

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 19**  
**SEPTEMBER 26, 2019**

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Meyers, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Lorigo.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. BRUSO moved for the approval of the minutes for Meeting Number 18 from 2019. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. BRUSO presented a proclamation Recognizing and Applauding Michelle Bliss for Her Extensive Leadership and Dedicated Service Protecting the People and Property of WNY.

Item 6 – MR. BRUSO presented a proclamation Recognizing and Applauding Arthur "Art" Domino for His Extensive Leadership and Dedicated Service Protecting the People and Property of WNY.

Item 7 – MR. BRUSO presented a proclamation Recognizing and Applauding James Nusall for His Extensive Leadership and Dedicated Service in Depew Hook and Ladder Company No. 1.

Item 8 – MS. CHIMERA presented a proclamation Recognizing and Applauding Robert Carncross for His Extensive Leadership and Dedicated Service Protecting the People and Property of WNY.

Item 9 – MR. MEYERS presented a proclamation Recognizing and Applauding Eugene Beszczynski for His Extensive Leadership and Dedicated Service Protecting the People and Property of Sloan.

Item 10 – MR. MEYERS presented a proclamation Recognizing and Applauding Edward Tokasz for His Extensive Leadership and Dedicated Service Protecting the People and Property of WNY.

Item 11 – MR. JOHNSON presented a memorial resolution Honoring and Remembering the Praiseworthy Life of Jodie E. Williams.

Item 12 – MR. BRUSO presented a proclamation Recognizing Jeanne Hebborn Cairns for Her Dedication and Service Throughout Her Community and for Her Acting, Directing, Filmmaking and Producing Prowess.

Item 13 – MS. BASKIN presented a proclamation Recognizing and Congratulating Sister Timothy Howard for Her Storied Achievements, Her Unconditional Love and Her Profound Legacy in the City of Buffalo.

Item 14 – MS. BASKIN presented a proclamation Recognizing and Congratulating Sister Noreen Smith for Her Achievements, Her Unconditional Love and Her Legacy in Changing Our Community for the Better.

Item 15 – MR. BRUSO presented a proclamation Honoring Lori Gramza as the Erie County Legislature's Citizen of the Month for September 2019.

Item 16 – MS. DIXON presented a proclamation Honoring Michael S. Brophy, PhD., M.F.A. on His Installation as Hilbert College's Fourth President.

Item 17 – MR. LORIGO, MR. MILLS, MS. DIXON & MR. RATH presented a proclamation Recognizing and Honoring FeedMore WNY, Its Volunteers and Staff, and Recognizing September as Hunger Action Month.

Item 18 – MR. MILLS presented a proclamation Honoring the Orchard Park Lions Club as it Celebrates 75 Years of Community Service to Orchard Park.

Item 19 – MS. BASKIN presented a proclamation Celebrating and Honoring National Hispanic Heritage Month.

Item 20 – MS. BASKIN presented a memorial resolution Honoring and Remembering Jose Pizarro Figueroa, 2019 Veteran of Honor.

MR. BRUSO moved for consideration of the above sixteen items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to amend the above sixteen items by adding one for the Majority Caucus, one for MR. RATH, and by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved for approval of the above eighteen items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 21 – CHAIR BASKIN directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR BASKIN directed that Local Law No. 9 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 27 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 182

September 19, 2019	PUBLIC SAFETY COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 15E-2 (2019)  
BASKIN: “Letter to County Executive & Sheriff Regarding Status Update on the Sheriff Body Camera Project”  
(Chair’s Ruling)
  - b. COMM. 15E-52 (2019)  
SHERIFF: “Letter to Chair Baskin Regarding Body Camera Project”  
(Chair’s Ruling)
  - c. COMM. 15E-53 (2019)  
BASKIN: “Letter to Sheriff Howard Re: Body Camera System – Response to 7/8/19 Letter from the Sheriff”  
(Chair’s Ruling)
  - d. COMM. 15D-6 (2019)  
DEPARTMENT OF LAW: “Opinion Concerning Transfer of Funds Prior to Opening Responses to RFP”  
(Chair’s Ruling)
  - e. COMM. 16E-13 (2019)  
BASKIN: “Letter to Sheriff Concerning RFPs Review Process & Funding for Body Camera System”  
(Chair’s Ruling)
  - f. COMM. 16E-18 (2019)  
BASKIN: “Letter to Sheriff Regarding Compliance of FOIL Request of Body Camera Footage”  
(Chair’s Ruling)
  - g. COMM. 18D-3 (2019)  
COMPTROLLER’S OFFICE: “Letter to Central Police Services Commissioner Regarding Audit of Aid to Crime Labs Program Prevention Grant – 07/01/2018 – 06/30/2019”  
(Chair’s Ruling)
  - h. COMM. 18D-5 (2019)  
COMPTROLLER’S OFFICE: “Letter to EC Dept. of Probation Commissioner Regarding Audit of Dept. – 1/1/2019 – 6/30/2019”  
(Chair’s Ruling)
2. COMM. 16E-8 (2019)  
COUNTY EXECUTIVE

WHEREAS, more than 300 pedestrians are killed and 15,000 injured each year in New York State due to being struck by motor vehicles; and

WHEREAS, pedestrians comprise more than 25% of the fatalities due to motor vehicle crashes in New York State; and

WHEREAS, the Governor's Traffic Safety Committee (GTSC) has designated Buffalo and Erie County as a Focus Community in its Pedestrian Safety Action Plan; and

WHEREAS, GTSC has awarded Erie County a grant in the amount of \$35,550 to fund a public education and awareness campaign on the risks to vulnerable road users; and

WHEREAS, STOP-DWI Office requests authorization to enter into a contract with New York State; and

WHEREAS, the grant will be used to continue to fund a part-time Data Entry Operator to gather pedestrian safety data and purchase materials for pedestrian safety awareness events; and

WHEREAS, all expenses under Traffic Safety Program are 100% reimbursable by New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are authorized to permit receipt of GTSC funding and establish a Pedestrian Traffic Safety Grant in the 2019 STOP-DWI budget:

CENTRAL POLICE SERVICES  
PEDESTRIAN SAFETY PROGRAM  
Funds Center #1650060 STOP-DWI/TRAFFIC SAFETY  
GRANT #165ROADSAFETY1920  
October 1, 2019-September 30, 2020

<u>APPROPRIATIONS</u>		<u>AMOUNT</u>
ACCT. #500010	Part-Time Wages	20,000
ACCT. #502000	Fringe Benefits	9,350
ACCT. #505000	Office supplies	500
ACCT. #510000	Local Mileage	200
ACCT. #510100	Out of Area Travel	1,000
ACCT. #530000	Other Expense	1,500
ACCT. #980000	DISS Services	<u>3,000</u>
	<b>TOTAL APPROPRIATIONS</b>	<u><u>35,550</u></u>
<b>REVENUES</b>		
Federal Revenues	<u>35,550</u>	

Total Revenues      35,550

and be it further

RESOLVED, that STOP-DWI Office is hereby authorized to enter into contract with New York State; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of County Executive, the Office of the Comptroller, Budget and Management Office, the STOP-DWI Office and the Department of Central Police Services, attention: Brian Speers.

(6-0)

3.      COMM. 18E-15 (2019)  
         SHERIFF

WHEREAS, the Erie County Sheriff's Office (ECSO) and the Buffalo Bills have partnered to provide security and law enforcement duties within New Era Field (the stadium) during stadium events since 2013; and

WHEREAS, this partnership has resulted in a decreasing number of arrests and incidents at the stadium; and

WHEREAS, the Buffalo Bills, the Sheriff's Office, and other stadium event partners review security needs regularly; and

WHEREAS, the Buffalo Bills and Erie County Medical Center personnel have identified a need for additional law enforcement personnel within the medical treatment areas at the stadium; and

WHEREAS, in the past, medical professionals and treatment procedures have been interrupted by unruly guests; and

WHEREAS, after an assessment of the facilities and past incidents, the parties agreed that additional Deputy Sheriffs are needed to protect the medical staff and assist with unwelcomed guests; and

WHEREAS, the Sheriff's Office will create two (2) Deputy Sheriff- Seasonal Job Group 50, Step-1 positions with an hourly rate of \$36.66; and

WHEREAS, the Buffalo Bills organization will reimburse the County for the positions; and

WHEREAS, the Deputy Sheriff – Seasonal positions only will be deployed during New Era Filed events when the medical treatment area(s) are operational; and

WHEREAS, these positions will be necessary through the end of the lease for New Era Field or at such time the Buffalo Bills organization deems the positions unnecessary.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office and the Personnel Department are authorized to create two (2) Deputy Sheriff – Seasonal positions, Job Group 50, Step-1 position for the New Era Field detail; and be it further

RESOLVED, if necessary, the Erie County Sheriff's Office and the County Executive are authorized to enter any agreement beyond the current contract to accept the additional funding; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the Division of Budget and Management, the Personnel Department, the Erie County Comptroller, and the Sheriff's Administration Division for implementation.  
(6-0)

4. COMM. 18E-16 (2019)  
SHERIFF

WHEREAS, the Erie County Sheriff's Office (ECSO) has been awarded a grant from the New York State Governor's Traffic Safety Committee; and

WHEREAS, the grant funding is to reimburse the County \$15,600.00 for seal belt and traffic safety enforcement details throughout the county; and

WHEREAS, this funding will not have an impact on the 2019 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with the New York State Governor's Traffic Safety Committee to accept \$15,600.00 in grant funding for ECSO traffic safety enforcement activities; and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and Division of Budget and Management adjust accounts:

ERIE COUNTY SHERIFF'S OFFICE  
Sheriff – SAFS Funded Program

<u>REVENUE</u>		<u>INCREASE</u>
409020	NYS Miscellaneous	<u>\$15,600.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
500000	Full Time Salaries	\$15,600.00
	Total Revenue	<u>\$15,600.00</u>

and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, County Comptroller, Division of Budget and Finance, and the Sheriff's Office for implementation.

