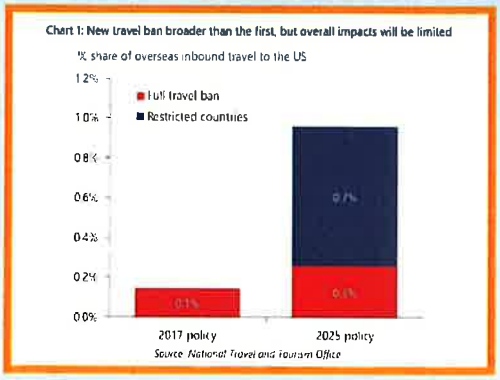
Buffalo Specific Impact

Buffalo is uniquely vulnerable to the steep decline in Canadian visitation given our proximity to the border and reliance on Ontario travelers for leisure, shopping, dining, and overnight stays. A 33% drop in car travel and 22% decline in air travel from Canada mirrors a significant reduction in our core cross-border market. This trend is likely to affect weekend hotel occupancy, retail sales, and event attendance, particularly in peak travel periods. Visit Buffalo Niagara will continue monitoring bridge traffic, Canadian consumer sentiment, and local booking patterns, while working with partners to target resilient market segments and adapt marketing strategies to help offset these declines.

TOURISM ECONOMICS REPORT: NEW U.S. TRAVEL BAN & POTENTIAL IMPACT ON INBOUND TRAVEL

On June 4, President Donald Trump signed a proclamation fully restricting entry from 12 countries and limiting entry from seven others. While broader than the travel restrictions of his first administration, the direct effect on inbound arrivals is expected to be minimal, as the affected countries accounted for only 1% of total overseas arrivals in 2024.

The greater concern lies in the potential indirect impact: heightened negative sentiment toward the U.S. globally could further dampen inbound travel demand. This policy adds downside risk to an already challenging outlook, with total international arrivals to the U.S. projected to decline by nearly 10% in 2025.



Buffalo Specific Potential Impact

While the new U.S. travel ban directly affects a small share of total overseas arrivals, the broader risk is its potential to dampen global sentiment toward U.S. travel, including in key Buffalo feeder markets such as Germany and the UK. VBN's overseas marketing efforts target these countries, which have historically produced high-value visitors who stay longer and spend more per trip. Negative perceptions of U.S. travel policies, even when not directed at these nations, can influence trip planning and willingness to visit. VBN will continue working closely with our international travel trade partners in Germany and the UK to reinforce Buffalo's welcoming message and unique appeal, ensuring our destination remains competitive despite broader headwinds in the U.S. travel market.

BUFFALO CONVENTION CENTER KPIs - JUNE 2025

BCC REVENUE PERFORMANCE - JUNE 2025

June Total Revenue		June Rent Revenue		June Food & Beverage Revenue		June Electrical Revenue		June Other Revenue	
$196,920		$43,775		$148,953		$2,917		$1,275	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
-41.5%	$336,859	-1.1%	$44,255	-47.3%	$282,679	-25.9%	$3,935	-78.8%	$5,990

BCC REVENUE PERFORMANCE - FY2025 YTD

YTD Total Revenue		YTD Rent Revenue		YTD Food & Beverage Revenue		YTD Electrical Revenue		YTD Other Revenue	
$2,064,373		$534,886		$1,615,459		$91,668		$19,180	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
12.5%	$1,834,630	26.4%	$423,248	23.5%	$1,308,266	-4.6%	$96,121	174.2%	$6,995

BCC OPERATIONS PERFORMANCE - JUNE 2025

June Total Events Held		June Conventions		June Meetings		June Banquets		June Consumer/Public Shows	
8		2		0		6		0	
Change	May-25	Change	May-25	Change	May-25	Change	May-25	Change	May-25
-27.3%	11	-33.3%	3	-100.0%	2	0.0%	6	-100.0%	1

BCC OPERATIONS PERFORMANCE - FY2025 YTD

YTD Total Events Held		YTD Conventions		YTD Meetings		YTD Banquets		YTD Consumer/Public Shows	
53		15		11		21		6	
Change	2024	Change	2024	Change	2024	Change	2024	Change	2024
17.8%	45	15.4%	13	0.0%	11	162.5%	8	0.0%	6

BCC EVENT ATTENDANCE - JUNE 2025

June Total Event Attendance	
17,487	
Change	May-25
26.6%	13,812

BCC EVENT ATTENDANCE - FY 2025 YTD

YTD Total Event Attendance	
133,185	
Change	2024
100.0%	66,581

BCC DAYS OCCUPIED - JUNE 2025

June Total Number of Days Occupied	
14	
Change	May-25
-33.3%	21

BCC DAYS OCCUPIED - FY 2025 YTD

YTD Total Number of Days Occupied	
134	
Change	2024
39.6%	96

BUFFALO CONVENTION CENTER

BCC SALES ACTIVITY KPIs - JUNE 2025

LEADS GENERATED PERFORMANCE - JUNE 2025

June Total Leads Generated		June BCC Generated Leads		June VBN Generated Leads		June Confirmed Bookings	
12		4		8		7	
Change	May-25	Change	May-25	Change	May-25	Change	May-25
100.0%	6	-20.0%	5	166.7%	3	0.0%	7

LEADS GENERATED PERFORMANCE - YTD 2025

YTD Total Leads Generated		YTD BCC Generated Leads		YTD VBN Generated Leads		YTD Confirmed Bookings	
76		43		33		64	
Change	2024	Change	2024	Change	2024	Change	2024
72.7%	44	48.3%	29	120.0%	15	25.5%	51

