

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 23**  
**DECEMBER 15, 2022**

The Legislature was called to order by Chair Baskin.

All members present, except Legislator Meyers.

An Invocation was held, led by Mr. Johnson, who offered a prayer.

The Pledge of Allegiance was led by Mr. Greene.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. JOHNSON moved for the approval of the minutes for Meetings Number 21 and Number 22 from 2022. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – CHAIR BASKIN, MR. MEYERS, MR. JOHNSON, MR. KOOSHOIAN, MR. BARGNESI, MS. VINAL, MR. GREENE, MR. TODARO, MR. GILMOUR & MR. MILLS presented a proclamation Honoring Legislator Joseph C. Lorigo for His Service to the People of Erie County.

Item 6 – MS. VINAL presented a proclamation Honoring and Recognizing Jerome "Jerry" Schad.

Item 7 – MR. GREENE presented a proclamation Congratulating Brothers of Mercy on Being Named a US News & World Report Best Nursing Home for 2022-23.

Item 8 – MR. GREENE presented a proclamation Honoring and Congratulating Detective Sergeant Michael Sliwa on His Retirement.

Item 9 – CHAIR BASKIN presented a proclamation Honoring and Recognizing Bennett High School Football - 2022 New York State Champions - Class AA.

Item 10 – MR. MILLS presented a proclamation Honoring William (Bill) Connors for 50 Years of Service.

Item 11 – MR. MILLS presented a proclamation Congratulations to Lindsay and Leven Buncy on the Opening of the Mullet.

Item 12 – MR. MILLS presented a proclamation Honoring the Orchard Park Lions Club as Citizen of the Month.

Item 13 – MR. TODARO presented a proclamation Honoring and Recognizing Jeffrey Schuler for Service as Santa Clause for Fifty Years.

Item 14 – MR. TODARO presented a proclamation Welcoming 716 Realty Group WNY to Lancaster.

Item 15 – MR. TODARO presented a proclamation Welcoming Momma Cow’s Treat Emporium to Alden.

Item 16 – MR. GREENE presented a proclamation Honoring and Congratulating Senior Investigator Kevin Murphy on His Retirement.

Item 17 – MR. GILMOUR presented a proclamation Honoring and Recognizing Adam Tardif - All Western New York Coach of the Year - Lackawanna High School Football.

MR. JOHNSON moved for consideration of the above thirteen items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. JOHNSON moved to amend the above thirteen items by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. JOHNSON moved for approval of the above thirteen items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 18 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2022 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 19 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2022 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 20 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2022 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 21 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178

December 8, 2022	PUBLIC SAFETY COMMITTEE REPORT NO. 14
------------------	--

ALL MEMBERS PRESENT.

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

- a. COMM. 19E-1 (2022)  
SHERIFF: “Notification to Civilian Governing Body & Local Community”  
(Chair’s Ruling)
- b. COMM. 22M-1 (2022)  
TOWN OF BRANT: “Certified Resolution Opposing NYS Laws Concerning  
Firearm Restrictions”  
(Chair’s Ruling)

2. COMM. 22E-22 (2022)  
SHERIFF

WHEREAS, the Erie County Sheriff’s Office and administrators at SUNY Buffalo State (Buff State) Continuing Professional Studies Office have partnered to offer hospitality and culinary training programs at the Erie County Correctional Facility; and

WHEREAS, the program will be funded and manned by Buff State personnel and will provide interested and eligible individuals an opportunity to train in the hospitality and culinary arts; and

WHEREAS, Buff State will conduct different sessions within the term of the agreement; and

WHEREAS, Buff State shall reimburse the Erie County Sheriff’s Office for all manpower costs associated with the administration of the program; and

WHEREAS, the agreement will commence on February 6, 2023; and

WHEREAS, this will have a positive impact on the 2023 county budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Sheriff to enter into an agreement with SUNY Buffalo State Continuing Professional Studies Office, 1300 Elmwood Avenue, Buffalo, New York 14222, to administer hospitality and culinary training programs to incarcerated individuals at the Erie County Correctional Facility; and be it further

RESOLVED, the contract will commence on February 6, 2023; and be it further

RESOLVED, SUNY Buffalo State Continuing Professional Studies Office shall reimburse the Erie County Sheriff's Office for all manpower costs associated with the administration of the program; and be it further

RESOLVED, that certified copies be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff.  
(5-0)

3. COMM. 22E-23 (2022) AS AMENDED  
SHERIFF

WHEREAS, Peaceprints of WNY and the Erie County Sheriff's Office (ECSO) have collaborated to address recidivism and reintegration programs for individuals incarcerated in Erie County jails; and

WHEREAS, Project Blue has reduced recidivism rates through a comprehensive, transitional support program aligned with the specific needs of individuals entering the criminal justice system; and

WHEREAS, Hope of Buffalo has received funding to extend the program for an additional year; and

