

**ERIE COUNTY LEGISLATURE
MEETING NO. 1
JANUARY 6, 2022**

The Legislature was called to order by the Clerk of the Erie County Legislature

The Roll being duly called by Mr. Robert M. Graber, Clerk of the Legislature, the following Legislators answered, to wit:

1 st District Howard J. Johnson, Jr.	2 nd District April N.M. Baskin
3 rd District Lisa M. Chimera	4 th District John A. Bargnesi, Jr.
5 th District Jeanne M. Vinal	6 th District Christopher D. Greene
7 th District Timothy J. Meyers	8 th District Frank J. Todaro
9 th District John J. Gilmour	10 th District Joseph C. Lorigo
11 th District John J. Mills	

An Invocation was held, led by Ms. Baskin, who offered a prayer.

The Pledge of Allegiance was led by Mr. Lorigo.

The Oath of Office was administered by the Honorable Barbara R. Johnson-Lee, Buffalo City Court Judge.

Remarks were offered by the Honorable Mark C. Poloncarz, Erie County Executive.

Item 1 – MR. GRABER called for nominations and the election of Chair of the Legislature for 2022.

MR. MEYERS placed in nomination for CHAIR OF THE LEGISLATURE FOR 2022 APRIL N.M. BASKIN. MR. JOHNSON seconded.

We, the undersigned, representing a majority of the members of the Erie County Legislature do hereby nominate April N.M. Baskin as Chair of the Erie County Legislature for 2021.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

John A. Bargnesi, Jr. – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

MR. GRABER asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2022.

MS. VINAL moved to close nominations. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. GRABER moved the question of the election of APRIL N.M. BASKIN as Chair of the Erie County Legislature for 2022, and directed that a roll-call vote be taken.

AYES: MR. BARGNESI, MS. BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

MS. BASKIN, having received the required number of votes cast was declared duly elected CHAIR OF THE ERIE COUNTY LEGISLATURE for 2022.

Item 2 – CHAIR BASKIN called for nominations and the election of Clerk of the Erie County Legislature for 2022.

MS. CHIMERA placed in nomination for Clerk of the Legislature for 2022 ROBERT M. GRABER. MR. GILMOUR seconded.

We, the undersigned, representing a majority of the members of the Erie County Legislature, do hereby nominate Robert M. Graber as Clerk of the Erie County Legislature for 2022.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

John A. Bargnesi, Jr. – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

CHAIR BASKIN asked if there were any other nominations for the Office of Clerk of the Legislature for 2022.

MS. VINAL moved to close nominations. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN moved the question of the election of ROBERT M. GRABER a Clerk of the Erie County Legislature for 2022.

CARRIED UNANIMOUSLY.

MR. GRABER, having received the required number of votes cast was declared duly elected CLERK OF THE ERIE COUNTY LEGISLATURE for 2022

Item 3 – CHAIR BASKIN called for the designation of Majority Leader of the Erie County Legislature for 2022.

MR. JOHNSON presented a petition designating TIMOTHY J. MEYERS as MAJORITY LEADER OF THE ERIE COUNTY LEGISLATURE for 2022.

CHAIR BASKIN directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Majority Caucus in the Erie County Legislature do hereby designate Timothy J. Meyers as Majority Leader of the Erie County Legislature for 2022.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

John A. Bargnesi, Jr. – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

Item 4 – CHAIR BASKIN called for the designation of Minority Leader of the Erie County Legislature for 2022.

MR. LORIGO presented a petition designating JOSEPH C. LORIGO as MINORITY LEADER OF THE ERIE COUNTY LEGISLATURE for 2022.

CHAIR BASKIN directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Minority Caucus of the Erie County Legislature do hereby nominate Joseph C. Lorigo as the Minority Leader of the Erie County Legislature for 2022.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 5 – CHAIR BASKIN directed that the Rules of the Legislature for 2022 be tabled.

GRANTED.

Item 6 – CHAIR BASKIN directed that the Designation of Newspapers be Received, Filed and Printed.

GRANTED.

We, the undersigned, a Majority Caucus of the Erie County Legislature, do hereby designate the Buffalo Challenger Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2022.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

John A. Bargnesi, Jr. – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

We, the undersigned, a Majority Caucus of the Erie County Legislature, do hereby designate the Grand Island Dispatch Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2022.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

John A. Bargnesi, Jr. – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

We, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate the Lancaster Bee, published in Amherst, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices, and other matters required by law to be published for the County of Erie effective January 1, 2022.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

We, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate the East Aurora Advertiser, published in East Aurora, having general circulation in the County of Erie, as the official newspaper for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the County of Erie effective January 1, 2022.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 7 – No tabled items.

Item 8 – No items for reconsideration from previous meeting.

Item 9 – MR. MEYERS moved for the approval of the minutes for Meeting Number 25 from 2021. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 10 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 11 – MR. GILMOUR presented a proclamation Congratulating and Honoring Diane M. Sauer for Her Years of Service and Well-Deserved Retirement.