(6-0)

5. COMM. 18E-21 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health has secured continued funding from the New York State Office of Mental Health for the purpose of continuing the Release Under Supervision (RUS) Program to include an Intensive Supervision and supportive services component; and

WHEREAS, a Probation Officer is needed to supervise program participants; and

WHEREAS, the Probation Department will accept funding via the Department of Mental Health to reimburse for the cost of a Probation Officer; and

WHEREAS, the respective 2020 departmental requested budgets reflect \$79,277 in available funds through September 30<sup>th</sup>, 2020; and

WHEREAS, the Department of Mental Health and the Probation Department, will continue to work collaboratively to identify offenders who can safely be released from the Erie County Holding Center and Jail under the auspices of this program.

NOW, THEREFORE, BE IT

RESOLVED, that a Probation Officer, JG-11 position #51015227 that was created within the Probation Department in 2018 and assigned to ERUS continue in this capacity; and be it further

RESOLVED, that the following budgetary accounts are established by the Division of Budget and Management as follows:

Erie County Probation Department, Fund 110 – Cost Center 12610		
October 1, 2019 – December 31, 2019		
Appropriations		Increase
500000	Full Time Salaries	\$ 15,844
502000	Fringe Benefits	8,992
912600	ID Probation Services	<u>(24,836)</u>
	Total	\$ 0

Erie County Department of Mental Health, Fund 110 – Cost Center 12420  
October 1, 2019 – December 31, 2019

Revenues		Increase
406810	State Aid Forensic Mental Health	\$ 24,836
Appropriations		
912600	ID Probation Services	\$ 24,836

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets including the fiscal year time slices as required to comply with approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the: County Executive's Office, Division of Budget and Management, Mental Health, County Comptroller, County Attorney, Personnel Department, Sheriff's Department, and the Probation Department c/o Dolla Khoury-Soban.  
(6-0)

6. COMM. 18E-23 (2019)  
COUNTY EXECUTIVE

WHEREAS, the City of Buffalo has been awarded funding under the Justice Assistance Grant program through the U.S. Department of Justice; and

WHEREAS, the Buffalo Police Department seeks the assistance of Central Police Services to provide law enforcement software enhancements for its projects.

NOW, THEREFORE, BE IT

RESOLVED, that the authorization is hereby provided for the County of Erie to accept grant funding from the City of Buffalo in the amount of \$5,000; and be it further

RESOLVED, that the authorization is hereby provided to establish the grants in the budget of the Department of Central Police Services as follows:

Grant Fund – SAP #165CPSJAG1822  
Central Police Services  
10/1/2018 – 9/30/2022

<u>Revenue</u>	<u>Increase</u>
414000 Federal Aid	\$5,000
<u>Appropriation</u>	<u>Increase</u>
516020 Professional Services Contracts	\$5,000

Total Appropriation \$5,000

and be it further

RESOLVED, that the authorization is hereby provided to contract with Globalquest Solutions Inc., a local WBE/New York State contract vendor in the amount of \$5,000 to provide professional technical staff for these projects; and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Central Police Services, attention: Brian Speers.  
(6-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**

Item 28 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 183

September 19, 2019	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 17-1 (2018)  
BASKIN: “Calling on the County Clerk to Establish Evening or Weekend Hours at the Buffalo Auto Bureau”  
(Chair’s Ruling)
  - b. COMM. 7E-3 (2019)  
BASKIN: “Letter to County Clerk Regarding Downtown Auto Bureau Evening Hours”  
(Chair’s Ruling)
  - c. COMM. 13E-5 (2019)  
COUNTY CLERK: “Data Regarding Downtown Auto Bureau’s Extended Hours Participation”

(Chair's Ruling)

- d. COMM. 15E-49 (2019)  
COUNTY CLERK: "Correspondence Concerning Kearns v. Cuomo, et al. – Green Light Law Litigation"  
(Chair's Ruling)
- e. COMM. 16E-19 (2019)  
BRUSO: "Letter to County Clerk Concerning Issue Involving Cheektowaga Auto Bureau Restrooms"  
(Chair's Ruling)
- f. COMM. 18E-6 (2019)  
COUNTY CLERK: "Letter to Legislature Regarding Comm. 16E-19 (2019) – Auto Bureau Restrooms"  
(Chair's Ruling)
- g. COMM. 18D-4 (2019)  
DEPARTMENT OF LAW: "Transmittal of New Claims Against EC"  
(Chair's Ruling)
- h. COMM. 18D-11 (2019)  
DEPARTMENT OF LAW: "Transmittal of New Claims Against EC"  
(Chair's Ruling)

**KEVIN R. HARDWICK**  
**CHAIR**

Item 29 – MR. BRUSO presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 184

September 19, 2019	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

- 1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 15E-4 (2019)  
MILLS: "Letter to Health Commissioner Concerning EC Health Department Septic Inspections"

(Chair's Ruling)

- b. COMM. 16E-20 (2019)  
COMPTROLLER: "Letter to County Executive Regarding Lead Concerns in County Parks"  
(Chair's Ruling)
  - c. COMM. 16E-21 (2019)  
LORIGO, DIXON, MILLS & RATH: "Letter Regarding Lead Concerns in County Parks"  
(Chair's Ruling)
  - d. COMM. 16D-1 (2019)  
COMPTROLLER'S OFFICE: "Letter to Social Services Commissioner Regarding Audit of  
EC Youth Services – 01/2019 – 06/2019"  
(Chair's Ruling)
  - e. COMM. 16D-4 (2019)  
COMMISSIONER OF HEALTH: "Letter to Comptroller Regarding Lead Concerns in  
County Parks"  
(Chair's Ruling)
  - f. COMM. 18D-2 (2019)  
COMMISSIONER OF HEALTH: "Designation of Division Directors"  
(Chair's Ruling)
  - g. COMM. 18D-9 (2019)  
COMMISSIONER OF PARKS, REC. & FORESTRY: "Letter to Chair of Health & Human  
Services Committee Regarding Park Items that Tested Positive for Lead"  
(Chair's Ruling)
  - h. COMM. 18D-13 (2019)  
COMMISSIONER OF PARKS, REC. & FORESTRY: "Additional Information Concerning  
Lead Paint Testing in County Parks"  
(Chair's Ruling)
  - i. COMM. 18M-7 (2019)  
EC BOARD OF HEALTH: "EC Board of Health Agenda for Meeting to be Held on  
9/10/2019"  
(Chair's Ruling)
2. COMM. 18E-25 (2019)  
COUNTY EXECUTIVE  
WHEREAS, the existing layout of the Health Lab Building 17 BB CC is situated in a manner  
that does not meet the needs of the Health Department; and

WHEREAS, Foit Albert Associates has the necessary expertise and manpower to provide  
professional design services for the project; and

WHEREAS, authorization is required for the County Executive to issue an Agreement with Foit Albert Associates for providing professional design services for the Health Lab Building 17 BB CC Programming & Design project located at the Health Department Laboratory Building.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to issue an Agreement with Foit Albert Associates for providing professional design services for the Health Lab Building 17 BB CC Programming & Design project located at the Health Department Laboratory Building for an amount not to exceed \$215,000, including design contingency; and be further

RESOLVED, that the Comptroller's Office be authorized to make payments from Capital Project A.18010 – DPW (Buildings and Grounds) – Improvements to EC Health Department Building 17 (Buffalo), Funds Center 122, Fund 410 for these services; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(4-2) Legislators Dixon and Lorigo voted in the negative.