WHEREAS, Hope of Buffalo Inc. will reimburse the Erie County Sheriff's Office and the County of Erie \$66,000.00 (\$55,000.00 salary and \$11,000.00 for fringe benefits) for each year of the agreement for the Community Reintegration Deputy salary; and

WHEREAS, the ECSO is not creating a new Deputy Sheriff position, rather it will designate a current sworn employee to the collaboration; and

WHEREAS, the MOU shall remain in effect for no longer than twelve months from the date of its execution; and

WHEREAS, the MOU may be terminated, without cause, by either party upon thirty days of written notice.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office and the County Executive are authorized to enter into an agreement with Hope of Buffalo Inc. (D.B.A. Peaceprints of WNY), 660 Smith Street, Buffalo, New York, 14120, to extend the current agreement for a term of no longer than twelve months; and be it further

RESOLVED, the MOU may be terminated, without cause, by either party upon thirty days of written notice; and be it further

RESOLVED, Hope of Buffalo Inc. will reimburse the Erie County Sheriff's Office and the County of Erie \$66,000.00 (\$55,000.00 salary and \$11,000.00 for fringe benefits) for each year of the agreement for the Community Reintegration Deputy salary; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to transfer the funds; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, the Sheriff's Administration Division, and the Sheriff's Jail Management Division for implementation.  
(5-0)

4. COMM. 22E-26 (2022) AS AMENDED  
SHERIFF

WHEREAS, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$75,000.00 to the Erie County Sheriff's Office in funding, which is specifically allocated to agencies with SWAT Teams; and

WHEREAS, the Erie County Sheriff's Office SWAT Team has achieved the highest possible FEMA rating and is routinely called by area law enforcement agencies to assist in various high-risk and volatile situations such as barricaded gunman, hostage rescue, active shooter, high-risk apprehension, and technical rescue incidents. These funds will allow the Sheriff's Office to maintain a professionally trained and equipped SWAT Team to support the Sheriff's efforts in counter-terrorism and domestic violent extremism missions. Furthermore, the proposed training and equipment will aid in maintaining the New York State Division of Criminal Justice Service SWAT Team Standards; and

WHEREAS, at the time of the grant application, the Erie County Sheriff's Office must submit a specific list of training modules and the NYSDHSES-approved consultants; and

WHEREAS, the NYSDHSES must approve the training vendors before the awarding of the grant; and

WHEREAS, the NYSDHSES approved training and vendors for this grant is D-CO, Leaders and Training LLC; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to accept \$75,000.00 in federal resources to provide funds for equipment and training to protect the residents of Erie County and the State of New York from terrorism, domestic violent extremism, and other events requiring a highly trained and operationally proficient SWAT Team; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is authorized to utilize the New York State Division of Homeland Security and Emergency Services approved vendor, D-CO, Leaders and Training LLC, 26 Pinecrest Plaza, Southern Pines, North Carolina, for the described training not to exceed the \$37,500.00 provided by the grant; and be it further

RESOLVED, that authorization is provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office  
FY2020 Tactical Team Targeted Grant

ACCOUNT #	INCREASE
414000 – Federal Revenue	\$75,000.00
TOTAL	\$75,000.00

ACCOUNT #	INCREASE
561410 – Lab & Technical Equipment	\$37,500.00
510200 – Training & Education	\$37,500.00
TOTAL	\$75,000.00

and be it further

RESOLVED, that the Director of Budget and Management is authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor-authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; 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 offices of the County Executive, the County Attorney, the County Comptroller, the Division of Budget and Management, the Purchasing Department, and the Chief of Administration of the Erie County Sheriff's Office for implementation.

(5-0)

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

Item 22 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 179

December 8, 2022	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 19
------------------	--

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 8E-32 (2022)  
COUNTY EXECUTIVE: "ErieNet Preliminary Business Plan"  
(Chair's Ruling)
  - b. COMM. 19M-9 (2022)  
EPISCOPAL CHURCH HOME AND AFFILIATES, INC.: "Letter to Legislator Vinal  
Regarding Shaarey Zedek Apartments"  
(Chair's Ruling)
2. COMM. 20E-7 (2022)  
COUNTY EXECUTIVE  
WHEREAS, Erie County has an aging fleet of boilers, rooftop air-handling units, and other Heating, Ventilation, and Air Conditioning (HVAC) equipment approaching the end of their useful lifespan and require replacement; and

WHEREAS, the replacement of heating and cooling equipment is typically a 20-25-year investment which locks in the fuel source for that amount of time; and

WHEREAS, many of these heating and cooling systems are fueled by fossil fuels, the cost of which continues to climb; and

WHEREAS, the end of the lifespan for heating and cooling equipment is the perfect time to evaluate different options and incorporate modern technology; and

WHEREAS, New York State and electric utility companies are incentivizing the adoption of electric-based clean heating and cooling equipment by offering grants, incentive payments, and other funding structures; and

WHEREAS, electric-based heating and cooling has lower operating and maintenance costs; and

