



STEFAN I. MYCHAJLIW  
ERIE COUNTY COMPTROLLER

February 17<sup>th</sup>, 2021

Hon. April N.M. Baskin  
Chairwoman, Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Dear Chairwoman Baskin:

In June 2020, the Erie County Legislature eliminated a political patronage position in Social Services. Your Honorable Body determined last year the job was not necessary at the height of the COVID outbreak to fight the pandemic. Cutting this patronage job also helped reduce the declared deficit.

Fast forward to February 2021. Erie County Executive Mark C. Poloncarz is attempting to use COVID emergency powers to not only bring the patronage job back but is giving this already identified individual a \$22,000 raise. This cannot take place without Legislature approval.

It is our understanding on Thursday, February 18<sup>th</sup>, 2021 the Erie County Legislature is going to discharge this patronage hire resolution and \$22,000 raise from Committee and vote to immediately approve it. Keep in mind, the Majority Caucus refused to debate this item during Committee hearings last week. No public debate. No discussion. Now it appears the Legislature is going to ram through this political patronage hire on Thursday.

If the Erie County Legislature eliminated this patronage job at the height of the COVID crisis last year, knowing it was not needed to battle the pandemic, why allow the County Executive to cite emergency powers to resurrect a patronage job that was not mission critical last year?

If Erie County Executive Mark C. Poloncarz is asking the Legislature to approve a patronage position with a \$22,000 raise in exchange for the political hire to leave their non-profit job to run for office, it very well could be a violation of New York State Penal Law (PEN 200.56) and New York State Election Law (17-154). Clearly, the political person has been chosen to fill the position already, based on language in the COVID emergency powers legislation. We have heard on numerous occasions the Erie County Executive is using this political position as leverage to compel this person to run for public office.

If this turns out to be true, there is an obligation to report this abuse of power and potential illegal activity to both state and federal authorities. Erie County Legislators would then be complicit in this scheme to approve, with no public debate, a \$22,000 raise for a political patronage hire in a secretive political deal to get them to run for office.

I would strongly encourage having a public discussion in Committee about the secretive need to hire this specific person when in fact your Honorable Body voted to cut the patronage position last year. There are numerous unanswered questions, including but not limited to:

- Did the Poloncarz administration notify the Majority Caucus who this patronage hire is going to be, why do they need a \$22,000 raise and is there a secretive deal to get them to run for public office?
- Why did the Majority Caucus refuse to discuss this item in Committee, plan to discharge it Thursday, and possibly rush a vote through with no public discussion?
- Why was there a fear and reluctance to publicly discuss this item in Committee?
- What concerns does the Legislature have about the potential exchange of a political job to compel someone to run for office?
- Why the rush to pass the resolution? Is it possible the passage coincides with Town political committees endorsing candidates for public office next week?

Thank you for your prompt response to this serious matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stefan Mychajliw Jr.", with a stylized flourish extending to the right.

Stefan I. Mychajliw Jr.  
Erie County Comptroller