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - JUNE 2025

June Total Solicitation Calls		June Existing Client Calls/Contact		June New Client Calls/Contact		June Lost Business	
46		23		23		5	
Change	May-25	Change	May-25	Change	May-25	Change	May-25
-22.0%	59	-8.0%	25	-34.3%	35	25.0%	4

SALES SOLICITATION CALLS AND LOST BUSINESS PERFORMANCE - YTD 2025

YTD Total Solicitation Calls		YTD Existing Client Calls/Contact		YTD New Client Calls/Contact		YTD Lost Business	
324		145		179		33	
Change	2024	Change	2024	Change	2024	Change	2024
64.5%	197	35.5%	107	98.9%	90	26.9%	26

BCC CURRENT AND FUTURE BOOKED BUSINESS - FY2025 YTD

	2019*	2024*	2025**	2026**	2027**	2028**
Number of Events	138	122	102	67	52	27
Expected Attendance	249,975	172,743	172,145	208,547	171,200	127,650
Expected Hotel Room Nights	25,000	21,094	23,327	28,566	22,919	11,950
Expected Economic Impact	$34,063,840	$27,712,443	$ 26,033,817	$ 23,552,490	$ 19,258,734	$ 14,436,779

** Final for year* ***Updated monthly*

EXAMPLES OF BCC BUSINESS HELD IN JUNE 2025











BUFFALO CONVENTION CENTER

Visit Buffalo Niagara Board of Directors

Officers

Cindy Abbott-Letro, Law Offices of Francis A Letro - Chair
Kimberly Minkel, NFTA - Vice Chair
Thomas Long, The Westin Buffalo - Treasurer
Thomas Beauford, Buffalo Urban League - Secretary
Mary F. Roberts, Martin House - Immediate Past Chair

Members

Terry Alford, Michigan Street African-American Corridor
Mark Alnut, University of Buffalo Department of Athletics
Melissa Brown, Buffalo History Museum
Daniel Castle, Erie County Department of Environment & Planning
Anthony J.W. Chase, Buffalo State University
Dottie Gallagher, Buffalo Niagara Partnership
Mark Glasgow, Erie County Legislature Majority Caucus Appointee
Brian Gould, City of Buffalo Appointee
Patrick Kaler, Visit Buffalo Niagara CEO
Bob Karmazyn, Embassy Suites Buffalo
William Paladino, Erie County Legislature Minority Caucus Appointee
Shannon Patch, Delaware North
Steven Ranalli, Erie County Stadium Corporation
David Schutte, Schutte Hospitality Group
Michelle Urbanczyk, Explore and More Children's Museum

Data Sources For This Key Performance Indicator Report:

Cevis Technologies
Cision
Destinations International
Google Analytics
Key Data
Longwoods International
Lou Hamond Group
MMGY
Momentus Technologies
Sales Force Marketing Cloud
Simpleview
STR (Smith Travel Research)
Tourism Economics
U.S. Travel Association
Zartico

Visit Buffalo Niagara Staff

Jennifer Bialek, Executive Assistant to the CEO
Drew Brown, Senior Content Director
Michele Butlak, Accounting & Benefits Manager
Brooke Chavanne, Administrative Sales Assistant
Karen Cox, Director of Convention Services
Karen Fashana, Vice President of Marketing
Brian Hayden, Senior Director of Marketing & Communications
Nick Householder, Destination Experience Specialist
Patrick Kaler, President & CEO
Jheanelle Kerr, Industry Relations Assistant
Michelle Kearns, Director of Communications
David Marzo, Chief Financial Officer
Leah Mueller, Vice President of Sales and Services
Hailey Muscarella, Administrative Assistant Business Intelligence
Heather Nowakowski, Senior Director of Business Intelligence
Temekia Powers, National Sales Director
Kate Scaduto, Marketing & Social Media Manager
Renata Toney, Vice President of Destination Experience
Marisa Urbano, National Sales Manager
Meredith Walsh, Travel Trade Manager
Meaghan Zimmer, National Sales Director
TBD, Graphic Designer
TBD, Marketing Specialist
TBD, Visitor Center Manager

Buffalo Niagara Sports Commission Staff

James Adler, Director of Sports Sales
Greg Gelinas, Director of Sports Development
Patrick Kaler, President & CEO
Leah Mueller, Vice President of Sales & Services
Lauren Vargo, Sports Services Manager

Buffalo Convention Center Staff

Melissa Burke, Senior Director of Sales
Jeff Calkins, Vice President & General Manager
Lorna Cullen, Office Manager
Jamie Flood, Controller
Patrick Kaler, President & CEO
Craig Landseadel, Executive Chef
Mary Ann Martin, Bookkeeper & Benefits Manager
Heather Petrino, Sales & Services Coordinator
Ken Sanford, Chief Engineer
Christie Walker, Convention & Event Services Manager
Michael Will, Director of Operations
Colleen Willis, Director of Sales
Danielle Winiarski, Assistant General Manager
Marc Witman, Operations Manager
Alishia Vega, Front Desk Receptionist
Jolani Yeager, Sales & Catering Manager

Visit Buffalo Niagara

Purpose Statement:

We champion America's greatest reimagined city.

BUFFALO CONVENTION CENTER

Purpose Statement:

We inspire connection through unparalleled hospitality, collaborative partnerships, and exceptional experiences.