**JOHN BRUSO**  
**CHAIR**

Item 30 – MR. BRUSO presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 185

September 19, 2019	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby tabled by a majority vote:
  - a. COMM.18E-24 (2019)  
COUNTY EXECUTIVE: "Transfer of Surplus County Owned Parcels"  
(6-0)
2. RESOLVED, the follow items are hereby received and filed:
  - a. COMM. 16E-1 (2019)

- COUNTY EXECUTIVE: “Letter to Legislature Regarding Appointment of Acting Director of Real Property Tax Services”  
(Chair’s Ruling)
- b. COMM. 16M-3 (2019)  
ASSIGNED COUNSEL PROGRAM: “Quarterly Report for Second Quarter of 2019”  
(Chair’s Ruling)
- c. COMM. 16M-4 (2019)  
ASSIGNED COUNSEL PROGRAM: “Financial Report & Cash Basis for the Period 01/01/2019 – 12/30/2019”  
(Chair’s Ruling)
- d. COMM. 18E-2 (2019)  
COMPTROLLER: “EC’s Federal Financial Assistance Audit Report for 2018”  
(Chair’s Ruling)
- e. COMM. 18E-3 (2019)  
COMPTROLLER: “EC 2018 Comprehensive Annual Financial Report”  
(Chair’s Ruling)
- f. COMM. 18E-4 (2019)  
COMPTROLLER: “EC’s NYSDOT Single Audit Report for 2018”  
(Chair’s Ruling)
- g. COMM. 18E-7 (2019)  
COMPTROLLER: “EC Financial Report for Second Quarter 2019”  
(Chair’s Ruling)
- h. COMM. 18E-13 (2019)  
COMPTROLLER: “Accounting Expenses from Risk Retention Fund – 03/2019 - 07/2019”  
(Chair’s Ruling)
- i. COMM. 18E-17 (2019)  
DIXON: “Letter to NYS Comptroller Regarding Request for Audit of Tesla’s Riverbend Factory”  
(Chair’s Ruling)
- j. COMM. 18D-12 (2019)  
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending 6/19”  
(Chair’s Ruling)
- k. COMM. 18M-3 (2019)  
NYS ASSOCIATION OF COUNTIES: “Revenues & Expenditure Report for EC”  
(Chair’s Ruling)

1. COMM. 18M-13 (2019)  
NYS DEPARTMENT OF TAXATION & FINANCE: "List of Certified 2019 State Equalization Rates"  
(Chair's Ruling)

3. COMM. 3D-1 (2019)  
DIRECTOR OF REAL PROPERTY TAX SERVICES AS AMENDED  
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 219071 through 219086, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2019	Petition No.	219,071.00
	ASSESSOR	Refund	\$1,977.08
S-B-L	110.59-1-3.2/207	207 Portside	140200 BUFFALO
	Acct. No. 112	\$1,977.08	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL 550(2): Failed to apply condo exemption  
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR	2018	Petition No.	219,072.00
	ASSESSOR	Refund	\$1,924.09
S-B-L	110.59-1-3.2/207	207 Portside	140200 BUFFALO
	Acct. No. 112	\$1,924.09	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL 550(2): Failed to apply condo exemption  
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR	2017	Petition No.	219,073.00
	ASSESSOR	Refund	\$1,741.32

S-B-L 110.59-1-3.2/207 207 Portside 140200 BUFFALO

Acct. No. 112	\$1,741.32	County
Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO	\$0.00

RPTL 550(2): Failed to apply condo exemption  
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR 2018 ASSESSOR Petition No. 219,074.00  
Cancel \$962.24

S-B-L 142.37-5-26 42 Nelson 140900 LACKAWANNA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$962.24	Town/SpecialDist/School
9992 ECSD#6 SAN SEWER	\$962.24	
<u>Charge To :</u>	140900 LACKAWANNA	\$0.00

RPTL 550(2): Applied sewer district in error  
New tax bill to be issued.

FISCAL YEAR 2019 ASSESSOR Petition No. 219,075.00  
Cancel \$59.40

S-B-L Multiple Multiple 142889 BRANT

Acct. No. 112	\$0.00	County
Acct. No. 132	\$59.40	Town/SpecialDist/School
<u>Charge To :</u>	142889 BRANT	\$59.40
	Relevy School	\$59.40 064601 SILVER CRK

CENTRAL

RPTL 550(2): Incorrect assessments  
New tax bills to be issued.

FISCAL YEAR 2019 ASSESSOR Petition No. 219,076.00  
Cancel \$789.80

S-B-L Multiple Multiple 142889 BRANT

Acct. No. 112	\$0.00	County
Acct. No. 132	\$789.80	Town/SpecialDist/School
<u>Charge To :</u>	142889 BRANT	\$789.80
	Relevy School	\$789.80 145801 NORTH COLLINS

CENT

RPTL 550(2): Incorrect assessments

New tax bills to be issued.

FISCAL YEAR	2019	Petition No.	219,077.00
S-B-L	Multiple	ASSESSOR Cancel	\$1,824.03
		Multiple	142889 BRANT
		Acct. No. 112	\$0.00 County
		Acct. No. 132	\$1,824.03 Town/SpecialDist/School
<u>Charge To :</u>		142889 BRANT	\$1,824.03
		Relevy School	\$1,824.03 144401 LAKE SHORE

CENTRAL

RPTL 550(2): Incorrect assessments  
New tax bills to be issued.

FISCAL YEAR	2019	Petition No.	219,078.00
S-B-L	350.00-3-10.522	ASSESSOR Cancel	\$17.55
		V/L Gowanda Zoar	143689 COLLINS
		Acct. No. 112	\$9.45 County
		Acct. No. 132	\$8.10 Town/SpecialDist/School
	36001 Library Tax	\$0.32	
	36021 ROSENBERG FIRE PROTECTION	\$1.84	
	36023 HELMOUTH FIRE DISTRICT	\$0.22	
<u>Charge To :</u>		143689 COLLINS	\$5.72

RPTL 550(2): Duplicate parcel  
New tax bill to be issued.

FISCAL YEAR	2019	Petition No.	219,079.00
S-B-L	182.10-3-37	ASSESSOR Cancel	\$24.00
		Cedar Valley Way	144889 HAMBURG
		Acct. No. 112	\$0.00 County
		Acct. No. 132	\$24.00 Town/SpecialDist/School
	48116 ECSD 3 CH2	\$24.00	
<u>Charge To :</u>		144889 HAMBURG	\$0.00

RPTL 550(2): Incorrect footage used to calculate sewer district.  
New tax bill to be issued.

FISCAL YEAR	2019	Petition No.	219,080.00
		ASSESSOR Cancel	\$1,218.39

S-B-L Multiple Multiple 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,218.39	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER		\$1,218.39
	Relevy School	\$1,218.39	145201 LANCASTER

CENTRAL

RPTL 550(2): Duplicate parcels  
New tax bills to be issued.

FISCAL YEAR 2019 Petition No. 219,081.00

ASSESSOR Cancel \$2,262.33  
S-B-L 272.00-4-4.121 10759 Fox Ave 145889 NORTH COLLINS

	Acct. No. 112	\$973.17	County
	Acct. No. 132	\$1,289.16	Town/SpecialDist/School
	58019 NO COLLINS FIRE DIST	\$188.60	
<u>Charge To :</u>	145889 NORTH COLLINS		\$1,100.56

RPTL 550(2): Duplicate parcel  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 219,082.00

ASSESSOR Refund \$3,260.56  
S-B-L 272.00-4-4.121 10759 Fox Ave 145889 NORTH COLLINS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$3,260.56	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS		\$3,260.56
	Relevy School	\$3,260.56	145801 NORTH COLLINS

CENT

RPTL 550(2): Duplicate parcel  
Refund to be issued to Daryl R & Donald E Fox.

FISCAL YEAR 2019 Petition No. 219,083.00

ASSESSOR Cancel \$1,241.05  
S-B-L 272.00-4-4.122 V/L Fox Ave 145889 NORTH COLLINS

	Acct. No. 112	\$382.99	County
	Acct. No. 132	\$858.06	Town/SpecialDist/School
	58019 NO COLLINS FIRE DIST	\$74.22	
	58200 Exemption Removal	\$418.16	

Charge To : 145889 NORTH COLLINS \$365.68

RPTL 550(2): Duplicate parcel  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 219,084.00

ASSESSOR Refund \$1,773.51  
S-B-L 272.00-4-1.122 V/L Fox Ave 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,773.51 Town/SpecialDist/School  
Charge To : 145889 NORTH COLLINS \$1,773.51  
Relevy School \$1,773.51 145801 NORTH COLLINS

CENT

RPTL 550(2): Duplicate parcel  
Refund to be issued to Daryl R & Donald E Fox.

FISCAL YEAR 2018 Petition No. 219,085.00

ASSESSOR Refund \$696.81  
S-B-L 271.00-4-1.112 10428 Sisson Hwy 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$696.81 Town/SpecialDist/School  
Charge To : 145889 NORTH COLLINS \$696.81  
Relevy School \$696.81 145801 NORTH COLLINS

CENT

RPTL 550(2): Failed to apply Ag exemption  
Refund to be issued to James Arrigo.

FISCAL YEAR 2019 Petition No. 219,086.00

ASSESSOR Refund \$1,322.46  
S-B-L 52.18-1-25.2/A 200 Cooper Ave 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,322.46 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$1,322.46

RPTL 550(2): Incorrect units used to calculate special districts  
Refund to be issued to Great Lakes Orthodontics LTD

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.  
(6-0)

4. COMM. 16E-6 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Legal Aid Bureau of Buffalo Inc. contracts with Erie County to provide State-mandated indigent legal defense services for income eligible residents of Erie County mainly in the City of Buffalo; and

WHEREAS, the Legal Aid Bureau of Buffalo has an audited 2017 general fund surplus of \$89,267.66 and a 2018 deficit of \$78,705.75; and

WHEREAS, the 2018 shortfall is due to a withdrawal of State grant funding that also provided mandated defense services; and

WHEREAS, the County Division of Budget and Management has been working with the agency to monitor this issue; and

WHEREAS, the County contract with said agency allows for retention of any operating surplus in the next fiscal year, subject to approval of the Legislature; and

WHEREAS, the Legal Aid Bureau will utilize a portion of their 2017 surplus to offset their 2018 deficit and return the net balance to the county.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Legal Aid Bureau of Buffalo Inc., to retain a portion of their 2017 general fund surplus of \$89,267.66 in the amount of \$78,705.75, to offset their 2018 deficit for the Indigent Defense Program and to return the balance of \$10,561.91 to the County; and be it further