WHEREAS, authorization is required to accept the various funding sources for the installation of new HVAC systems throughout the County which will make the improvements cost efficient.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Department of Public Works to receive all related grants, incentives, and awards related to the installation of electric-based heating and cooling systems throughout the County; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to increase the budget in A.20007 – Energy Conservation Implementation Measures, Fund 410, Funds Center 122 for all available incentives as approvals from NYSERDA, utility companies, and any other funding institutions are received; 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, Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(5-0)

3. COMM. 20E-9 (2022)  
COUNTY EXECUTIVE

WHEREAS, via COMM 13E-17 (July 21, 2022) your Honorable Body authorized the 2022 Bridge Painting and Vertical Down Repairs (4 Bridges) PIN 5763.38 “Project” and award to the lowest responsible bidder; and

WHEREAS, the actual bid from the lowest responsible bidder for the project, Oakgrove Construction, Inc., was above the estimated project costs as follows:

Construction cost increase:

\$1,437,232.50 Actual lowest responsible construction bid – Oakgrove Construction  
(1,130,000.00) Previously approved estimated construction award  
\$ 307,232.50 Additional funding needed for construction only

Contingency cost decrease:

\$100,000.00 Previously approved construction contingency  
62,767.50 Proposed construction contingency  
(\$37,232.50) Construction contingency decrease



\$307,232.50 Additional funding needed for construction only  
(37,232.50) Construction contingency decrease  
\$270,000.00 Total project increase

and

WHEREAS, authorization is required to increase the total construction phase award of the “Project,” including contingency, by \$270,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the \$270,000 increase in the “Project,” which includes an increase in construction of \$307,232.50 and a decrease in construction contingency of \$37,232.50; and be it further

RESOLVED, that the additional funding for the “Project” is available in Fund 420, Funds Center 123, as follows:

B.15011 – 2015 Preservation of Bridges & Culverts	\$ 108,868
B.18019 – 2018 Preservation of Bridges & Culverts	\$ 118,132
B.21105 – 2021 Federal Aid Preservation of Bridges	\$ 43,000
TOTAL COST	\$ 270,000

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 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 aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) each certified copies 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)

4. COMM. 20E-11 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Town of West Seneca (“Town”) discovered a stormwater ponding problem (“Problem”) on Suburban Court, a Town road adjacent to East and West Road (CR 363) a County road but off of County right-of-way (ROW); and

WHEREAS, the problem was discovered early in the winter of 2021-2022 and presented a safety hazard due to the ponded water freezing on Suburban Court; and

WHEREAS, joint investigation by the County and Town determined that the problem occurred as a result of work completed for County project CAP-363-20 Rehabilitation of East and West Rd from Orchard Park Road to Union Rd (NY 277); and

WHEREAS, the County and Town agreed that in light of the safety hazard and the fact that the problem occurred off of County ROW that the most expeditious way to remediate the problem would be for the Town to undertake the necessary work and the County would reimburse the Town for the work involved; and

WHEREAS, the County and Town wish to execute an intermunicipal agreement (“IMA”) formalizing the agreement; and

WHEREAS, the cost of the remediation was \$11,513.60 which is available from the fund source hereinafter noted.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Town of West Seneca, subject to the County Attorney’s approval as to form and content, regarding the remediation of the stormwater drainage problem on Suburban Court and the County’s agreement to reimburse the Town for the cost of said remediation; and be it further

RESOLVED, that upon execution of the IMA the County is hereby authorized to reimburse the Town of West Seneca the amount of \$11,513.60 which is to be set aside and made available from B.16013 – 2016 Road Construction, Fund 420, Funds Center 123; 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, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

5. COMM. 22E-14 (2022) AS AMENDED  
COUNTY EXECUTIVE

WHEREAS, Lower West Side Homes Project consists of the extension of an existing PILOT Agreement in the City of Buffalo for (sixty-one) 61 affordable rental units for multi-family housing located on (twenty-six) scattered sites of the lower west neighborhood in the City of Buffalo’s Ellicott District, census tract 70 (Schedule B attached lists each address and SBL number); 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 Lower West Side Homes, L.P., Lower West Side Homes Housing Development Fund Company, Inc. 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) Agreement with Lower West Side Homes, L.P., Lower West Side Homes Housing Development Fund Company, Inc., and 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.