Item 12 – MR. BARGNESI presented a Memorial Resolution Honoring the Memory of City of Tonawanda 1st Ward Councilmember Thomas A. Newman.

Item 13 – MR. TODARO presented a proclamation Honoring Thomas Mazzone and His Successful Real Estate Career.

Item 14 – MR. LORIGO presented a proclamation Honoring Ethan McAtee Upon the Occasion of the Release of His First Novel.

Item 15 – MR. LORIGO presented a proclamation Honoring Erin Sullivan Upon the Occasion of Earning Her Second All-Star Team Selection.

Item 16 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a Memorial Resolution Honoring the Life of Thomas A. Newman.

Item 17 – MR. TODARO presented a proclamation Recognizing and Honoring the Alden Historical Society for Its Preservation of History.

MR. MEYERS moved for consideration of the above seven items. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above seven items by including Et Al Sponsorship.
MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above seven items as amended. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 18 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 19 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR BASKIN

Item 21 – (COMM. 1E-1) Letter to Legislature Clerk Concerning Transition of Meeting on 01/06/2022

Received, filed and printed.

December 27, 2021

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street Fourth Floor
Buffalo, New York 14202

Re: January 6, 2022 Work Session and Legislative Session to be
Held via Video Conferencing Due to the Coronavirus Pandemic

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, I am writing to advise you that pursuant to Section 2.03 of the Erie County Legislature's Rules of Order, I am shifting the Legislature's scheduled January 6, 2022 session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. Accordingly, the work session will be at 10:00 am and the legislative session will be held at 12:00 Noon on January 6th.

Please notify all legislators, staff, the media, and the public of this change and the call-in details. Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM THE COUNTY EXECUTIVE

Item 22 – (COMM. 1E-2) 2022 EC Budget as Amended - No Objections to Additions

Received, filed and printed.

December 15, 2021

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

Re: 2022 Erie County Budget, as Amended

Dear Honorable Members:

Pursuant to Section 2508(b) of the Erie County Charter, I have reviewed the amendments to my executive recommended 2022 Erie County Budget approved by your Honorable Body on December 2, 2021.

I hereby formally state that I have no objections to the additions made by your Honor Body to the 2022 Budget.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

FROM THE COMPTROLLER

Item 23 – (COMM. 1E-3) 2022 Consolidated Bond - Certificate of Determination Filing

Received and filed.

FROM THE COUNTY CLERK

Item 24 – (COMM. 1E-4) Filing of NYS Comptroller's Report of Examination - Restitution Payments, 12/2021

Received and filed.

FROM LEGISLATOR GILMOUR

Item 25 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded. MR. GILMOUR abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 1

RE: Lease Agreement for Legislative Office
Space
(COMM. 1E-5)

RESOLVED, the Erie County Executive is hereby authorized to sign a 2-Year Lease Agreement with Strnad Inc. for Legislative office space for John Gilmour, located at 5630 Camp Rd., Lower Left, Hamburg, NY 14075, for a monthly rate of \$950.

FROM LEGISLATOR CHIMERA

Item 26 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded. MS. CHIMERA abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 2

RE: Lease Agreement for Legislative Office
Space
(COMM. 1E-6)

RESOLVED, the Erie County Executive is hereby authorized to sign a 2-Year Lease Agreement with 1701 Hertel LLC for Legislative office space for Lisa Chimera, located at 1701 Hertel Ave., Buffalo, NY 14216, for a monthly rate of \$675.

FROM THE SHERIFF

Item 27 – (COMM. 1E-7) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 28 – (COMM. 1E-8) Sales Tax Receipt for 09/2021 - 11/2021

Item 29 – (COMM. 1E-9) Report on Health Commissioner's Overtime Payments

Item 30 – (COMM. 1E-10) Letter to Legislature Concerning Overtime Payments

Item 31 – (COMM. 1E-11) Peer Review Findings of Comptroller's Audit Dept. for 01/2018 - 12/2020

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

FROM THE COUNTY EXECUTIVE

Item 32 – (COMM. 1E-12) SUNY Erie - Burt Flickinger Athletic Center Exterior Improvements

Item 33 – (COMM. 1E-13) Temporary Use Access & Occupancy Agreement - Equipment Staging on County Property

Item 34 – (COMM. 1E-14) Temporary Use Access & Occupancy Agreement - Equipment Staging on County Property

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

Item 35 – (COMM. 1E-15) ECSD No. 3 - Engineer Term Contract Agreement - RAM-4

Item 36 – (COMM. 1E-16) Chestnut Ridge Concession Agreement Renewal

Item 37 – (COMM. 1E-17) ECSD No. 3 - Engineer Term Contract Agreement - RAM-5

Item 38 – (COMM. 1E-18) ECSD No. 3 - RFPs

Item 39 – (COMM. 1E-19) Appointments to Fisheries Advisory Board

The above five items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF REAL PROPERTY TAX SERVICES

Item 40 – (COMM. 1D-1) Open Item - Finance & Management Committee

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 41 – (COMM. 1D-2) 2022 County Property Tax Review

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 42 – (COMM. 1D-3) Notice Concerning Transition of Meetings on 01/06/2022

Received, filed and printed.

