



COUNTY OF ERIE
MICHAEL P. KEARNS
ERIE COUNTY CLERK

October 14, 2025

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

Re: COMM. 18E-10 Supplemental Material

Dear Honorable Members:

Please find enclosed seven (7) Local Laws dealing with the leasing/licensing of surplus County space, granting authority to various entities including the County Executive and the County Clerk on a case-by-case basis. It is clear that the appropriate medium for the leasing/licensing of County space to a non-County entity is by Legislative approval/Local Law, which was not done in the matter before this Honorable Body concerning the seizure of County Clerk-utilized office space to The Buffalo News by the County Executive, through the Department of Public Works. We submit these Local Laws as further evidence for consideration of COMM. 18E-10.

- 2001- Local Law 3: Leasing of surplus space at ECMC.
- 1987- Local Law 5: Licensing of surplus space in County Clerk's Office.
- 1986- Local Law 3: Leasing of surplus space at ECC South Campus to the Diocese of Buffalo.
- 1982- Local Law 2: Leasing of surplus space on the ECC South Campus.
- 1979- Local Law 7: Leasing of surplus space on ECC South Campus.
- 1978- Local Law 9: Leasing of surplus space in the County Clerk's allocated office area.
- 1973- Local Law 8: Authorizing the County Executive, with approval of County Legislature, to lease space at Edward J. Meyer Memorial Hospital to SUNY.

Sincerely,

William A. Lorenz Jr.

WILLIAM A. LORENZ JR., ESQ.
Deputy County Clerk – Legal

Encl.

5

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

JUL 11 2001

County

~~City~~
~~Town~~
~~Village~~
~~XXXXX~~

of Erie

**MISCELLANEOUS
& STATE RECORDS**

Local Law No. --- 3 of the year 2001

A local law relating to the leasing of Surplus Space in an area
(Insert Title)
located adjacent to the lobby of the Erie County
Medical Center, 462 Grider Street, Buffalo, New York.

Be it enacted by the Erie County Legislature of the
(Name of Legislative Body)

County

~~City~~
~~Town~~
~~Village~~
~~XXXXX~~

of Erie

as follows:

Section 1. The Erie County Legislature hereby finds and determines that certain vacant ground floor space comprising approximately 4,200 square feet in an area adjacent to the lobby of the Erie County Medical Center at 462 Grider Street, Buffalo, New York is not presently needed for County governmental purposes, and that such space can best be utilized to the County's and the Erie County Medical Center's benefit by permitting the Erie County Medical Center to lease said property for a fair and reasonable consideration to the Benderson Development Company, Inc. at 570 Delaware Avenue, Buffalo, New York 14202. Said property would be used as a retail center for the benefit of the Erie County Medical Center's patients, families, visitors and employees.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 2. The County of Erie, on behalf of the Erie County Medical Center, may enter into a Lease Agreement for such surplus space with the Benderson Development Company, Inc. upon such terms and conditions as may be set forth in a resolution enacted by the Erie County Legislature, including, however, but not limited to the conditions set forth in Section 3 hereafter.

Section 3. The County of Erie, on behalf of the Erie County Medical Center, shall enter into a Lease Agreement which shall provide for the lease of said premises for an initial term of ten years with one successive ten-year renewal term. In determining the fair consideration to be charged for said surplus space, among the factors to be considered shall be the cost to the Benderson Development Company, Inc. of renovating such space for retail use, the fair rental value of similar property, and the benefit to be derived by the County from the retail services and conveniences that will be provided to the Erie County Medical Center's patients, families, visitors and employees.

Section 4. Effective date. This Local Law shall be effective immediately upon filing with the Secretary of State pursuant with Section 27 of the New York Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2001 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on June 21 2001, and was (approved)(not approved)(repassed after ~~disapproval~~) by the Erie County Executive and was deemed duly adopted on July 5 2001, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

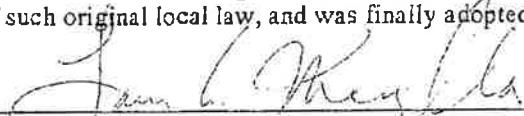
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 2____, above.