Schedule A  
PILOT Payment Schedule

Year	Total	City	County	County Tax Year
1	9,609.00	7,206.75	2,402.25	2022
2	9,987.27	7,422.95	2,474.32	2023
3	10,194.19	7,645.64	2,548.55	2024
4	10,500.01	7,875.01	2,625.00	2025
5	10,815.01	8,111.26	2,703.75	2026
6	11,139.46	8,345.60	2,784.87	2027
7	11,473.65	8,605.25	2,868.41	2028
8	11,817.86	8,863.39	2,954.46	2029
9	12,172.39	9,129.30	3,043.10	2030
10	12,537.57	9,403.17	3,134.39	2031
11	12,913.69	9,685.27	3,228.42	2032
12	13,301.1	9,975.83	3,325.28	2033
13	13,700.14	10,275.10	3,425.03	2034
14	14,111.14	10,583.36	3,527.79	2035
15	14,534.47	10,900.86	3,633.62	2036

(5-0)

6. COMM. 22E-15 (2022)  
COUNTY EXECUTIVE

WHEREAS, via COMM 6E-19 (2022) (April 7, 2022) your Honorable Body authorized the Erie County Department of Parks, Recreation & Forestry Various Shelter Reconstruction and Repair Term Agreement and the award was granted to DiDonato Associated Engineering and Architecture, PC; and

WHEREAS, the Erie County Sheriff's Office Special Operations Division entered into an informal agreement with the Erie County Department of Parks, Recreation & Forestry in 2019 that permitted the Sheriff's Department to occupy and utilize a building in Emery Park, referred to as the "Sheriff's Storage Building" as a headquarters for their ATV/Snowmobile Unit; and

WHEREAS, it is the desire of the Sheriff's Department to enter into a long-term formal agreement with the Department of Parks, Recreation & Forestry to occupy, utilize, and maintain the building for at least the next ten years; and

WHEREAS, the existing roof systems at the Emery Maintenance Facility and the Sheriff's Outbuilding at Emery Park have significantly deteriorated, and full roof system replacement, along with building enhancements are warranted to avoid any further damage to the integrity of the building; and

WHEREAS, authorization is required to increase the total term contract for the design and bid documents for the Emery Maintenance Facility and the Sheriff's Outbuilding and Building Enhancements Project, not to exceed \$100,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes to increase DiDonato Associates Term Contract for the design and bid documents for the Emery Maintenance Facility and the Sheriff's Outbuilding and Building Enhancements Project, not to exceed \$100,000; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$100,000 in funding from unbudgeted revenue in Fund 110, Funds Center 14010, Revenue Account – 402520 Gaming Facilities Aid into Parks Fund 110, Funds Center 16410 as follows:

Fund 110, Funds Center 14010  
County-wide Account Budget

REVENUES

402250 Gaming Facilities Aid	\$100,000
TOTAL	\$100,000

Fund 110, Funds Center 16410  
Department of Parks, Recreation & Forestry

APPROPRIATIONS

570050 Interfund Transfer Capital	\$100,000
TOTAL	\$100,000

and be it further

RESOLVED, that authorization is hereby given to create a new capital project in Fund 410, Funds Center 16410 for the Emery Park Maintenance and Sheriff Out-Building Roof Replacement as follows:

Project A.22XXX  
Emery Maintenance and Sheriff Outbuilding Roof Replacements  
and Building Enhancement Project  
Fund 410, Funds Center 16410

REVENUES

486000 Interfund Revenue Subsidy	\$100,000
TOTAL	\$100,000

APPROPRIATIONS

Capital Project Expense	\$100,000
TOTAL	\$100,000

and be it further

RESOLVED, that the Division of Budget and management is authorized to make any technical adjustments necessary to effectuate this transfer; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, Department of Parks, Recreation & Forestry, and the Erie County Sheriff'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.

(5-0)

7. COMM. 22E-16 (2022)  
COUNTY EXECUTIVE

WHEREAS, Erie County has identified two roads within the County, Pine Street in East Aurora and Maryvale Drive in Cheektowaga, that are in desperate need of repair and would benefit greatly by getting a head start on design work which needs to be RFP'd; and

WHEREAS, estimates for the cost of the design work total \$500,000 each, for a total of \$1,000,000 and funding needs to be in place before RFP's can be sent out; and

WHEREAS, the Division of Budget and Management has identified unbudgeted revenue in Fund 110, Funds Center 14010, Revenue Account 402520 – Gaming Facilities Aid as a funding source to create road design capital projects for these two roads.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$1,000,000 in funding from unbudgeted revenue in Fund 110, Funds Center 14010, Revenue Account 402520 – Gaming Facilities Aid into the Division of Highways Budget, Fund 210, Funds Center 12310 so that funding is in place to send out RFP's for road design work as follows:

Fund 110, Funds Center 14010  
Countywide Account Budget

REVENUES

402520 Gaming Facilities Aid	\$1,000,000
TOTAL	\$1,000,000

Fund 110, Funds Center 14020  
Countywide Interfund Accounts

APPROPRIATIONS

570020 Interfund – Road	\$1,000,000
TOTAL	\$1,000,000

Fund 210, Funds Center 1231010  
Division of Highways

REVENUES

486000 Interfund Revenue Subsidy	\$1,000,000
TOTAL	\$1,000,000

Fund 210, Funds Center 1231010  
Division of Highways

APPROPRIATIONS

570000 Interfund Transfers Subsidy	\$1,000,000
TOTAL	\$1,000,000

and be it further

RESOLVED, that authorization is hereby given to create a new capital project in the amount of \$500,000 in Fund 420, Funds Center 123 for the design portion of Pine Street in East Aurora as follows:

Project B.22XXX – Pine Street, East Aurora Design  
Fund 420, Funds Center 123

REVENUES

486000 Interfund Revenue Subsidy	\$500,000
----------------------------------	-----------

TOTAL	\$500,000
APPROPRIATIONS	
Capital Project Expense	\$500,000
TOTAL	\$500,000

and be it further

RESOLVED, that authorization is hereby given to create a new capital project in the amount of \$500,000 in Fund 420, Funds Center 123 for the design portion of Maryvale Drive in Cheektowaga as follows:

Project B.22XXX – Maryvale Drive, Cheektowaga Design  
Fund 420, Funds Center 123

REVENUES	
486000 Interfund Revenue Subsidy	\$500,000
TOTAL	\$500,000

APPROPRIATIONS	
Capital Project Expense	\$500,000
TOTAL	\$500,000

and be it further

RESOLVED, that the Division of Budget and management is authorized to make any technical adjustments necessary to effectuate this transfer and capital project set-up; and be it further

RESOLVED, that the County Executive be authorized to execute agreements between the County of Erie and the selected Project Design Engineers, for the road projects listed, and execute any necessary amendments; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the County Attorney, and the Office of the Comptroller.

(5-0)

8. COMM. 22E-17 (2022)  
COUNTY EXECUTIVE

WHEREAS, authorization is required to supplement existing funding, previously approved through past capital requests (A.22006 & A.21108), dedicated to the Erie County Medical Examiner’s Office Renovations Project to increase the amount of available construction funds for Phase 7 by an amount not to exceed \$1,750,000; and

WHEREAS, the 2023 capital request in the amount of \$1,750,000 was not approved; and

WHEREAS, the additional funds being requested are based on overall cost estimates for the final (Phase 7) to complete renovations in comparison to the money available; and

WHEREAS, this would be the final Phase a multi-phase construction project at the Erie County Medical Examiner’s Office (ECMEO) that was begun in 2013 to cater to the current operations of the ECMEO as well as to maintain their certification with New York State; and

WHEREAS, scope of work will include but is not limited to, interior corridor repairs, office space renovations for staff, a dedicated conference room, overall building envelope improvements, a new roof to further protect the investment previously made in previous completed Phases, repairs to existing loading dock; and

WHEREAS, design of the Phase 7 project is currently underway and is being performed by Trautman Associates as previously approved by your Honorable Body per COMM. 3E-7 (2021); and

WHEREAS, the Project would be publicly bid at a future date awarding to the lowest responsible bidder to each contract associated with the Project, at which time a resolution will be prepared for your Honorable Body for approval.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the recognition of \$1,750,000 in previously unbudgeted revenue in Fund 110, Funds Center 14010, Revenue Account #402520 – Gaming Facilities Aid and the appropriation of a like amount of funding into the Division of Building and Grounds Budget, Fund 110, Funds Center 12220 Account # 570050 Interfund Transfer Capital as follows:

	Fund 110, Funds Center 14010	
	Countywide Budget Accounts	
REVENUES		
402520 Gaming Facilities Aid		\$1,750,000
TOTAL		\$1,750,000

Fund 110, Funds Center 12220  
Division of Buildings and Grounds

APPROPRIATIONS		
570050 Interfund Transfer Capital		\$1,750,000
TOTAL		\$1,750,000

and be it further



RESOLVED, that authorization is hereby given to increase existing capital project A.21108 – 2021 EC Tox Lab/Path Reno Phase 7 in the amount of \$1,750,000 as follows:

Project A.21108  
EC Tox Lab/Path Reno – Phase 7  
Fund 410, Funds Center 122

REVENUES	ORIGINAL	CHANGE	REVISED
475000      Gen Oblig Bond Proc	\$1,200,000	\$            0	\$1,200,000
486000      Interfund Revenue Subsidy	\$            0	\$1,750,000	\$1,750,000
TOTAL	\$1,200,000	\$1,750,000	\$2,950,000

APPROPRIATIONS	ORIGINAL	CHANGE	REVISED
CAPITAL PROJECTS	\$1,200,000	\$1,750,000	\$2,950,000
TOTAL	\$1,200,000	\$1,750,000	\$2,950,000

and be it further

RESOLVED, that the Division of Budget and management is authorized to make any technical adjustments necessary to effectuate this transfer and capital project set-up; and be it further

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

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

Item 23 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 180

December 8, 2022	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 16
------------------	--