BUFFALO CONVENTION CENTER

2025 Second Quarter Report

BUFFALO CONVENTION CENTER			
Q2 Revenue	**Goal**	**Actual**	**Variance**
Rent Revenue	$157,189	$161,914	3.01%
F&B Revenue	$725,136	$935,231	28.97%
Electrical Service	$8,490	$18,525	118.19%
Other Revenue	0	$12,698	100%
TOTAL REVENUE	**$890,815**	**$1,128,368**	**26.67%**
YTD Revenue	**2025**	**2024**	**Variance**
Rent Revenue	$534,885	$574,945	-6.97%
F&B Revenue	$1,615,456	$2,048,523	-21.38%
Electrical Service	$92,200	$108,010	-16.80%
Other Revenue	$19,180	$7,335	146.50%
TOTAL REVENUE	**$2,261,721**	**$2,738,813**	-17.70%
Q2 YTD Events	**2025**	**2024**	**Variance**
Number of Events	53	62	-14.5%
Attendance	113,185	94,005	20.4%

Comments Q2

Total Revenue was up $237,553 from the original budgeted sales for 2025. There is a significant decrease in the YTD Actual F&B Revenue from last year, mainly due to the loss of the annual Ingram Micro Event during Q1. Attendance is consistent with last fiscal year.

Q2 Major Events Hosted			
Month	**Event Name**	**Number of Attendees**	**Revenue**
April	Jurassic Quest Holdings, LLC – Jurassic Quest	8,152	$50,116
April	Northeast Chapter- American Association of Airport Executives AAE – International Aviation Snow Symposium	1,165	$242,358
April	Colvin Cleaners- Gowns for Proms	1,000	$0
April	SABAH – Celebration on Ice	961	$23,348
April	Omega Psi Phi Fraternity Inc. – 77th Second District Conference	560	$66,010
May	Buffalo – Erie Marathon Association, Inc. – 2025 Buffalo Marathon Weekend	10,100	$23,032
May	ECMC Foundation – Springfest Gala	1,750	$199,302
May	Break the Floor Productions LLC – Jump Dance Convention	584	$28,201
June	Nickel City Comic Con Inc. – 2025 Nickel City Con	11,789	$60,966
June	Niagara Frontier Volleyball – Buffalo Nationals Tune-Up 2025	3,360	$32,116
June	NAACP – 2025 Awards Dinner	568	$31,105
June	Hispanics Heritage Council of WNY, Inc. – Hispanics Heritage Breakfast	530	$11,408

Q2 Major Events Booked		
Year	Event Name	Expected Revenue
2025	Conesus Fest for Charity – 2025 World's Largest Disco	$71,500
2025	Buffalo Common Council – Senior Ball	$45,000
2025	SABAH – Starlight Night Auction & Gala	$24,000
2026	Partners for Rural Impact – 2026 Rural Summit	$119,592
2026	FuzeHub – NYS Innovation Summit	$87,500
2026	Moog Incorporated – Moog Gala	$85,000
2026	Town Square Media of Buffalo – Buffalo on Tap	$64,390
2027	International Women's Conference – 63RD International Women's Conference	$135,000
2027	National Association of Extension 4-H Youth Development – NAE4H-YDP Annual Conference	$130,000
2027	NYS School Boards Association – 2027 Annual Conference & Education Expo	$128,500
2027	New York State Society for Human Resource Management – 2027 Annual Conference	$60,700

Q2 Notable BCC Activities	
Date	Program
April	Attended Empire State Society of Association Executives (ESSAE) Virtual Membership Committee Meeting
May	Sales staff participated in the Buffalo Book Club Session with VBN and book club members
May	BCC & VBN successfully hosted the African American Travel Conference
May	Attended VBN Industry Meeting
May	Attended Event Service Professionals Association's Webinar – From Generic to Genius: The Customized Experience
May	Attended Buffalo Niagara Partnership Hob Nob Event
May	Attended the International Association of Venue Managers (IAVM) Regional Conference in Raleigh
May	Site inspection with National Consumers League
May	Site inspection with Alleanaza, LLC
June	Attended and participated in Empire State Society of Association Executives Tradeshow and Annual Meeting with VBN & hotel partners in Albany
June	Attended International Association of Venue Managers (IAVM) Leadership Institute in Palm Springs
June	Site inspection with New York State Bureau of Emergency Medical Services
June	Site inspection with New York State School Boards Association
June	Site inspection with Marine Corps League
June	Site inspection with American Karate Association
June	Site inspection with Association for Small and Rural Libraries
On going	Hired new Director of Operations and Operations Manager to replace Michael Will and Terry O'Brien

Buffalo Niagara Convention & Visitors Bureau, Inc.

FINANCIAL STATEMENTS

JUNE 30, 2025 AND 2024

UNAUDITED

Approved at the Board of Directors Meeting on
Wednesday August 13, 2025

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.

FINANCIAL STATEMENTS

FOR THE SIX MONTHS ENDED JUNE 30, 2025 AND 2024

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Statement of Total Revenues	**Page 4**
Statement of Total Expenses	**Page 5-6**

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.
BALANCE SHEET
JUNE 30, 2025 AND 2024

UNAUDITED

	2025	2024
ASSETS		
Current assets:		
Cash and cash equivalents	$ 6,697,189	$ 1,244,739
Accounts Receivable - Erie County	-	2,250,000
Accounts Receivable - Trade	305,790	13,474
Grants Receivable	417,417	217,037
Prepaid expenses and supplies	190,866	142,301
Total current assets	7,611,262	3,867,551
Property and equipment, net	33,065	37,774
Right of Use Asset	174,375	174,375
Total assets	$ 7,818,702	$ 4,079,700
LIABILITIES AND NET ASSETS		
Current liabilities:		
Short-term borrowings	$ -	$ -
Accounts payable and accrued expenses	266,495	253,980
Accounts payable - Foundation	19,243	14,469
Deferred revenue - Other	149,829	54,100
Deferred revenue - Erie County Grant	3,745,000	2,270,000
SBA - EIDL Loan	134,623	138,550
Total current liabilities	4,315,190	2,731,099
Lease Liability	174,375	174,375
Net assets	3,329,137	1,174,226
Total liabilities and net assets	$ 7,818,702	$ 4,079,700