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

5. COMM. 18E-30 (2019)  
COUNTY EXECUTIVE

WHEREAS, the New York State Office of Indigent Legal Services will provide a three year grant totaling \$48,961,972.83 to the County for the provision of indigent defense services; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of \$48,961,972.83 over five years from April 1, 2018 to March 31, 2023 to implement the Hurrell-Harring settlement reforms and provide enhanced representation to indigent defendants; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into five year subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services from April 1, 2018 to March 31, 2023; and be it further

RESOLVED, that authorization is provided to establish grant funding in the County Attorney's Office as follows:

Erie County Attorney's Office  
ILS Statewide Expansion of Hurrell-Harring  
Fund 281 Grant #160HHEXPILS1823  
April 1, 2018 to March 31, 2023

Revenue	Increase
Account 409000 - State Aid Revenue	\$48,961,972.83
Appropriation	Increase
Account 516601 - Legal Aid Bureau	\$13,927,642.81
Account 516602 - EC Bar Association	<u>35,034,330.02</u>
Total Appropriation	\$48,961,972.83

and be it further

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

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

(6-0)

6. COMM. 18E-43 (2019)  
DISTRICT ATTORNEY

AS AMENDED

WHEREAS, New York State recently passed a number of legislative criminal reform measures that significantly impact the obligations and duties of the Office of the District Attorney effective January 1, 2020; and

WHEREAS, the introduction of body worn cameras by local law enforcement agencies has resulted in an increased burden with regards to the collection, viewing, redaction and dissemination of digital evidence; and

WHEREAS, appropriate staffing levels are necessary to ensure the success of these additional mandates; and

WHEREAS, sufficient time is needed to recruit, hire and train additional staff in order to comply by the January 1, 2020 mandates; and

WHEREAS, the funds necessary to effectuate the following personnel additions are available in the District Attorney's 2019 appropriations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the creation of one (1) position of Lead Discovery Expeditor in the managerial confidential class (JG 12) in Fund Center 11400 (B100 #11569); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation of ten (10) positions of Senior Clerk Typist in the CSEA bargaining unit (JG 4) in Fund Center 11400 (B100 #11570); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation one (1) position of Paralegal in the CSEA bargaining unit (JG 5) in Fund Center 11400 (B100 #11591); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation one (1) position of Assistant Confidential Aide – DA in the CSEA bargaining unit (JG 4) in Fund Center 11400 (B100 #11592); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation of one (1) position of Assistant District Attorney IV in the managerial confidential class (JG 15) in Fund Center 11400 (B100 #11593); and be it further

RESOLVED, that the Director of Budget and Management and Commissioner of Personnel are hereby authorized to make the necessary budgetary and personnel adjustments to effectuate these changes effective October 1, 2019; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Personnel and the Director of Budget and Management.

(6-0)

**JOHN BRUSO**  
**CHAIR**

Item 31 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 186

September 19, 2019	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 18E-1 (2018)  
COUNTY EXECUTIVE: “HVS Consultants – Convention Center Study”  
(Chair’s Ruling)
  - b. COMM. 19E-2 (2018)  
LORIGO: “Constituent Input Regarding the Convention Center”  
(Chair’s Ruling)
  - c. COMM. 20M-3 (2018)  
EDEN TOWN CLERK: “Resolution of Eden Town Board – Notifying EC of Defects on County Highways in Eden”  
(Chair’s Ruling)
  - d. COMM. 21E-3 (2018)  
LORIGO & LOUGHRAN: “Letter to Chair of Economic Development Committee Concerning Future of Buffalo Niagara Convention Center”  
(Chair’s Ruling)
  - e. COMM. 7M-5 (2019)  
TOWN HIGHWAY SUPERINTENDENTS ASSOC. OF EC: “Letter to DPW Commissioner Regarding Snow Removal & Ice Control Agreement”  
(Chair’s Ruling)
  - f. COMM. 12M-7 (2019)  
TOWN HIGHWAY SUPERINTENDENTS ASSOCIATION OF EC, INC.: “Letter to DPW Concerning Snow Removal & Ice Control Agreement”  
(Chair’s Ruling)
  - g. COMM. 16M-5 (2019)  
BUFFALO NIAGARA PARTNERSHIP: “Letter to Chair of Economic Development Committee in Support of Comm. 15E-25 (2019)”

(Chair's Ruling)

- h. COMM. 16M-6 (2019)  
CITY OBSERVATORY: "Web Article Titled, 'The Convention Center Business Turns Ugly'"

(Chair's Ruling)

- i. COMM. 18M-4 (2019)  
NFTA: "NFTA Minutes for Board Meeting Held 6/27/2019"

(Chair's Ruling)

- j. COMM. 18M-11 (2019)  
NFTA: "NFTA Annual 17A Report for FYE 2019"

(Chair's Ruling)

2. COMM. 16E-7 (2019)  
COUNTY EXECUTIVE

WHEREAS, a project for the replacement of Cedar Street Bridge over Ledge Creek, BIN 3326580, PIN 5761.78, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie previously advanced the design of the Project via Legislative Communication 14E-34 dated July 26, 2018; and

WHEREAS, the Department of Public Works desires to advance the Construction and Construction Inspection phase of the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Project, it will be necessary for the County to execute a Supplemental Agreement with New York State Department of Transportation (NYSDOT) in the total amount of \$935,000 of which \$270,000 is the required local share, for the construction and construction inspection phases of the Project; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary to execute the construction contract with the lowest responsible bidder, enter an into a construction phase engineering services agreement with TY Lin Inc., and establish a construction contingency in an amount of \$85,000, for a total project construction phase allowance of \$1,020,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a Supplemental Agreement with New York State Department of Transportation (NYSDOT) for this Project in the total amount of \$935,000 of which \$270,000 is the required local share; 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 Federal and non-Federal shares of the cost of construction and construction inspection phases of the Project or portions thereof with the understanding that qualified costs may be eligible for Federal aid or State aid; and be it further

RESOLVED, that the County Executive is hereby authorized to execute the construction contract with the lowest responsible bidder, enter into a construction phase engineering services agreement with TY Lin Inc., and establish a construction contingency in a combined amount of \$85,000 from B.18015 and B.18016; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the Federal and State aid reimbursement for the Construction and Construction Inspection Phases from the Supplemental Agreement with the NYSDOT; and be it further

RESOLVED, that the estimated total sum, with adjustments for the anticipated Federal revenue, of the Construction, Construction Inspection Phase, and contingency for the Project, in an amount of \$1,020,000 is hereby appropriated from Fund 420, Funds Center 123, in the following Projects:

B.18015 – Federal Aid Bridge Project Construction	\$ 83,000
<u>B.18016 – Federal Aid Bridge Project, Cedar St. Bridge</u>	<u>\$ 937,000</u>
TOTAL PROJECT	\$1,020,000

and be it further

RESOLVED, that the Erie County Division of Budget and Management is hereby authorized to adjust the budget in B.18016, as follows:

Account	Description	Current Budget	Increase / (Decrease)	Revised Budget
<b>REVENUES</b>				
405160	Marchiselli Aid	\$ 0	\$ 105,000	\$ 105,000
414000	Federal Aid	\$ 728,000	(\$ 168,000)	\$560,000
475000	Gen Oblig Bond Proc	<u>\$ 272,000</u>	<u>\$ 0</u>	<u>\$ 272,000</u>
TOTAL REVENUES		\$ 1,000,000	(\$ 63,000)	\$937,000
<b>APPROPRIATIONS</b>				
CAPITALPROJECTS	Capital Project Expense	\$ 272,000	\$ 665,000	\$937,000
UNALLOCATED	Unallocated Capital	<u>\$ 728,000</u>	<u>(\$ 728,000)</u>	<u>\$ 0</u>
TOTAL APPROPRIATIONS		\$ 1,000,000	(\$ 63,000)	\$937,000

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the project budget accordingly for any and all additions or reductions in Federal and/or State revenue that are necessary for this Project; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the project budget for the Federal revenue in accordance with the current Supplemental Agreement; and be it further

RESOLVED, that the County Legislature hereby agrees that the County of Erie shall be responsible for all costs of the Project which exceed the amount of Federal aid or State aid funding awarded to the County of Erie; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's construction and construction inspection phases exceeds the amount appropriated, \$1,020,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State aid on behalf of the County of Erie, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal and State aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the NYSDOT; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copy of this Resolution to the Department of Public Works, Division of Highways, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(5-0) Chair Baskin not present for vote.