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 13D-6 (2022)  
COMMISSIONER OF ENVIRONMENT & PLANNING: “Buffalo Bills Stadium State Environmental Quality Review”  
(Chair’s Ruling)
  - b. COMM. 18D-1 (2022)  
COMMISSIONER OF ENVIRONMENT & PLANNING: “Update Regarding Coordinated Review”  
(Chair’s Ruling)
  - c. COMM. 19D-1 (2022)  
COMMISSIONER OF ENVIRONMENT & PLANNING: “Appointments to the EC Agricultural & Farmland Protection Board”  
(Chair’s Ruling)
  - d. COMM. 19M-2 (2022)  
CHAIR OF EC AGRICULTURAL & FARMLAND PROTECTION BOARD:  
“EC Agricultural Districts Inclusion of Viable Agricultural Land - 2022 Report”  
(Chair’s Ruling)
  - e. COMM. 19M-3 (2022)  
CHAIR OF EC AGRICULTURAL & FARMLAND PROTECTION BOARD:  
“EC Agricultural Districts Eight-Year Review & District Consolidation Report”  
(Chair’s Ruling)
  - f. COMM. 20E-13 (2022)  
COUNTY EXECUTIVE: “ECSD No. 3 - Air Permit Assistance Term Contract Agreement”  
(Chair’s Ruling)
  - g. COMM. 20M-1 (2022)  
NYS DEC: “Public Notice - Brownfield Cleanup Program at 308 Crowley Ave., City of Buffalo”  
(Chair’s Ruling)
  - h. COMM. 20M-3 (2022)  
NYS DEC: “Public Notice - Brownfield Cleanup Program for 2101 Kenmore Ave., Town of Tonawanda”  
(Chair’s Ruling)
  - i. COMM. 20M-4 (2022)  
DEPARTMENT OF ENVIRONMENT & PLANNING: “Minutes of Public Hearing on Proposed Modification to Agricultural Districts”

(Chair's Ruling)

- j. COMM. 20M-5 (2022)  
DEPARTMENT OF ENVIRONMENT & PLANNING: "Minutes of Public Hearing on  
Proposed Consolidation & Modification to Agricultural Districts"  
(Chair's Ruling)

2. COMM. 15E-35 (2022) AS AMENDED  
COUNTY EXECUTIVE  
WHEREAS, the Board of Managers for Erie County Sewer Districts Nos. 1, 2, 3, 4, 5, 6 and  
8 have a system of Sewer District User Charges or Fees; and

WHEREAS, as has been done in past years, the Boards have requested and are desirous of  
collecting said User Charges or Fees in 2023 for properties in the same manner and fashion as the  
regular sewer district levies.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and  
directed to spread said 2023 Sewer District User Charges or Fees against properties serviced by Erie  
County Sewer District Nos. 1, 2, 3, 4, 5, 6 & 8 as provided by law; and be it further

RESOLVED, that the following amounts be collected:

Sewer District No. 1	\$ 5,774,781.03
Sewer District No. 2	\$ 3,898,503.70
Sewer District No. 3	\$ 10,363,490.40
Sewer District No. 4	\$ 5,364,305.52
Sewer District No. 5	\$ 1,025,223.00
Sewer District No. 6	\$ 2,409,143.80
Sewer District No. 8	\$ 939,447.50

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified  
copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Real  
Property Tax Services, the Director of Budget and Management, and Joseph Fiegl, P.E., Deputy  
Commissioner, Department of Environment and Planning.

(6-0)

3. COMM. 19E-17 (2022) AS AMENDED  
COUNTY EXECUTIVE  
WHEREAS, the Erie County Department of Environment and Planning through its Division  
of Sewerage Management is responsible for the inspection of construction work completed in the  
Erie County Sewer Districts; and

WHEREAS, the Division of Sewerage Management is limited in the number of staff available to perform construction inspection for various projects; and

WHEREAS, the Division of Sewerage Management issued a request for proposals for construction inspections services on a term contract basis and received seven (7) timely responses from engineering firms; and

WHEREAS, in accordance with Section 26.08 of the Erie County Administrative Code, an evaluation committee scored all responses using a consistent rating matrix; and

WHEREAS, the top four (4) ranked firms submitting proposals have been recommended by the Division of Sewerage Management to perform the requested services.

NOW, THEREFORE, BE IT

RESOLVED, that agreements for construction inspection term contract services with DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, New York 14086) in an amount not to exceed \$200,000.00 each over a three (3) year period, with an option to extend an additional year, are hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreements subject to approval as to form by the County Attorney and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that no individual assignment issued under these agreements be greater than \$50,000.00; and be it further

RESOLVED, that the County Comptroller be authorized to allocate an amount not to exceed \$200,000.00 for each agreement to fund individual work order assignments; and be it further

RESOLVED, that individual work orders may be funded from any Sewer Capital Project in Fund 430 and/or the Sewer Operating Fund 220 (including business areas 181, 182, 183, and 186, Account 516020 (Professional Service Contracts)), as determined by the Deputy Commissioner of the Division of Sewerage Management; and be it further

RESOLVED, that the Division of Sewerage Management shall notify the Legislature when a work order is assigned to an engineering firm under this resolution; and be it further

RESOLVED, that when a Sewer Capital Project is selected as the funding source for a work order assignment, the Division of Sewerage Management shall include in its notice to the Legislature that the County Comptroller has reviewed and certified the availability of sufficient capital appropriations to fund the work order assignment; 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, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.