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.
STATEMENT OF ACTIVITES
FOR THE SIX MONTHS ENDED JUNE 30, 2025 AND 2024

	Actual 6 Month(s) 06/30/25	Budgeted 6 Month(s) 06/30/25	$ Variance Over (Under)	% Variance Over (Under)	Annual Budget 2025	Actual 6 Month(s) 06/30/24
REVENUES	**$ 5,686,784**	**$ 4,963,035**	**$ 723,749**	**14.58%**	**$ 8,961,680**	**$ 2,618,389**
MARKETING DEPARTMENT EXPENSES	$ 1,362,183	$ 1,362,216	$ (33)	0.00%	$ 4,690,260	$ 800,911
CONVENTION & SPORTS SALES & SERVICES EXPENSES	978,621	1,060,089	(81,468)	-7.69%	2,357,235	1,004,919
DESTINATION DEVELOPMENT	164,845	170,272	(5,427)	-3.19%	358,100	252,138
CANALSIDE VISITOR CENTER	27,349	27,144	205	0.76%	108,500	-
ADMINISTRATIVE & FINANCE EXPENSES	595,469	584,939	10,530	1.80%	1,056,645	539,994
RESEARCH DEPARTMENT EXPENSES	218,003	226,771	(8,768)	-3.87%	390,940	157,943
TOTAL EXPENSES	**$ 3,346,470**	**$ 3,431,431**	**$ (84,961)**	**-2.48%**	**$ 8,961,680**	**$ 2,755,905**
INCREASE (DECREASE) IN NET ASSETS	**$ 2,340,314**	**$ 1,531,604**	**$ 808,710**		**$ 0**	**$ (137,516)**
NET ASSETS - BEGINNING	988,823	988,823	-		988,823	1,311,742
NET ASSETS - ENDING	**$ 3,329,137**	**$ 2,520,427**	**$ 808,710**	**32.09%**	**$ 988,823**	**$ 1,174,226**

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.

TOTAL REVENUES

FOR THE SIX MONTHS ENDED JUNE 30, 2025 AND 2024

	Actual 6 Month(s) 06/30/25	Budgeted 6 Month(s) 06/30/25	$ Variance Over (Under)	% Variance Over (Under)	Annual Budget 2025	Actual 6 Month(s) 06/30/24
Erie County Grant	$ 3,724,998	$ 3,724,998	$ -	0.00%	$ 7,450,000	$ 2,250,000
Erie County Grant - Prior Year Overage	1,400,401	1,000,000	400,401	40.04%	1,000,000	-
Erie County - Restaurant Grant	-	-	-	-	20,000	-
ERTC Revenues	308,785	-	308,785	-	-	-
Advertising Sales	204,800	204,800	-	0.00%	204,800	206,600
Assessments - Convention	-	-	-	-	-	-
NYS Matching Funds Program	4,995	5,000	(5)	-0.10%	49,775	51,048
Joint/Co-Op - Marketing	14,000	6,000	8,000	133.33%	37,000	12,500
Joint/Co-Op - Sales	15,266	4,417	10,849	245.62%	25,000	14,484
Joint/Co-Op - Destination Development	-	500	(500)	-100.00%	18,500	1,954
Grant Revenues	-	-	-	-	120,000	64,000
Interest Income	13,533	16,500	(2,967)	-17.98%	35,000	17,757
Miscellaneous Income	6	570	(564)	-98.95%	1,105	25
Merchandising Revenues - Canalside	-	-	-	-	-	-
Merchandising Revenues - Conventions	-	250	(250)	-100.00%	500	21
Total Revenues	**$ 5,686,784**	**$ 4,963,035**	**$ 723,749**	**14.58%**	**$ 8,961,680**	**$ 2,618,389**

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.

TOTAL EXPENSES

FOR THE SIX MONTHS ENDED JUNE 30, 2025 AND 2024

	Actual 6 Month(s) 06/30/25	Budgeted 6 Month(s) 06/30/25	$ Variance Over (Under)	% Variance Over (Under)	Annual Budget 2025	Actual 6 Month(s) 06/30/24
Personnel Costs:						
Salaries	$ 1,072,978	$ 1,109,135	$ (36,157)	-3.26%	$ 2,272,605	$ 1,087,998
Payroll Taxes & Fringe Benefits	204,415	227,840	(23,425)	-10.28%	470,950	192,705
Training	47,137	46,520	617	1.33%	109,550	49,215
Total Personnel Costs	**$ 1,324,530**	**$ 1,383,495**	**$ (58,965)**	**-12.22%**	**$ 2,853,105**	**$ 1,329,918**
Sales & Marketing Expenditures:						
Advertising	$ 707,228	$ 708,372	$ (1,144)	-0.16%	$ 3,097,500	$ 253,360
Convention Commitments	167,248	221,050	(53,802)	-24.34%	445,000	158,968
Visitor Guide	150,735	151,000	(265)	-0.18%	170,000	137,302
Tradeshows	128,249	117,605	10,644	9.05%	245,000	100,941
Printing	15,865	9,600	6,265	65.26%	20,000	9,056
Postage	1,072	1,728	(656)	-37.96%	3,500	1,398
Sales Bids & Promotions	53,591	40,700	12,891	31.67%	135,000	45,553
Convention Sales & Services	5,233	7,525	(2,292)	-30.46%	36,000	18,791
Travel & Meetings	20,729	24,380	(3,651)	-14.98%	58,000	21,312
Receptions	-	3,500	(3,500)	-100.00%	35,000	-
Research	155,993	151,221	4,772	3.16%	252,000	95,166
Website Development/Hosting	81,366	86,000	(4,634)	-5.39%	263,750	64,883
Travel Writers & Influencers	18,264	17,225	1,039	6.03%	86,000	23,050
Public/Media Relations	98,933	100,000	(1,067)	-1.07%	221,000	31,125
Freelance/Graphic Artist	6,293	8,373	(2,080)	-24.84%	140,000	36,023
Regional Marketing	4,994	5,000	(6)	-0.12%	5,000	5,070
Promotional Items	7,988	14,916	(6,928)	-46.45%	38,000	12,320
Destination Development	44,723	44,115	608	1.38%	100,500	135,323
Canalside Visitor Center Operations	27,349	6,020	21,329	354.30%	24,000	-