Clerk of the County legislative body, City, Town or Village Clerk
or other designated local official
Laurie A. Manzella

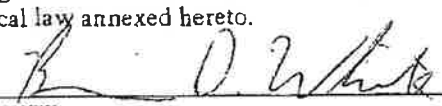
(Seal)

Date: July 6, 2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

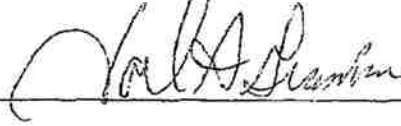

Signature

Brian D. White, Assistant County Attorney
Title

County
~~City~~ of Erie
~~Town~~
~~Village~~

Date: 7/6/01

A Public Hearing was held on the foregoing Local Law Intro. No. 6-2001 on Thursday, July 5, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 5th day of July, 2001.



A Public Hearing was held on the foregoing Local Law Intro. No. 6-2001 on Thursday, July 5, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 5th day of July, 2001.

Local Law No. 5 - 1987

COUNTY OF ERIE

RECEIVED
ERIE COUNTY
LEGISLATURE

LOCAL LAW INTRO NO. 12 - 1987

JUL 16 12 57 PM '87

PRINT #1

A LOCAL LAW relating to the licensing of Surplus Space in the County Clerk's Allocated Office area.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1. The Erie County Legislature hereby finds and determines that the County Clerk's Office be authorized to license any excess space within the area that said office now occupies at 25 Delaware Avenue and Old County Hall, 92 Franklin Street, in the City of Buffalo, at a fair and reasonable consideration to business entities engaged in service bearing relation to the Clerk's function as the recording officer and record keeping institute of all documents, as relating to the title of real property located within the County of Erie and that such space that may be available shall be utilized in such manner as to inure to the benefit of the people of the County of Erie.

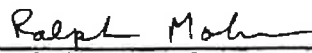
§2. The Clerk of Erie County may enter into licensing agreements for such surplus space with businesses bearing a reasonable relationship to the Clerk's function as a recorder of titles to property in the County, upon such terms and conditions as the Clerk may determine, including, however, but not limited to the conditions set forth in Section 3 hereafter.

ERIE COUNTY
DEPARTMENT OF LAW
JUL 30 4 43 PM '87

§3. The privilege granted is that of a license and not a lease. No interest or estate in the realty or right of exclusive possession and control is hereby passed. The County Clerk shall determine the business entities to whom licenses shall be granted. Any licensing agreement entered into hereunder shall provide for cancellation upon 60 days notice and require the licensee to hold harmless and indemnify the County of Erie and the Erie County Clerk. In determining the fair consideration to be charged for surplus space, among the factors to be considered shall be the cost to the County to construct and maintain such space, the fair rental value of similar property, and the benefit to be derived by the County and its residents from the business activities of the licensees in the licensed space.

§4. This law shall take effect immediately.


Richard R. Anderson
Legislator, 16th District
County of Erie


Ralph M. Mohr
Legislator, 17th District
County of Erie

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ERIE COUNTY
LEGISLATURE

LOCAL LAW NO. 3-1986 MAY 17 9 28 AM '86

LOCAL LAW INTRO NO. 14 (Print #1)

1986

A LOCAL LAW relating to the Leasing of Surplus Space
Commonly known as 4195 Abbott Road, Orchard
Park, New York, part of the campus of Erie
Community College South Campus.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS
FOLLOWS:

Section 1. The Erie County Legislature hereby
finds and determines that certain space commonly known as
4195 Abbott Road, Orchard Park, New York, together with the
building and improvements thereon, which is located on the
south campus of Erie Community College, is not presently
needed for County governmental purposes, and that such space
can best be utilized to the County's benefit by permitting
the Erie Community College to lease said property for a fair
and reasonable consideration to the Diocese of Buffalo, a
religious corporation organized and existing under and by
virtue of the laws of the State of New York, for the purpose
of using said property as a Newman Center for the benefit of
the students of Erie Community College South Campus.