(6-0)

4. INTRO. 20-1 (2022)  
BASKIN

WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established eight-year review period; and

WHEREAS, during the 2022 thirty-day open enrollment period seven applicants requested that seven parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of seven parcels listed below in an existing agricultural district; and

SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
213.00-6-18.11	50.7	8463 Knapp Rd.	Colden	Thomas P. Dziulko	Southeast 15
157.00-6-5.2	19.5	11965 Liberia Rd.	Marilla	William Albers, Deborah Shevlin	Central 5
237.00-1-23.1	24.4	2073 New Jerusalem Rd.	Eden	Thomas J. Skrzynski	Southwest 8
195.00-1-65.21	9.32	2945 S. Creek Rd.	Hamburg	Mark Mol	Southwest 8
200.00-1-19.11	10.7	1698 Boies Rd.	Aurora	Richard Natalzia	Central 5
215.00-1-5.11	10.0	10166 Darien Rd.	Colden	Bob Mamon	Central 5

215.00-2-10.1	94.5	10969 Darien Rd.	Colden	Deborah Tatko	Central 5
---------------	------	------------------	--------	---------------	-----------

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing for November 3, 2022; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 2:15 p.m. on November 3, 2022 a public hearing was held at the Erie County Legislative Chambers, 92 Franklin Street, Buffalo, New York to consider modification of the district; and

WHEREAS, the modification of the district is within the scope of a cooperative agreement between the Erie County Legislature and the New York State Department of Agriculture and Markets; and

WHEREAS, pursuant to the cooperative agreement, the Erie County Legislature is the State Environmental Quality Review Lead Agency and has conducted a coordinated review in accordance with 6 NYCRR Section 617.6 (b) (3).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature adopts the inclusion of the following seven parcels into an adjacent existing agricultural district; and be it further

SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
213.00-6-18.11	50.7	8463 Knapp Rd.	Colden	Thomas P. Dziulko	Southeast 15
157.00-6-5.2	19.5	11965 Liberia Rd.	Marilla	William Albers, Deborah Shevlin	Central 5
237.00-1-23.1	24.4	2073 New Jerusalem Rd.	Eden	Thomas J. Skrzyński	Southwest 8
195.00-1-65.21	9.32	2945 S. Creek Rd.	Hamburg	Mark Mol	Southwest 8
200.00-1-19.11	10.7	1698 Boies Rd.	Aurora	Richard Natalzia	Central 5
215.00-1-5.11	10.0	10166 Darien Rd.	Colden	Bob Mamon	Central 5
215.00-2-10.1	94.5	10969 Darien Rd.	Colden	Deborah Tatko	Central 5

RESOLVED, that the Erie County Legislature finds that the modification of the districts will not result in any significant adverse environmental impacts and therefore issues a Negative Declaration under the State Environmental Quality Review Act; and be it further

RESOLVED, that the Chairperson of the Erie County Legislature is authorized to complete and sign Part 3 of the Short Environmental Assessment Form; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Aurora, Colden, Eden, Hamburg, and Marilla; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

(6-0)

5. INTRO. 20-2 (2022) AS AMENDED  
BASKIN

WHEREAS, the Alden Newstead Agricultural District 1 was initially created on November 18, 1972 pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303; and

WHEREAS, the Clarence Newstead Agricultural District 14 was initially created on April 9, 1980 pursuant to New York State Agricultural and Markets Law Section 303; and

WHEREAS, the Lancaster Alden Agricultural District 16 was initially created on April 28, 1983 pursuant to New York State Agricultural and Markets Law section 303; and

WHEREAS, the Amherst Agricultural District 17 was initially created on April 25, 1991 pursuant to New York State Agricultural and Markets Law section 303; and

WHEREAS, pursuant to Article 25AA of the New York State Agriculture and Markets Law, the Erie County Legislature is required to review Agriculture Districts every eight years; and

WHEREAS, during the review period three applicants submitted modification requests; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a (2) (b) the Erie County Agricultural and Farmland Protection Board reviewed these requests and the district, and prepared a report to the Erie County Legislature, and voted unanimously on October 18, 2022 to recommend that these districts be continued with the proposed modifications listed below; and

SBL	ACRES	ADDRESS	TOWN	APPLICANT	REMOVE	RETAIN
18.00-4-16.1	51	Delaware Rd	Clarence	Samuel Yoder	X	

29.01-2-5.1	24	10060 Transit Rd	Amherst	Fritz Lotter		X
29.01-2-5.2	5	10090 Transit Rd	Amherst	Fritz Lotter		X
107.00-6-20	2	11347 Westwood Rd	Alden	Lu Anne Delzer	X	

WHEREAS, Erie County has established a timeline for the consolidation of the County's fourteen Agricultural Districts into four; and