BUFFALO NIAGARA CONVENTION & VISITORS BUREAU, INC.

TOTAL EXPENSES

FOR THE SIX MONTHS ENDED JUNE 30, 2025 AND 2024

	Actual 6 Month(s) 06/30/25	Budgeted 6 Month(s) 06/30/25	$ Variance Over (Under)	% Variance Over (Under)	Annual Budget 2025	Actual 6 Month(s) 06/30/24
Film/Video/Photo Productions	1,875	1,900	(25)	-1.32%	90,000	12,928
Photography	4,275	4,500	(225)	-5.00%	75,000	3,800
Social Networking/Wing Trail	9,497	10,660	(1,163)	-10.91%	34,000	1,871
Total Sales & Marketing Expenditures	$ 1,711,500	$ 1,735,390	$ (23,890)	-1.38%	$ 5,574,250	$ 1,168,240
Technology & Equipment	22,320	24,890	(2,570)	-10.33%	57,500	27,605
Departmental Administrative Expenses	288,120	287,656	464	0.16%	476,825	230,142
Total Expenses	$ 3,346,470	$ 3,431,431	$ (84,961)	-2.48%	$ 8,961,680	$ 2,755,905

BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

FINANCIAL STATEMENTS WITH ADDITIONAL INFORMATION

December 31, 2024

Lumsden McCormick LLP
CERTIFIED PUBLIC ACCOUNTANTS

Cyclorama Building | 369 Franklin Street | Buffalo, NY 14202
p: 716.856.3300 | f: 716.856.2524 | www.LumsdenCPA.com

INDEPENDENT AUDITORS' REPORT

The Board of Directors
Buffalo Niagara Convention Center Management Corporation

Opinion

We have audited the balance sheets of Buffalo Niagara Convention Center Management Corporation (the Center) as of December 31, 2024 and 2023, and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Center as of December 31, 2024 and 2023, and the changes in net assets and cash flows for the years then ended, in accordance with accounting principles generally accepted in the United States of America (GAAP).

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Center and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with GAAP, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Center's ability to continue as a going concern for one year after the date that the financial statements are issued.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Center's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Additional Information

Our audits were conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying additional information is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated August 13, 2025 on our consideration of the Center's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Center's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Center's internal control over financial reporting and compliance.

Lyndon & McCormick, LLP

August 13, 2025

BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

Balance Sheets

December 31,	2024	2023
Assets		
Current assets:		
Cash	$ 760,999	$ 202,397
Accounts receivable, net of estimated credit losses of $1,400 and $3,000	445,737	689,910
Inventory	52,545	49,517
Prepaid expenses	30,024	63,264
	$ 1,289,305	$ 1,005,088
Liabilities and Net Assets		
Current liabilities:		
Short-term borrowings (Note 2)	$ -	$ 200,000
Accounts payable	318,750	218,881
Accrued expenses	169,298	126,999
Deferred revenue	102,850	51,719
	590,898	597,599
Net assets	698,407	407,489
	$ 1,289,305	$ 1,005,088

See accompanying notes.

BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

Statements of Activities

For the years ended December 31,	2024	2023
Revenue and support:		
Governmental support - Erie County (Note 1)	$ 2,581,286	$ 1,981,286
Food and beverage sales	3,460,559	2,963,394
Rentals	1,104,970	1,075,281
Other	78,630	101,488
Total revenue and support	7,225,445	6,121,449
Expenses:		
Program services	5,706,779	5,517,652
General and administrative	1,227,748	1,125,877
Total expenses	6,934,527	6,643,529
Change in net assets	290,918	(522,080)
Net assets - beginning	407,489	929,569
Net assets - ending	$ 698,407	$ 407,489

See accompanying notes.

BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

Statements of Functional Expenses

For the years ended December 31,	2024			2023		
	Program Services	General and Administrative	Total	Program Services	General and Administrative	Total
Salaries and wages	$ 2,434,765	$ 622,374	$ 3,057,139	$ 2,413,266	$ 562,908	$ 2,976,174
Payroll taxes	243,348	40,436	283,784	134,527	51,904	186,431
Employee benefits	449,579	108,067	557,646	280,762	95,877	376,639
	3,127,692	770,877	3,898,569	2,828,555	710,689	3,539,244
Cost of goods sold	1,111,387	-	1,111,387	1,173,532	-	1,173,532
Professional and contracted services	-	231,017	231,017	-	173,662	173,662
Property and equipment purchases	-	-	-	6,345	705	7,050
Supplies	423,675	41,134	464,809	400,756	36,347	437,103
Telephone	97,217	17,156	114,373	88,911	15,690	104,601
Postage	3,679	649	4,328	4,315	762	5,077
Occupancy	726,936	54,678	781,614	805,644	59,609	865,253
Rental and maintenance of equipment	153,705	14,072	167,777	160,211	16,111	176,322
Travel and entertainment	-	22,354	22,354	-	9,709	9,709
Promotion, printing and publications	37,738	14,135	51,873	41,652	8,732	50,384
Dues and subscriptions	-	4,276	4,276	-	5,253	5,253
Laundry, uniforms and cleaning	11,800	3,933	15,733	1,471	490	1,961
Interest	-	36,047	36,047	-	722	722
Other	12,950	17,420	30,370	6,260	87,396	93,656
Total non-personnel expenses	2,579,087	456,871	3,035,958	2,689,097	415,188	3,104,285
Total	$ 5,706,779	$ 1,227,748	$ 6,934,527	$ 5,517,652	$ 1,125,877	$ 6,643,529

See accompanying notes.

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BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

Statements of Cash Flows

For the years ended December 31,	2024	2023
Operating activities:		
Change in net assets	$ 290,918	$ (522,080)
Adjustments to reconcile change in net assets to net operating activities:		
Changes in other current assets and current liabilities:		
Accounts receivable	244,173	(212,493)
Inventory	(3,028)	(4,764)
Prepaid expenses	33,240	(5,422)
Accounts payable	99,869	(222,799)
Accrued expenses	42,299	32,791
Deferred revenue	51,131	(21,645)
Net operating activities	758,602	(956,412)
Financing activities:		
Net proceeds from (payments on) short-term borrowings	(200,000)	200,000
Net change in cash	558,602	(756,412)
Cash - beginning	202,397	958,809
Cash - ending	$ 760,999	$ 202,397

See accompanying notes.

Notes to Financial Statements

1. Summary of Significant Accounting Policies:

Organization:

Buffalo Niagara Convention Center Management Corporation (the Center) is a nonprofit corporation organized to operate, manage and promote a convention center facility located in the City of Buffalo, New York (the City) pursuant to an agreement with Erie County, New York (the County). The Center has one class of members which consists of the City and the County.

Buffalo Niagara Convention and Visitors Bureau, Inc. (d/b/a Visit Buffalo Niagara (VBN)) and its affiliated entities are related to the Center through shared administration and common board members. The Center reimbursed VBN $12,000 in fees for shared administrative services in 2024 and 2023.

Governmental Support:

Under the terms of an annual public benefit services contract (service contract) with the County, the Center received subsidies for operations in 2024 and 2023 totaling $2,581,286 and $1,981,286, representing 36% and 32% of total revenue and support for each year. The service contract also requires the Center to repay the County any surplus funds at the end of the contract year, calculated as the excess of net assets over the 6 months average of operating expenses, based on actual expenses for the 36 months immediately preceding the current year. The Center had no calculated surplus funds for 2024 or 2023.

Funding by the County for the year ending December 31, 2025 will continue in the form of a subsidy to the Center totaling $2,350,000 under the terms of an agreement executed on March 18, 2025. Funding beyond December 31, 2025 is contingent upon actions taken by the County that are consistent with prior years. The Board and management of the Center believe sufficient funding arrangements will be made timely, so uninterrupted operations will continue beyond that time.

Use of Estimates:

The preparation of financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results could differ from those estimates.

Subsequent Events:

Management has evaluated events and transactions for potential recognition or disclosure through August 13, 2025, the date the financial statements were available to be issued.

Cash:

At various times, cash in financial institutions may exceed federally insured limits and subject the Center to concentrations of credit risk.

Inventory:

Inventory consists primarily of food and beverage products and is valued at the lower of first-in, first-out cost or net realizable value.

Property and Equipment:

The Center is operated for the County under a service concession arrangement, defined as an arrangement between a public sector entity grantor and an operating entity under which the operating entity operates the grantor's infrastructure. Consequently, property and equipment purchases are generally expensed as incurred. There were no property and equipment purchases expensed in 2024. Property and equipment purchases expensed in 2023 totaled $7,050.

Revenue Recognition:

Revenue from food and beverage sales and rentals is recognized when related events occur. Customer payment is generally due within 30 days of an event. Deferred revenue consists of deposits received in advance of scheduled events when required by contract terms.

Accounts receivable is stated at the amount management expects to collect from outstanding balances. Management provides for estimated credit loss amounts through a charge to expense and a credit to allowance for estimated credit losses based on its assessment of the current status of individual accounts, historical trends, and existing and forecasted economic conditions. Balances outstanding after management has used reasonable collection efforts are written off through a charge to the allowance and a credit to accounts receivable.

Sales Tax:

Certain jurisdictions impose a sales tax on the Center's sales to nonexempt customers. The Center collects these taxes from customers and remits the entire amount accordingly. Taxes collected and remitted are excluded from revenues and expenses in the accompanying financial statements.

Functional Allocation of Expenses:

The costs of providing program and supporting services have been summarized on a functional basis in the statements of functional expenses. Accordingly, certain costs have been allocated among the programs and supporting services benefited. These costs include salaries and benefits, which are allocated on the basis of estimates of time and effort.

Income Taxes:

The Center is a 501(c)(3) organization exempt from income taxes under Section 501(a) of the Internal Revenue Code.

2. Short-Term Borrowings:

The Center has available a $400,000 bank demand line of credit for working capital financing with interest payable at prime plus 1½%. The line is secured by essentially all assets of the Center. There were no amounts outstanding at December 31, 2024. Amounts outstanding on this line at December 31, 2023 totaled $200,000.