Section 2. The Board of Trustees of Erie
Community College may enter into a Lease Agreement for such
surplus space with the Diocese of Buffalo upon such terms
and conditions as the Board of Trustees of Erie Community

College may determine, including, however, but not limited to the conditions set forth in Section 3. hereafter.

Section 3. The Board of Trustees of Erie Community College shall enter into a Lease Agreement which shall provide for the lease of said premises for a term of no longer than five (5) years effective November 1, 1985. In determining the fair consideration to be charged for said surplus space, among the factors to be considered shall be the cost of the County to construct and maintain such space, the fair rental value of similar property, and the benefit to be derived by the County and its residents from the activities of the Diocese of Buffalo in providing the benefits of a Newman Center to the students of Erie Community College South Campus.

Section 4. This law shall take effect immediately.

LEONARD R. LENIHAN
Legislator - 10th District

ROBERT H. MEIER
Legislator - 9th District

RECEIVED
ERIE COUNTY
LEGISLATURE

LOCAL LAW NO. 2

LOCAL LAW INTRO. NO. 13

OCT 26 4 22 PM '82

1982

A LOCAL LAW relating to the Leasing of Surplus Space commonly known as 4195 Abbott Road, Orchard Park, New York, part of the campus of Erie Community College South Campus.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE, AS FOLLOWS:

Section 1. The Erie County Legislature hereby finds and determines that certain space commonly known as 4195 Abbott Road, Orchard Park, New York, together with the building and improvements thereon, which is located on the south campus of Erie Community College, is not presently needed for County governmental purposes, and that such space can best be utilized to the County's benefit by permitting the Erie Community College to lease said property for a fair and reasonable consideration to the Diocese of Buffalo, a religious corporation organized and existing under and by virtue of the laws of the State of New York, for the purpose of using said property as a Newman Center for the benefit of the students of Erie Community College South Campus.

Section 2. The Board of Trustees of Erie Community College may enter into a Lease Agreement for such surplus space with the Diocese of Buffalo upon such terms and conditions as the Board of Trustees of Erie Community College may determine, including, however, but not limited to the conditions set forth in Section 3 hereafter.

Section 3. The Board of Trustees of Erie Community College shall enter into a Lease Agreement which shall provide for the lease of said premises for a term of no longer than three (3) years. In determining the fair consideration to be charged for said surplus space, among the factors to be considered shall be the cost of the County to construct and maintain such space, the fair rental value of similar property, and the benefit to be derived by the County and its residents from the activities of the Diocese of Buffalo in providing the benefits of a Newman Center to the students of Erie Community College South Campus.

Section 4. This law shall take effect immediately.

FRANCIS J. PORDUM
Legislator - 1st District

CHARLES M. SWANICK
Legislator - 10th District

LEONARD R. LENIHAN
Legislator - 11th District

(COUNTY OF ERIE (

LOCAL LAW NO. 7 - 1979

A LOCAL LAW relating to the Leasing of Surplus Space commonly known as 4195 Abbott Road, Orchard Park, New York, part of the campus of Erie Community College South Campus.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1.

The Erie County Legislature hereby finds and determines that certain space commonly known as 4195 Abbott Road, Orchard Park, New York, together with the building and improvements thereon, which is located on the south campus of Erie Community College, is not presently needed for County governmental purposes, and that such space can best be utilized to the County's benefit by permitting the Erie Community College to lease said property for a fair and reasonable consideration to the Diocese of Buffalo, a religious corporation organized and existing under and by virtue of the laws of the State of New York, for the purpose of using said property as a Newman Center for the benefit of the students of Erie Community College South Campus.