December 27, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: January 6, 2022 Work Session and Legislative Session to be
Held via Video Conferencing Due to the Coronavirus Pandemic

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter concerning COVID-19, the Erie County Legislature's scheduled January 6, 2022 work session and legislative session will be shifted from being held in the Chambers of the Legislature to video conferencing, to be held via Zoom.

The Chairwoman's letter directing the changes is attached.

The Zoom details are as follows:

Topic: Erie County Legislature Work Session at 10:00 am,
and Legislative Session #1 (2022) at 12:00 Noon

Join Zoom Meeting - <https://us02web.zoom.us/j/87614949336>
Meeting ID: 876 1494 9336

Or call 646-876-9923

Thank you.

FROM THE DEPUTY COMPTROLLER

Item 43 – (COMM. 1D-4) Law Department Spending - 11/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 44 – (COMM. 1D-5) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 45 – (COMM. 1D-6) Audit of Budget & Management - 07/2019 - 12/2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 46 – (COMM. 1D-7) Audit of Health Department - 07/2020 - 12/2020

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 47 – (COMM. 1D-8) Audit of Sheriff's Office - 01/2019 - 12/31/2020

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 48 – (COMM. 1D-9) Budget Monitoring Report for Period Ending 11/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM CLAUDIA A. KOLBE-HAWTHORNE

Item 49 – (COMM. 1M-1) Letter to Legislature Concerning EC Property Tax Exemptions

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE TOWN OF NEWSTEAD

Item 50 – (COMM. 1M-2) Copy of Certified Resolution Regarding EC's COVID-19
Emergency Response Mandates

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYSDOH

Item 51 – (COMM. 1M-3) Notice of Reduced Required Medicaid Contributions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYSDEC

Item 52 – (COMM. 1M-4) Invitation for Public Comment - Program Application for 1689
Main St., Buffalo

Item 53 – (COMM. 1M-5) Invitation for Public Comment - Program Application for 71
Tonawanda St., Buffalo

The above two items were received and referred to the ENERGY & ENVIRONMENT
COMMITTEE.

FROM THE NYS DEPT. OF STATE

Item 54 – (COMM. 1M-6) Local Law Filing Form for LL No. 3 (Print #1) 2021

Received and filed.

FROM THE NFTA

Item 55 – (COMM. 1M-7) NFTA Annual 17A Report for Second Quarter of FY Ending 03/2022

Item 56 – (COMM. 1M-8) Adoption of Operating & Capital Budgets for FY 2022/2023

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

FROM THE NYS AGRICULTURE & MARKETS

Item 57 – (COMM. 1M-9) Letter Regarding Feasibility for Agricultural District Nos. 1, 5, 8, 15 & 17

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE..

FROM THE VILLAGE OF AKRON

Item 58 – (COMM. 1M-10) Copy of Certified Resolution Regarding EC's COVID-19 Emergency Response Mandates

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NFTA

Item 59 – (COMM. 1M-11) Board Minutes for Meetings Held on 07/22/2021, 09/23/2021 & 10/28/2021

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF MARILLA

Item 60 – (COMM. 1M-12) Copy of Certified Resolution Regarding EC's COVID-19 Emergency Response Mandates

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS COMPTROLLER

Item 61 – (COMM. 1M-13) Examination of Restitution Payments, Dept. of Probation - 12/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 62– Chair Baskin announced that the Legislature will conduct committee meetings next Thursday, January 13, 2022. The schedule will be distributed and posted on the Legislature’s website.

Chair Baskin further announced that 2022 Legislature committee assignments would also be distributed with the schedule of committee meetings. Committee assignments were kept the same as in 2020, except for adding Legislator John A. Bargnesi, Jr. replacing former Legislator Kevin R. Hardwick, Chair Baskin said. Any concerns about committee assignments could be directed to her, she added.

MEMORIAL RESOLUTIONS

Item 63 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Larry A. Steward and Fr. Adrian Gallagher, OFM. Conv.

Item 64 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Albert P. Scibetta.

Item 65 – Legislator Chimera requested that when the Legislature adjourns, it do so in memory of Shirley Spriegel.

Item 66 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Theresa Stoll.

Item 67 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Roger P. Dearmyer.

ADJOURNMENT

Item 68 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. JOHNSON moved that the Legislature adjourn until Thursday, January 20, 2022 at 12:00 p.m. Eastern Standard Time. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, January 20, 2022 at 12:00 p.m. Eastern Standard Time.

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