3. COMM. 18E-22 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Elmwood Square Apartments Project consists of 138 existing units of affordable housing in the City of Buffalo located at 505 Elmwood Avenue; 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 Elmwood Square Preservation, L.P. to continue to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Extension Agreement with Elmwood Square Preservation, L.P, the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

AMENDED SCHEDULE A  
ELMWOOD SQUARE APARTMENTS PILOT EXTENSION

Fiscal Year	Total PILOT	City of	Erie County
		75 %	25%
Year 1	\$64,656.69	\$48,492.52	\$16,164.17
Year 2	\$66,596.90	\$49,947.68	\$16,649.23
Year 3	\$68,594.28	\$51,445.71	\$17,148.57
Year 4	\$70,652.11	\$52,989.08	\$17,663.03
Year 5	\$72,771.67	\$54,578.75	\$18,192.92
Year 6	\$74,954.82	\$56,216.12	\$18,738.71
Year 7	\$77,203.47	\$57,902.60	\$19,300.87
Year 8	\$79,519.57	\$59,639.68	\$19,879.89
Year 9	\$81,905.16	\$61,428.87	\$20,476.29
Year 10	\$84,362.31	\$63,271.74	\$21,090.58
Year 11	\$86,893.18	\$65,169.89	\$21,723.30
Year 12	\$89,499.98	\$67,124.98	\$22,374.99
Year 13	\$92,184.98	\$69,138.73	\$23,046.24
Year 14	\$94,950.53	\$71,212.90	\$23,737.63
Year 15	\$97,799.04	\$73,349.28	\$24,449.76
Year 16	\$100,733.02	\$75,549.76	\$25,183.25
Year 17	\$103,755.01	\$77,816.25	\$25,938.75
Year 18	\$106,867.66	\$80,150.74	\$26,716.91
Year 19	\$110,073.69	\$82,555.26	\$27,518.42
Year 20	\$113,375.90	\$85,031.92	\$28,343.97
Year 21	\$116,777.17	\$87,582.88	\$29,194.29

Year 22	\$120,280.49	\$90,210.37	\$30,070.12
Year 23	\$123,888.90	\$92,916.68	\$30,972.23
Year 24	\$127,605.57	\$95,704.18	\$31,901.39
Year 25	\$131,433.74	\$98,575.30	\$32,858.43
Year 26	\$135,376.75	\$101,532.56	\$33,844.19
Year 27	\$139,438.05	\$104,578.54	\$34,859.51
Year 28	\$143,621.19	\$107,715.89	\$35,905.30
Year 29	\$147,929.83	\$110,947.37	\$36,982.46
Year 30	\$152,367.72	\$114,275.79	\$38,091.93

(6-0)

4. COMM. 18E-31 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, as part of its duties and responsibilities, maintains various County buildings within the City of Buffalo; and

WHEREAS, the City of Buffalo provides garbage and recycling bin pick-up; and

WHEREAS, the current Memorandum of Understanding (MOU) has is outdated; and

WHEREAS, the Department of Public Works has negotiated with the City of Buffalo to pay for said garbage and recycling bin pick-up services; and

WHEREAS, the terms of this arrangement are favorable to the County and adequate funding for all associated costs is available within the Department of Public Works Budget, Account 520050-Garbage Disposal, Fund 110, Fund Center 12220.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to sign a Memorandum of Understanding (MOU) between the County of Erie and the City of Buffalo for the City to pick up trash and recycling bins at several County-owned buildings; and be it further

RESOLVED, that the cost to Erie County is \$7,910 per month and that this MOU shall be reviewed annually for any agreed-upon changes in costs or locations and renewed automatically unless one or both parties agree to terminate the arrangement upon reasonable notice to the other; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Department of Public Works, the Director of Budget and Management, the County Attorney and the County Comptroller.

(6-0)

5. COMM. 18E-32 (2019)  
COUNTY EXECUTIVE

WHEREAS, construction of the above project was approved by this Honorable Body via Comm. 14E-17 (July 26, 2018) (the “Project”); and

WHEREAS, construction of the Project is complete and the work has been accepted by the County; and

WHEREAS, it is necessary to execute a change order to the construction contract in the amount of \$10,576.40 in order to fully reimburse the contractor, Union Concrete and Construction Corp., for the work done; and

WHEREAS, the project included two funding sources, one eligible for FEMA reimbursement as it addressed damages from 2014 Winter Storm “Knife” as included in FEMA Project Worksheet (PW) 371 and one ineligible, and therefore a capital expense, as it addressed other needed work; and

WHEREAS, funding for the construction change order is broken down as follows:

Project	Fund	Funds Center	Account	Amount
FEMA Eligible	251	123	516020	\$3,597.59
B.17017-2017 Rehabilitation of Flagged Bridges	420	123	516020	\$6,978.81
<hr/>				
Total Change Order				\$10,576.40

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the subject actions; and be it further

RESOLVED, the County Executive is hereby authorized to execute a construction contract final change order in the amount of \$10,576.40 for the Project with the contractor, Union Concrete and Construction Corp., for which funds are available from two funding sources as follows: the \$3,597.59 FEMA-eligible portion - Fund 251, Fund Center 123, Account 516020 and the \$6,978.81 capital project portion – B.17017 – 2017 Rehabilitation of Flagged Bridges, Fund 420, Fund Center 123 and which are hereby appropriated and made available for the project; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0) Chair Baskin not present for vote.

6. COMM. 18E-33 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Elmwood Ave. Pedestrian & Bicycle Improvements Project, PIN 5762.30 (the “Project”) is eligible for funding under the Federal Transportation Alternatives Program (TAP)

administered by the New York State Department of Transportation (NYSDOT), such funding being apportioned as stated in Title 23 U.S. Code, as amended, that calls for the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, under TAP the Federal cost share is limited to the amount set forth in the agreement with NYSDOT with any additional costs being borne 100% by the local sponsor; and

WHEREAS, the County of Erie has agreed to act as sponsor of the Project at the request of the Village of Kenmore; and

WHEREAS, the Village of Kenmore, through an Inter-Municipal Agreement (IMA), has agreed to reimburse the County of Erie for the entire local (non-federal) cost share, including 100% of any overruns up to a maximum of \$334,680 in local funds; and

WHEREAS, in Comm. 19E-5 (November 2, 2017) this Honorable Body approved this project and participation in the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the project; and

WHEREAS, the County of Erie would like to advance the Project's Supplemental Agreement No.1 with NYSDOT which includes the removal of the Right Of Way (ROW) Incidentals phase and the addition of the Construction and Construction Inspection phases of the Project, by making a commitment of 100% of the Non-Federal share of the costs; and

WHEREAS, the NYSDOT supplemental agreement is in the total amount of \$1,673,400 an increase of \$1,548,400 over the County's existing Project agreement with NYSDOT; and

WHEREAS, the \$1,548,400 increase includes a \$309,680 local (non-federal) share which is available from the capital projects hereinafter noted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project and Supplemental Agreement No. 1; 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 Construction and Construction Inspection phases of the Project or portions thereof; and be it further

RESOLVED, that authorization is hereby given for the County to accept the additional \$1,238,720 in Federal revenue and the additional \$309,680 in funds from the Village of Kenmore, as well as any additional funds authorized in any future NYSDOT Supplemental agreements; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the budget in B.17081 – 2017 Pedestrian & Bicycle Improvements, PIN 5762.30, Fund 420, Funds Center 123 to reflect the anticipated federal revenue and Village of Kenmore reimbursement for the Construction and Construction Inspection phases as follows:

REVENUES		ORIGINAL BUDGET	ADJUSTMENTS	CURRENT BUDGET
Account	Description			
414000	Federal Aid	\$100,000	\$1,238,720	\$1,338,720
420499	OthLocal Source Rev	\$25,000	\$309,680	\$334,680
<b>TOTAL REVENUES</b>		<b>\$125,000</b>	<b>\$1,548,400</b>	<b>\$1,673,400</b>
<b>APPROPRIATIONS</b>				
Capital Projects	Capital Project Exp	\$125,000	\$1,548,400	\$1,673,400
<b>TOTAL APPROPRIATIONS</b>		<b>\$125,000</b>	<b>\$1,548,400</b>	<b>\$1,673,400</b>

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 Phases as described above exceed the amounts noted, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation (NYSDOT) 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 the local share of Federal Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; 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 ten (10) certified copies of this resolution be forwarded to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0) Chair Baskin not present for vote.

7. COMM. 18E-36 (2019)  
 COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, DEP is committed to provide staff support and conduct work to assist and expand the WNYSBR; and

WHEREAS, the United States Protection Agency (USEPA) awarded a grant to DEP in 2016 to provide staff and other support the WNYSBR; and

WHEREAS, Erie County and the USEPA entered into a contract (Grant #162WNYSBR1618) authorized by COMM. 20E-7 (2016); and

WHEREAS, the New York State Pollution Prevention Institute (NYSP2I) is a sub-awardee on the grant and has executed a contract, as authorized by the above resolution, with Erie County; and

WHEREAS, Erie County was authorized to extend the grant, add the WNYSBR as a contractor, and make budget adjustments by Comm. 4E-20 (2019); and

WHEREAS, the USEPA and DEP wish to extend the term of these contracts to September 30, 2020, which will allow for successful completion of the grant work scope.

NOW, THEREFORE, BE IT

RESOLVED, that County Executive is authorized to execute the necessary agreements with both USEPA, NYSP2I, and the WNYSBR to extend the project until September 30, 2020; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie Lawrence, Deputy Commissioner of Environment and Planning; and Josh Wilson, Pollution Prevention Coordinator.