Section 2.

The Board of Trustees of Erie Community College may enter into a Lease Agreement for such surplus space with the Diocese of Buffalo upon such terms and conditions as the Board of Trustees of Erie Community College may determine, including, however, but not limited to the conditions set forth in Section 3 hereafter.

Section 3.

The Board of Trustees of Erie Community College shall enter into a Lease Agreement which shall provide for the lease of said premises for a term of no longer than three (3) years. In determining the fair consideration to be charged for said surplus space, among the factors to be considered shall be the cost of the County to construct and maintain such space, the fair rental value of similar property, and the benefit to be derived by the County and its residents from the activities of the Diocese of Buffalo in providing the benefits of a Newman Center to the students of Erie Community College South Campus.

Section 4.

This law shall take effect immediately.

Section 5.

Fiscal impact - none.

Acknowledged by Secy of State 10/12/79

LOCAL LAW NO. 9 - 1978

LOCAL LAW INTRO. NO. 13 - 1978 (Print #1)

A LOCAL LAW relating to the Licensing of Surplus Space in the
County Clerk's Allocated Office Area.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1.

The Erie County Legislature hereby finds and determines that certain space to the extent of approximately 500 square feet located in the area allocated to the County Clerk at 25 Delaware Avenue has been for many years occupied by two local title companies, that such space is not presently needed for county governmental purposes, and that such space can best be utilized to the county's benefit by permitting the Clerk to license it for a fair and reasonable consideration to business entities engaged in services bearing relation to the Clerk's function as a recorder of property titles in the County.

Section 2.

The Clerk of Erie County may enter into licensing agreements for such surplus space with businesses bearing a reasonable relationship to the Clerk's function as a recorder of titles to property in the county, upon such terms and conditions as the clerk may determine, including, however, but not limited to the conditions set forth in Section 3 hereafter.

Section 3. The privilege granted is that of a license and not a lease. No interest or estate in the realty or right of exclusive possession and control is hereby passed. The County Clerk shall determine the business entities to whom licenses shall be granted. Any licensing agreement entered into hereunder shall provide for cancellation upon 60 days notice. In determining the fair consideration to be charged for surplus space, among the factors to be considered shall be the cost to the county to construct and maintain such space, the fair rental value of similar property, and the benefit to be derived by the county and its residents from the business activities of the licensees in the licensed space.

Section 4. This law shall take effect immediately.

ATTEST

MARIE V. RICHARDSON

Clerk of the Legislature of Erie County

Vote: 20-0
Carried Unanimously.

LOCAL LAW No. 8 - 1973

A local law authorizing the county executive, with approval of the county legislature, to lease to The Research Foundation of the State University of New York approximately 12,095 $\pm$ square feet of renovated space located in old school 84 at the Edward J. Meyer Memorial Hospital in the city of Buffalo, without advertising or competitive bidding.

Became a law June 11, 1973 with the approval of the county executive, no petition protesting. Passed by the local legislative body of the county of Erie. Filed in the office of the secretary of state June 13, 1973.

Be it enacted by the legislature of the county of Erie as follows:

Section 1. Notwithstanding the provisions of section two hundred fifteen of the County Law or any special act or local law, the county executive is hereby authorized and empowered, with approval of the county legislature, to lease to The Research Foundation of the State University of New York, upon such terms and conditions as to duration, renewals, extensions, assignment, rentals, rehabilitation, maintenance and repair, and other matters as the county executive shall in his discretion determine, without advertising or competitive bidding or public sale, approximately 12,095 $\pm$ square feet of renovated space located in old school 84 at the Edward J. Meyer Memorial Hospital in the city of Buffalo. Section two hundred fifteen of the County Law shall have no application to the said lease.

§ 2. This local law shall take effect immediately, subject to the provisions of the Municipal Home Rule Law of the state of New York.