3. Retirement Plans:

The Center maintains a noncontributory, defined contribution profit sharing plan covering essentially all nonunion employees. The Center can make discretionary contributions to the plan. Total expense under this plan was $30,500 for 2024 and $24,500 for 2023.

The Center also contributes to a defined contribution pension plan covering eligible employees of one union group. Contributions are determined pursuant to the collective bargaining agreement between the Center and the union. Total expense under this plan was $6,558 for 2024 and $4,781 for 2023.

The Center's other union employees are covered by defined benefit multiemployer plans pursuant to the terms of collective bargaining agreements. The risks of participating in these multiemployer plans are different from single-employer plans in the following aspects:

a. Assets contributed to the multiemployer plans by one employer may be used to provide benefits to employees of other participating employers.

b. If a participating employer stops contributing to a plan, the unfunded obligations of the plan may be borne by the remaining participating employers.

c. If the Center chooses to stop participating in a multiemployer plan, the Center may be required to pay the plan an amount based on the underfunded status of the plan, referred to as a withdrawal liability.

The Center's participation in the plans for the years ended December 31, 2024 and 2023 is outlined in the table below. The "EIN/Pension Plan Number" column provides the Employer Identification Number (EIN) and the three-digit plan number. The most recent Pension Protection Act (PPA) zone statuses available in 2024 and 2023 are for the following plan year ends: December 31, 2024 and 2023 for the Service Employees Pension Fund of Upstate NY (Plan 1), and January 31, 2024 and 2023 for the Central Pension Fund of the IUOE & Participating Employers (Plan 2). The zone status is based on information that the Center received from the plans and is certified by the plans' actuaries. Among other factors, plans in the red zone are generally less than 65 percent funded, plans in the yellow zone are less than 80 percent funded, and plans in the green zone are at least 80 percent funded. The "FIP/RP Status Pending/Implemented" column indicates whether a financial improvement plan (FIP) or a rehabilitation plan (RP) is either pending or has been implemented. The last column lists the expiration date of the collective bargaining agreement to which the plan is subject.

Pension Plan	EIN/Pension Plan Number	PPA Zone Status 2024	PPA Zone Status 2023	FIP/RP Status Pending/ Implemented	Center Contributions 2024	Center Contributions 2023	Surcharge Imposed	Expiration Date of Participation Agreement
Plan 1	16-0908576/001	Green	Green	No	$ 38,700	$ 55,100	No	December 31, 2027
Plan 2	36-6052390/001	Green	Green	No	32,700	30,800	No	December 31, 2027
					$ 71,400	$ 85,900		

The Center was not listed in any of the Forms 5500 as providing more than 5 percent of the total contributions for the plan years ended December 31, 2024 and 2023 and January 31, 2024 and 2023.

4. Contingencies:

The Center is involved in legal proceedings, which in the opinion of management, will not have a material adverse impact on the financial position of the Center.

5. Financial Resources Available for Operations:

The Center obtains financial assets generally through a government grant, in-house catering services and rentals. The financial assets are acquired throughout the year to help meet the Center's cash needs for general expenditures. If necessary, the Center also has access to a $400,000 bank demand line of credit (Note 2).

The Center's financial assets available within one year of the balance sheet date to meet cash needs for general expenditures consist of the following at December 31:

	2024	2023
Cash	$ 760,999	$ 202,397
Accounts receivable	445,737	689,910
	$ 1,206,736	$ 892,307

BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION

Additional Information
Schedule of Contracted Surplus

For the year ended December 31, 2024

Net assets	$ 698,407
Working capital, as defined in agreement with County of Erie dated March 21, 2024	2,548,097
Contractual deficit	$ (1,849,690)

See independent auditors' report.

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

The Board of Directors
Buffalo Niagara Convention Center Management Corporation

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the balance sheet of Buffalo Niagara Convention Center Management Corporation (the Center), as of December 31, 2024, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated August 13, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Center's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control. Accordingly, we do not express an opinion on the effectiveness of the Center's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that have not been identified. However, as described below, we did identify certain deficiencies in internal control over financial reporting that we consider to be a material weakness.

Financial Reporting

Our audit of the Center's 2024 financial statements identified several errors which resulted in significant adjustments and additional analysis. Identified errors included key accounts that were not properly recognized in accordance with generally accepted accounting principles and/or reconciled to the general ledger. In addition, we noted internal financial statements are not regularly generated and distributed to management and the Board of Directors.

We recommend management establish standard monthly accounting policies and procedures to ensure key general ledger accounts are properly reconciled, supported by detailed schedules and formally reviewed and approved; produce internal financial statements for review and approval by the Board at least quarterly; and complete the Center's formal accounting policies and procedures manual.

Management Response

As a result of several changes in the Controller position over the past few years, many established policies and procedures were not consistently followed. The Center is confident that with the current staff, it will be able to identify and rectify the noted conditions.