(6-0)

8. COMM. 18E-44 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Westminster Commons Project consists of 84 existing units of affordable housing in the City of Buffalo located at Monroe and Adams streets; 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 Buffalo Federation of Neighborhood Centers, Inc. (BFNC) to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Extension Agreement with Buffalo Federation of Neighborhood Centers, Inc. (BFNC), the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

**AMENDED SCHEDULE A**  
**WESTMINSTER COMMONS PILOT**

<b>Year</b>	<b>PILOT Payment</b>	<b>City share</b>	<b>County Share</b>
1	\$ 18,809	\$ 14,107	\$ 4,702
2	\$ 19,373	\$ 14,530	\$ 4,843
3	\$ 19,954	\$ 14,966	\$ 4,989
4	\$ 20,553	\$ 15,415	\$ 5,138
5	\$ 21,170	\$ 15,877	\$ 5,292
6	\$ 21,805	\$ 16,354	\$ 5,451
7	\$ 22,459	\$ 16,844	\$ 5,615
8	\$ 23,133	\$ 17,350	\$ 5,783
9	\$ 23,827	\$ 17,870	\$ 5,957
10	\$ 24,541	\$ 18,406	\$ 6,135
11	\$ 25,278	\$ 18,958	\$ 6,319
12	\$ 26,036	\$ 19,527	\$ 6,509
13	\$ 26,817	\$ 20,113	\$ 6,704
14	\$ 27,622	\$ 20,716	\$ 6,905
15	\$ 28,450	\$ 21,338	\$ 7,113

(6-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**

Item 32 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 187

September 19, 2019	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 7D-2 (2019)  
DEPARTMENT OF ENVIRONMENT & PLANNING: “SEQR Solicitation for Lead Agency Status”  
(Chair’s Ruling)
  - b. COMM. 14E-1 (2019)  
MILLS: “Letter to Chair Baskin Concerning the NYS Fish & Wildlife Management Board Region 9”  
(Chair’s Ruling)
  - c. COMM. 15E-3 (2019)  
BASKIN: “Letter to County Executive Concerning Appointment to the NYS Fish & Wildlife Management Board for Region 9”  
(Chair’s Ruling)
  - d. COMM. 15M-1 (2019)  
LOCAL ENVIRONMENTAL ORGANIZATIONS: “Letter to Chair Baskin Urging EC to Opt-In on NY’s 5-cent Fee on Carryout Paper Bags”  
(Chair’s Ruling)
  - e. COMM. 16E-2 (2019)  
COUNTY EXECUTIVE: “ECSD No. 6 – Change Order – Well St. & Wilsmuth St. Pumping Stations Electrical Upgrade”  
(Chair’s Ruling)
  - f. COMM. 16E-10 (2019)  
COUNTY EXECUTIVE: “ECSD Nos. 3 & 8 – Engineer Term Contract Agreement”  
(Chair’s Ruling)
  - g. COMM. 16E-11 (2019)  
COUNTY EXECUTIVE: “ECSD Nos. 1-6 & 8 – Board of Managers Resolution”  
(Chair’s Ruling)
  - h. COMM. 16E-16 (2019)

- MILLS: “Letter to Chair of Energy & Environment Committee Requesting Discussion on Industrial Wind Turbine Farms in Lake Erie”  
(Chair’s Ruling)
- i. COMM. 16D-2 (2019)  
COMPTROLLER’S OFFICE: “Letter to Deputy Commission of Parks, Rec., & Forestry Concerning Audit of EC Parks, Rec., & Forestry – 01/2019 – 06/2019”  
(Chair’s Ruling)
- j. COMM. 16M-1 (2019)  
NYSDEC: “Fact Sheet Regarding Brownfield Cleanup Program Application from Betlem Associates LLC”  
(Chair’s Ruling)
- k. COMM. 18E-1 (2019)  
COMPTROLLER: “Report on Capital Projects at EC Parks”  
(Chair’s Ruling)
- l. COMM. 18E-26 (2019)  
COUNTY EXECUTIVE: “ECSD No. 5 – Engineer Term Contract Agreement”  
(Chair’s Ruling)
- m. COMM. 18E-35 (2019)  
COUNTY EXECUTIVE: “ECSD No. 3 – Engineer Term Contract Agreement”  
(Chair’s Ruling)
- n. COMM. 18M-2 (2019)  
NYSDEC: “Invitation for Public Comment – Brownfield Application & Draft Work Plan on Jefferson Ave., Buffalo”  
(Chair’s Ruling)
- o. COMM. 18M-5 (2019)  
NYS DEPARTMENT OF PUBLIC SERVICE: “Invitation for Public Input on Companies’ Proposals Regarding Increases in Electric & Gas Rates”  
(Chair’s Ruling)
- p. COMM. 18M-8 (2019)  
NYSDEC: “Fact Sheet – Brownfield Cleanup Program Application & Draft Remedial Investigation – 1200 Jefferson Ave., Buffalo”  
(Chair’s Ruling)
- q. COMM. 18M-10 (2019)  
NYSDEC: “Invitation for Public Comment – Proposed Remedy for Brownfield Site Contamination at 50 Hannah St., Buffalo”  
(Chair’s Ruling)
- r. COMM. 18M-12 (2019)

NYSDEC: “Invitation for Public Comment – Draft Plan of Contamination Investigation at the Former Bisonite Paint Company Site in Tonawanda”  
(Chair’s Ruling)

s. COMM. 18M-14 (2019)  
NYSDEC: “Fact Sheet – Brownfield Cleanup Program Application & Draft Remedial Investigation – 130 Main St., Buffalo”  
(Chair’s Ruling)

t. COMM. 18M-15 (2019)  
PHIL WILCOX: “Letter Regarding Environmental Impact of a Lake Erie Wind Farm”  
(Chair’s Ruling)

2. COMM. 16E-9 (2019)  
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 3E-11 (2018), Contract 42-D (Electrical) was awarded to Ferguson Electric Construction Company, Inc. to construct the Iroquois Pumping Station Rehabilitation Project in Erie County Sewer District No. 4; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 42-D (Electrical), in the final contract amount of \$217,620 which includes Change Order No. 1 (final), a decrease of (\$5,380), and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 42-D (Electrical) between the County of Erie and Ferguson Electric Construction Company, Inc. (333 Ellicott Street, Buffalo, New York 14203) is accepted in the final contract amount of \$217,620 which includes Change Order No. 1 (final), a decrease of (\$5,380), and is allocated in Erie County Sewer District No. 4 Capital Project C.00072; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 42-D (Electrical), to Ferguson Electric Construction Company, Inc. for a total contract amount of \$217,620; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management Kristen Walder, Assistant County Attorney, and Joseph L. Fiegl, P.E., Department of Environment and Planning.

(6-0)

3. COMM. 18E-18 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie advertised for and received responses to a request for proposals from firms to provide solar photovoltaic (PV) systems for power purchase by Erie County; and

WHEREAS, a review committee consisting of representatives from Erie County Department of Public Works and the Division of Environment and Planning ranked the responses using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends retaining Montante Solar, LLC for these services; and

WHEREAS, Montante Solar proposed the lowest power purchase agreement rates of the eight firms submitting proposals; and

WHEREAS, the nominal net benefit for the PV systems proposed is estimated to be \$494,000 in savings over a 20-year term.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body endorses the proposal review committee recommendation to retain Montante Solar, LLC to install solar PV systems on County lands for power purchase by Erie County; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute power purchase agreements with Montante Solar, LLC, subject to approval as to content by either the Commissioner of the Department of Public Works and approval as to form by the County Attorney's office; and be it further

RESOLVED, prior to any construction work associated with the power purchase agreements, passage of a Local Law allowing for the lease of County land for a term longer than five (5) years shall be required; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, the Commissioner of Public Works, and Kristen Walder, Assistant County Attorney.  
(6-0)

4. COMM. 18E-19 (2019)  
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the County of Erie wishes to identify the most effective means to reduce energy consumption and costs by energy efficient measures; and

WHEREAS, pursuant to that goal, a Request for Proposals (RFP) was issued to provide architectural and engineering services for a multi-facility building energy consumption reduction plan, also known as an Energy performance Contract (EPC), and such proposals were received; and

WHEREAS, the first step towards beginning the EPC process was to conduct an investment grade energy audit which was finalized during the summer of 2019; and

WHEREAS, an array of cost effective facility improvement measures have been found at various facilities; and

WHEREAS, the Department of Public Works worked diligently to narrow the focus of the audit results and has decided on a set of projects that it feels warrants the most immediate attention.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement with John W. Danforth Company (“Danforth”) in the form of an Energy Performance Contract (EPC); and be it further

RESOLVED, that given that the John W. Danforth Company performed an investment grade energy audit and cost effective facility improvement measures (FIM) have been found at multiple facilities, it is the desire of the Department of Public Works that construction move forward under the stipulations of the EPC, the cost of the said EPC will be paid for as follows:

Fund 410, Funds Center 164:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A.18016	Countywide Park Improvements	\$225,000
Total Funds Center 164		\$225,000

Fund 410, Funds Center 122:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A.11004	Countywide Roof Replacement & Exterior Waterproofing	\$14,950
A.12004	Countywide Roof Replacement & Exterior Waterproofing	\$35,264.32
A.13005	Countywide Roof Replacement & Exterior Waterproofing	\$1,155
A.13027	Highway Building Facility Improvements (Countywide)	\$26,900
A.16005	Rath Building Back-Up Boiler System (Buffalo)	\$265,957.41
A.16006	Countywide Roof Replacement & Exterior Waterproofing	\$11,038
A.16008	Energy Conservation Implementation Initiatives (Countywide)	\$50
A.16010	Preservation of Countywide Buildings & Facilities	\$10,762.51
A.17007	Energy Conservation Implementation Initiatives	\$189,573.79
A.17009	Preservation Of County Highway Facilities (Countywide)	\$11,499.36
A.18004	Countywide Code And Environmental Compliance	\$620,831.45
A.18007	Energy Conservation Implementation Initiatives	\$250,000
A.18012	Preservation Of Countywide Buildings & Facilities	\$640,535.84
A.18013	Preservation Of County Highway Facilities (Countywide)	\$158,143.64
A.19002	Countywide Roof Replacement & Exterior Waterproofing	\$363,411.68

A.19015 Mechanical, Electrical, Plumbing And Miscellaneous Imp.	\$1,267,706
A.19016 Energy Conservation Implementation Initiatives	\$400,000
<hr/>	
Total Funds Center 122	\$4,267,779
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Total Funds from Funds Centers 122 and 164	\$4,492,779

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, and also one copy each to the Department of Environment and Planning, Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

5. COMM. 18E-20 (2019)  
COUNTY EXECUTIVE

WHEREAS, Erie County has forty-two high-pressure sodium streetlights in National Grid territory; and

WHEREAS, newer street-lighting technology, such as LED streetlights, provide an equivalent amount of light while using a quarter to half as much energy as their traditional counterparts; and

WHEREAS, energy costs will continue to increase making energy-efficiency upgrades increasingly important; and

WHEREAS, National Grid will provide the design, installation, and maintenance of all converted streetlights at a cost not to exceed \$2,481.18; and

WHEREAS, National Grid will provide an energy-efficiency incentive, estimated to be \$3,115, to assist with the conversion costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments with National Grid for the design, installation and maintenance of LED streetlights at a cost not to exceed \$2,481.18; and be it further

RESOLVED, that the Comptroller's Office is authorized to make payments for this project from Capital Project A.17007 – 2017 Energy Conservation, Fund 410, Funds Center 122; and be it further

RESOLVED, that the Erie County Legislature authorizes the Department of Public Works to accept all related grants, incentives and awards related to this to assist with the conversion costs; and it be further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Division of Budget and Management; the Office of the Comptroller; and the Department of Public Works.

(6-0)

6. COMM. 18E-27 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Division of Sewerage Management identified that additional funds will be needed to pay for highway supplies in Erie County Sewer District (ECSD) No. 3 for the remainder of the 2019 fiscal year; and

WHEREAS, the Division of Sewerage Management analyzed the budget and expenses and determined that a surplus will exist in ECSD No. 3 account 516020 – Professional Services; and

WHEREAS, a transfer of funds from an account with surplus funds will allow ECSD No. 3 to maintain daily operations with no net impact on the 2019 budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of ECSD No. 3:

DIVISION OF SEWERAGE MANAGEMENT  
ERIE COUNTY DISTRICT NO. 3  
FUND CENTER – 18310

<u>INCREASE:</u>	<u>AMOUNT:</u>
506400 Highway Supplies	<u>\$15,000</u>
Total	<u>\$15,000</u>
<u>DECREASE:</u>	<u>AMOUNT</u>
516020 Professional Services	<u>\$15,000</u>
Total	<u>\$15,000</u>

and be it further

RESOLVED, that the County Comptroller and/or Director of Budget and Management is hereby authorized to make any required budgetary adjustments to implement the actions and appropriations in this resolution; 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, the County Comptroller, the Director of Budget and Management, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.

(6-0)

7. COMM. 18E-28 (2019)  
COUNTY EXECUTIVE

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. 1, 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, 2019 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 6:00 p.m., local time, on November 7, 2019 for the purpose of meeting to hear and consider any objections which may be made to the 2019 Sewer District Assessment Rolls (2020 Levy) for Erie County Sewer District Nos. 1, 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 21, 2019; 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, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.  
(6-0)

8. COMM. 18E-29 (2019)  
COUNTY EXECUTIVE

WHEREAS, a contract with Erie County Soil & Water Conservation District (ECS&WCD) for Stream Maintenance and Technical Services was approved by your Honorable Body via Comm. 24E-16 on December 20, 2018; and

WHEREAS, it is necessary to execute an amendment to that contract to permit ECS&WCD to address stream scour and the associated slope failure on Mill Street (CR 82) adjacent to Spring Brook (the "Project"); and

WHEREAS, it is estimated that the cost of the necessary work will not exceed \$81,000 which is available from the Capital Projects hereinafter identified.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the subject Project; and be it further

RESOLVED, the County Executive is authorized to execute a contract amendment for the Project with the ECS&WCD in the not to exceed amount of \$81,000; and be it further

RESOLVED, that funding for this project is hereby appropriated and made available for the Project in Fund 420, Fund Center 123 as follows:

B.13012	2013 Preservation of Roads – Mill Street	\$9,000
B.17050	2017 Capital Overlay	\$72,000
<hr/>		
Total		\$81,000

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

9. COMM. 18E-37 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades; and

WHEREAS, DEP is committed to promoting pollution prevention, energy conservation, climate change mitigation, and resiliency to impacts from climate change within the County; and

WHEREAS, New York State Department of Environmental Conservation (NYSDEC) has established a program called Climate Smart Communities to recognize local governments that achieve specified sustainability criteria; and

WHEREAS, in 2014 Erie County pledged to become a Climate Smart Community (COMM 12-E-5); and

WHEREAS, Erie County has been awarded \$79,968 by NYSDEC to support efforts to certify Erie County as a Silver level Climate Smart Community; and

WHEREAS, execution of the project work plan in accordance with the contractual requirements set forth by the granting agency necessitates the following new grant funded staff position: Senior Environmental Compliance Specialist (JG 12); and

WHEREAS, this necessitates the execution of a contract with NYSDEC, the adoption of a new grant budget, and the transfer of an existing Senior Environmental Compliance Specialist (JG-12) position within DEP, which will be 100 % grant funded.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$79,968 from NYSDEC for the purpose of establishing a “Climate Smart Communities Certification Actions” project; and be it further

RESOLVED, that the grant budget and project period for the “Climate Smart Communities Certification Actions” project is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

Erie County Climate Action and Sustainability Plan (March 15, 2019 to March 14, 2024),  
Grant #162ECCSCA1924

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
409000	State Aid Revenue	(\$79,968)
TOTAL REVENUE		(\$79,968)

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Personnel Services	\$ 58,887
502000	Fringe Benefits	\$ 21,081
510100	Out of Area Travel	\$ 0
516020	Professional Services	\$ 0
530000	Other	\$ 0
TOTAL APPROPRIATIONS:		\$79,968

and be it further

RESOLVED, that the following position which is 100% grant-funded will be transferred from the Erie County Climate Smart Community Certification Project (Grant 162ECCSCC1722) upon consumption of the budget for that project:

Senior Environmental Compliance Specialist (JG-12)  
B-100 No. 11567  
Budgeted Annual Salary: \$70,887

and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie

Lawrence, Deputy Commissioner of Environment and Planning; and P. Josh Wilson, Coordinator – Pollution Prevention Program.  
(6-0)

10. COMM. 18E-38 (2019)  
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the appointment, on recommendation of the County Executive, of Legislator John J. Mills to the Region 9 New York State Fish and Wildlife Management Board.

(6-0)

**TIMOTHY MEYERS**  
**CHAIR**

Item 33 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188

September 19, 2019	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 18E-5 (2019)  
COMPTROLLER: “Audited Financial Statements & Management Letter for SUNY Erie – FYE 8/31/2018”  
(Chair’s ruling)

b. COMM. 18M-9 (2019)  
VISIT BUFFALO NIAGARA: “Second Quarter Reports for 2019”  
(Chair’s ruling)

2. COMM. 18E-39 (2019)  
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the appointment, on the recommendation of the County Executive, of Carrie Phillips to the Erie Community College (SUNY Erie) Board of Trustees for a term that expires on June 30, 2022.

(5-0)

**THOMAS A. LOUGHRAN**  
**CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 34 – MR. BRUSO presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 189

RE: Supporting the Hard-Working  
Members of the United Auto  
Workers  
(INTRO. 19-1)

**A RESOLUTION SUBMITTED BY  
LEGISLATORS MEYERS, CHIMERA, BRUSO,  
HARDWICK, BASKIN & JOHNSON**

WHEREAS, Americans recently celebrated Labor Day with parades, labor commemorations and picnics, celebrating the work and accomplishments – the labors – of our working men and women, especially those in unions that make our country great; and

WHEREAS, labor unions are democratic, voluntary, organized groups of workers who come together to make decisions about conditions affecting their work and unions strive to bring economic justice to the workplace and social justice to the nation; and

WHEREAS, on September 16, 2019, after negotiations with General Motors (GM) failed and their contract lapsed on September 14, 2019, the United Auto Workers (UAW) went on strike nationally; and

WHEREAS, UAW Local 774 represents employees at the GM Powertrain plant in Tonawanda and they are on strike against GM; and

WHEREAS, GM issued a statement saying "We have negotiated in good faith and with a sense of urgency" and "our goal remains to build a strong future for our employees and our business"; and

WHEREAS, the UAW stated that the union had made sacrifices to "create a healthy, profitable industry" during troubled economic times, especially during and after the 2008-2009 recession and GM's near-collapse and \$50 billion bailout by the federal government; and

WHEREAS, in an environment in which GM has reported \$8 billion in profits for 2018, the union is seeking greater revenue-sharing with employees and the movement of "temporary" employees to permanent status; and

WHEREAS, Kristin Dziczek of the Center for Automotive Research stated the situation as follows: "In an era of solidly profitable operations, the automakers are seeking to contain labor cost

growth, while the UAW is looking to make economic gains and secure its members' jobs and future income"; and

WHEREAS, this community has benefitted from the GM Tonawanda Powertrain plant, and the contributions, investment and commitment to excellence at the plant by GM and the UAW; and

WHEREAS, this Honorable Body has a long history of supporting working men and women and unions in our county, both in the public and private sectors; and

WHEREAS, it is the sense of the Legislature that we should acknowledge the UAW employees and their contributions.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby offer our support to the men and women of UAW Local 774 and expresses our support for their intentions and desire to receive additional compensation and improved conditions from General Motors, including the transition of temporary employees to permanent status; and be it further

RESOLVED, that this Honorable Body urges the UAW and GM to work together to negotiate a satisfactory resolution to the strike as soon as possible, so as not to jeopardize the competitiveness and future of the Tonawanda Powertrain plant; and be it further

RESOLVED, that certified copies of this resolution be transmitted to UAW Local 774 President J.R. Baker and Tonawanda Powertrain plant manager Ram Ramanujam.