The Center acknowledges the reported findings and is committed to implementing the necessary policy and procedural changes to achieve compliance. Management will review all current internal control policies and procedures, enhancing or implementing controls where necessary. Timely reconciliation of key general ledger accounts will be strictly adhered to and identify and correct any unusual or incorrect account balances. Monthly preparation, review, and approval of internally generated financial reports with department heads and the general manager will be adhered to. In addition, management and financial reports will be reviewed with the board of directors for their approval at the quarterly board meetings.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Center's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

Management's Response to Findings

The Center's response to the finding identified in our audit is described in the Report on Internal Control Over Financial Reporting. The Center's response was not subjected to the auditing procedures applied in the audit of the financial statements, and accordingly, we do not express an opinion on the Center's response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Center's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Center's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Lumsden & McCormick, LLP

August 13, 2025

Lumsden McCormick LLP
CERTIFIED PUBLIC ACCOUNTANTS

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MANAGEMENT LETTER

August 13, 2025

The Board of Directors and Management
Buffalo Niagara Convention Center Management Corporation

In planning and performing our audit of the financial statements of Buffalo Niagara Convention Center Management Corporation (the Center) as of and for the year ended December 31, 2024, in accordance with auditing standards generally accepted in the United States of America, we considered the Center's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control. Accordingly, we do not express an opinion on the effectiveness of the Center's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses and, therefore, material weaknesses may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible.* The chance of the future event or events occurring is more than remote but less than likely.
- *Probable.* The future event or events are likely to occur.

We consider the following deficiency in the entity's internal control to be a material weakness:

Financial Reporting

Our audit of the Center's 2024 financial statements identified several errors which resulted in significant adjustments and additional analysis. Identified errors included key accounts that were not properly recognized in accordance with generally accepted accounting principles and/or reconciled to the general ledger. In addition, we noted internal financial statements are not regularly generated and distributed to management and the Board of Directors.

We recommend management establish standard monthly accounting policies and procedures to ensure key general ledger accounts are properly reconciled, supported by detailed schedules and formally reviewed and approved; produce internal financial statements for review and approval by the Board at least quarterly; and complete the Center's formal accounting policies and procedures manual.

Management Response

As a result of several changes in the Controller position over the past few years, many established policies and procedures were not consistently followed. The Center is confident that with the current staff, it will be able to identify and rectify the noted conditions.

The Center acknowledges the reported findings and is committed to implementing the necessary policy and procedural changes to achieve compliance. Management will review all current internal control policies and procedures, enhancing or implementing controls where necessary. Timely reconciliation of key general ledger accounts will be strictly adhered to and identify and correct any unusual or incorrect account balances. Monthly preparation, review, and approval of internally generated financial reports with department heads and the general manager will be adhered to. In addition, management and financial reports will be reviewed with the board of directors for their approval at the quarterly board meetings.

OTHER COMMENTS AND RECOMMENDATIONS

Local Authority

On January 23, 2013, the Center received notification from the State of New York Authorities Budget Office (ABO) that the organization meets the definition of a local authority pursuant to the Public Authorities Law. Accordingly, the Center is now required to comply with regulations established by the Public Authorities Accountability Act (PAAA).

Although the Center has complied with certain aspects of PAAA, it has been notified by the ABO that it is not in full compliance. Management has advised us that resolution of this matter is pending certain actions to be taken by the Center's Members, the County of Erie and the City of Buffalo. Since the ABO has the authority to take enforcement action, we continue to recommend the Center's Members take the necessary actions to be in full compliance with PAAA.

This report is intended solely for the information and use of the Board of Directors and management of the Center. It is not intended to be, and should not be, used by anyone other than these specified parties.

Freedlander & McCormick, LLP

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COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

August 13, 2025

The Board of Directors
Buffalo Niagara Convention Center Management Corporation

We have audited the financial statements of Buffalo Niagara Convention Center Management Corporation (the Center) for the year ended December 31, 2024, and have issued our report thereon. Professional standards also require that we advise you of the following information related to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated March 1, 2025, our responsibility, as described by professional standards, is to form and express opinions about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (GAAP). Our audit of the financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Center solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible to communicate significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding internal controls and other matters noted during our audit in a separate letter to you.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope previously communicated to you in the engagement letter; however, delays were encountered during the performance of the audit.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the Center's Significant Accounting Practices and Significant Risks

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the Center are included in Note 1 of the financial statements. There have been no initial selection of or changes in significant accounting policies or their application during 2024. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates and Audit Risk Items

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments. The most sensitive and significant accounting estimates and audit risk items affecting the financial statements and our audits include:

- Collectability of accounts receivable
- Functional expense allocations

Management's estimates of the above are based on management's knowledge and experience about past and current events and assumptions about future events. We evaluated the key factors and assumptions used to develop the estimates above and determined they are reasonable in relation to the basic financial statements taken as a whole.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. We evaluated all disclosures in relation to the financial statements as a whole and determined they are reasonable.

Other More Significant Audit and Accounting Items Addressed

- Management override of controls
- Revenue recognition

Significant Difficulties Encountered During the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audits, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit. We discovered no uncorrected misstatements during our audit.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of out audit procedures. The following material misstatements that we identified as a result of our audit procedures were brought to the attention of, and corrected by, management:

- Adjustments to increase accounts receivable and related revenues.
- Adjustments to reconcile inventory.
- Adjustments to reconcile prepaid expenses.
- Adjustments to increase accounts payable and related expenses.
- Adjustment to increase salary expense and related accruals for payroll, vacations and bonuses.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the Center's financial statements or the auditors' reports. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditors' Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditors' report. There were no modifications to the audit opinion.

Representations Requested from Management

We have requested certain written representations from management, which are included in the management representation letter dated consistent with the financial statement audit report date.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the Center, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, business conditions affecting the Center, and business plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the Center's auditors.

Additional Information

With respect to the additional information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with GAAP, the method of preparing the information has not changed from the prior period, and the information is appropriate and complete in relation to the audit of the financial statements. We compared and reconciled the additional information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Board of Directors and management of the Center. It is not intended to be, and should not be, used by anyone other than these specified parties.

Lyndon & McCormick, LLP