MR. BRUSO moved to amend the resolution by including Et Al Sponsorship. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to approve the resolution as amended. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

Item 35 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190

RE: Transfer of Surplus Property to  
Baker Victory Services  
(INTRO. 19-2)

**RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR DIXON**

WHEREAS, Baker Victory Services has recently requested a transfer of property from the County's surplus warehouse and has identified surplus items that would be of tremendous use to them; and

WHEREAS, these items no longer serve a purpose for the County of Erie and representatives of the Department of Purchasing have indicated that the request is proper therefore the items identified below could be transferred to Baker Victory Services.

NOW, THEREFORE, BE IT

RESOLVED, that ownership of the following item is hereby transferred from the County of Erie to Baker Victory Services:

Asset #	Description
FM0082-0087	tables
FM001535-1536	tables
FM00816	table
FLM00605	desk
FM00475	table
FLM00232	table
FM001556	desk
FLM00475	folding table
FM00-1379-1383	blue guest chairs
FLM00580-00591	tables
FLM0073-0079	tables
FLM001210	23 tan stacking chairs (all the same number)
FM001211	3 Blue school chairs
FM0056-FM0058	3 2 drawer file cabinets
FM001614/1616/1617	3 black plastic desks

and be it further

RESOLVED, that these items are to be used for a purpose related to the operations of Baker Victory Services and should not be transferred to any other entity without prior consent of the Erie County Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Purchase, Baker Victory Services, and any party deemed necessary and proper.

Item 36 – MR. BRUSO presented the following resolution and moved for immediate consideration. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 191

RE: Expressing Disappointment with  
the State's Failure to Provide

Any Funding for the Recent  
Criminal Justice Reform Efforts  
(INTRO. 19-3)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS LORIGO, DIXON, RATH, & MILLS**

WHEREAS, the Erie County District Attorney has recently come before the Erie County Legislature to request this honorable body provide over a dozen additional support staff to help fulfill the mandates proposed by recent criminal justice reform changes; and

WHEREAS, some of the changes include bail reform and changes to the procedures for handling evidence; and

WHEREAS, criminal justice reforms have helped limit the impact of needless pre-trial detention and increased the speed with which defendants are able to mount an appropriate defense. These benefits should be celebrated. It is a finding of this body, however, that New York State has not approved any funding to help cover the costs of any of these sweeping changes; and

WHEREAS, NYSAC has estimated the cost of the criminal justice reform will likely exceed \$100 million statewide; and

WHEREAS, the Erie County District Attorney has indicated the changes will cost the county over \$1.2 million for his office alone. He is currently asking for an expansion of his budget for the remainder of 2019, and has plans to include those positions in the annual budget going forward; and

WHEREAS, unfunded mandates, like this recent attempt at criminal justice reform, significantly hamper operations of local governments across the state, most of whom are on tight budgets. The state cannot pass sweeping legislation and expect local governments to cover the costs, it is simply is not sustainable.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body hereby urges New York State to provide emergency funding to cover the costs imposed on local governments as a result of the recent criminal justice reform; and be it further

RESOLVED, that certified copies of this Resolution be sent to Governor Andrew Cuomo, the Western New York Delegation to the New York State Legislature, and any other party deemed necessary and proper.

MR. BRUSO moved to amend the resolution by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to approve the resolution as amended. MR. LORIGO seconded.



**SUSPENSION OF THE RULES**

Item 38 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-21 from SHERIFF Re: Explosive Detection Canine Team Grant - FY2018

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 39 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-4 from THOMAS HALLIGAN Re: Additional Information for Testimony Given to Energy & Environment Committee - 9/19/19

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 40 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-5 from CLARKE GOCKER Re: Testimony Given to Energy & Environment Committee - 9/19/19

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-6 from WILLET KEMPTON Re: Testimony Given to Energy & Environment Committee - 9/19/19

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-7 from BRIAN SMITH Re: Testimony Given to Energy & Environment Committee - 9/19/19

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 43 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 19-4 from LORIGO, MILLS, RATH & DIXON Re: Urging Governor Cuomo and the NYS Legislature to Reverse the Recent Changes to the NYS Enhanced STAR Program

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR LORIGO**

Item 44 – (COMM. 19E-1) Letter to Chair of Health & Human Services Committee Requesting an Invitation for Speakers from the International Institute of Buffalo

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM LEGISLATOR LORIGO**

Item 45 – (COMM. 19E-2) Abstention on Intro. 8-1 (2019)

Received, filed and printed.

September 12, 2019

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin St., 4<sup>th</sup> Floor  
Buffalo, NY 14202

RE: Abstention on Intro. 8-1 (2019)

Dear Mr. Graber:

Pursuant to Rule 2.21 of the 2019 Rules of Order of the Erie County Legislature and in accordance with Section 5b of Erie County Local Law No. 2 – 2018, I abstain from voting on the above referenced item. The reason for my abstention is that my vote has been rendered superfluous and the authority behind it has been usurped. As was stated this morning, the Administration has already

printed and installed signage naming this sled hill prior to submission of this item before the Legislature. Quite simply, they have rendered any vote moot.  
Sincerely,

Joseph C. Lorigo  
Erie County Legislator

FROM LEGISLATOR MILLS

Item 46 – (COMM. 19E-3) Documentation Relating to the Energy & Environment Committee Discussion Regarding Lake Erie Wind Turbine Farms

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATOR LORIGO

Item 47 – (COMM. 19E-4) Letter to Chair of Government Affairs Committee Requesting Invitation to Better Business Bureau Relating to the Consumer Protection Department

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIR BASKIN

Item 48 – (COMM. 19E-5) Letter to Sheriff Regarding Death of Prisoner in Erie County Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 49 – (COMM. 19E-6) Reallocation from Division of Correctional Health 2019 Budget to Purchase Medical & Office Equipment

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 50 – (COMM. 19E-7) 2019 Revenue Anticipation Note Resolution

Item 51 – (COMM. 19E-8) Financial Adviser RFP Resolution

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 52 – (COMM. 19E-9) Authorization to Establish an EC Re-Entry Resource Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 53 – (COMM. 19E-10) ECSD Nos. 1-6 & 8 - RFP - Professional Engineering Services Term Agreements

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (COMM. 19E-11) ECHC - Kitchen Floor Replacement & Kitchen/Laundry Domestic Hot Water Upgrades Re-Bid

Item 55 – (COMM. 19E-12) Social Services Third Floor Renovations - Rath Building

The above two items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE

Item 56 – (COMM. 19E-13) Como Lake Park Dredging Project 2019

CHAIR BASKIN directed that the item be received and filed.

GRANTED.

Item 57 – (COMM. 19E-14) ECSD Nos. 1, 4 & 5 - Construction Inspection Term Contract Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 58 – (COMM. 19E-15) Authorization of Tax Repayment Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 59 – (COMM. 19E-16) F-Bites Vocational Training in Excellence - Culinary Program

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 60 – (COMM. 19E-17) ECHC - 2019 Library & Medical Unit Renovations

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 61 – (COMM. 19E-18) EC Buffalo River RAP Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 62 – (COMM. 19E-19) Authorization of Dept. of Senior Services Contract with Consultants to Provide SF-TIC Training

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR DIXON

Item 63 – (COMM. 19E-20) Letter to County Clerk Regarding Creation of Driver Safety Program in EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 64– (COMM. 19D-1) CPS Statistical Report - August 2019

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 65 – (COMM. 19D-2) Budget Monitoring Report for Period Ending 07/2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE FULTON COUNTY BOARD OF SUPERVISORS

Item 66 – (COMM. 19M-1) Certified Copy of Resolution Opposing Governor Cuomo's Proposed Regulations Requiring New License Plates & Fees

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ILYAS KHAN

Item 67 – (COMM. 19M-2) Signed Petitions Advocating the Declaration of a Climate Emergency

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYSDEC

Item 68 – (COMM. 19M-3) Invitation for Public Comment - Draft Investigation/Interim Cleanup Plan for a Site at 130 Main St., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 69 – Legislature Clerk announced that the committee schedule for meetings to be held on Thursday, October 3, 2019, will be distributed via e-mail on Friday, September 27, 2019.

**MEMORIAL RESOLUTIONS**

Item 70 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Ralph Vastola and Louise Vivacqua.

Item 71 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Oscar Luther, Dennis J. Carson, and William Paul Reynolds.

Item 72 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Philip Wiggle, Joseph A. Strnad, John Lehman, and Robert Lisowski.

**ADJOURNMENT**

Item 73 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, October 10, 2019 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, October 10, 2019 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER**  
**CLERK OF THE LEGISLATURE**