WHEREAS, this is the fourth and final consolidation, with Agricultural Districts No. 1, No. 14, No. 16, and No. 17 proposed to be consolidated into the Alden Newstead Agricultural District No. 1; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed the proposed consolidation, prepared a report to the Erie County Legislature and voted unanimously on October 18, 2022 to recommend that the aforementioned districts be consolidated into the North Agricultural District (Consolidated North Agricultural District No. 1); and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-a (2) the Erie County Legislature gave the required public notice, directed the Erie County Agricultural and Farmland Protection Board to prepare a report on the district and set a public hearing for November 3, 2022; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a (2) (a) the Erie County Legislature published a public notice and hearing notice in a newspaper having a general circulation within the district; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a (2) (c) on November 3, 2022 at 2:30 pm a public hearing was held at the Erie County Legislative Chambers, 92 Franklin Street, Buffalo, New York to consider recertification of the district; and

WHEREAS, the district has been reviewed in accordance with the New York State Environmental Quality Review Act of 1975 and adopted review procedures and the criteria set forth in Part 617; and

WHEREAS, the modification and consolidation of the district is within the scope of a cooperative agreement between the Erie County Legislature and the New York State Department of Agriculture and Markets; and

WHEREAS, pursuant to the cooperative agreement, the Erie County Legislature is the State Environmental Quality Review Lead Agency and has conducted a coordinated review in accordance with 6 NYCRR Section 617.6 (b) (3).

NOW, THEREFORE, BE IT



RESOLVED, that the Erie County legislature finds that Alden Newstead Agricultural District No. 1, Clarence Newstead Agricultural District No. 14, Lancaster Alden Agricultural District No. 16, and Amherst Agricultural District No. 17 should be continued with the following modifications listed below:

SBL	Acres	Address	Town	Applicant	Remove	Retain
18.00-4-16.1	51	Delaware Rd.	Clarence	Samuel Yoder		X
29.01-2-5.1	24	10060 Transit Rd.	Amherst	Fritz Lotter	X	
29.01-2-5.2	5	10090 Transit Rd.	Amherst	Fritz Lotter	X	
107.00-6-20	2	11347 Westwood Rd	Alden	Lu Anne Delzer	X	

RESOLVED, that the Erie County Legislature finds Alden Newstead Agricultural District No. 1, Clarence Newstead Agricultural District No. 14, Lancaster Alden Agricultural District No. 16, and Amherst Agricultural District No. 17 should be consolidated into the North Agricultural District No. 1; and be it further

RESOLVED, that the Erie County Legislature finds that the modification and consolidation of Alden Newstead Agricultural District No. 1, Clarence Newstead Agricultural District No. 14, Lancaster Alden Agricultural District No. 16, and Amherst Agricultural District No. 17 into North Agricultural District No. 1 will not result in any significant adverse environmental impacts and therefore issues a Negative Declaration under the State Environmental Quality Review Act; and be it further

RESOLVED, that the Chairperson of the Erie County Legislature is authorized to complete and sign Part 3 of the Short Environmental Assessment Form; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services and the Town Supervisors of Alden, Amherst, Clarence, Grand Island, Lancaster, and Newstead, and the Village Mayor of Akron; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution to the Commissioner of New York State Department of Agriculture and Markets for recertification.

(6-0)

6. COMM. 20E-6 (2022)  
COUNTY EXECUTIVE

WHEREAS, Erie County Senior Services contracts with service providers that deliver 450,000 home meals and 380,000 dining site meals per year; and

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) pursues waste reduction opportunities and continues to looking for ways to decrease greenhouse gases generated in the County; and

WHEREAS, the Rochester Institute of Technology - New York Pollution Prevention Institute has a grant from the Environmental Protection Fund administered by the New York State Department of Environmental Conservation, which will be used to will establish a baseline of current practices within Erie County's Meal Delivery and Nutrition Programs, benchmark existing programs that utilize alternatives to single-use plastics, analyze and compare options suitable for Erie County, and identify additional tasks to reduce waste and increase recycling and composting; and

WHEREAS, all decisions regarding selection and implementation of alternatives will be evaluated and considered for the upcoming Request for Proposals for Meal Delivery and Nutrition Programs that the Department of Senior Services will be issuing in the Spring of 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to execute an agreement with RIT-NYSP2I for this study; 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; Daniel Castle, Commissioner of the Department of Environment and Planning; Angela Marinucci, Commissioner of Senior Services; and Bonnie Lawrence, Deputy Commissioner of the Department of Environment and Planning.

(6-0)

7. COMM. 20E-8 (2022)  
COUNTY EXECUTIVE

WHEREAS, the agricultural sector is a significant contributor to Erie County's economy, annually contributing nearly \$130 million to the local economy; and

WHEREAS, between 2007 and 2017, the number of farms in Erie County dropped at the alarming rate of nearly 22%; and

WHEREAS, the adopted Erie County Agriculture and Farmland Protection Plan noted the need for communities to specifically plan for agriculture to address land use decisions which place development pressure on Erie County Farms; and

WHEREAS, many Erie County towns planning documents do not adequately address planning for agriculture and renewable energy; and

WHEREAS, Erie County desires to aid the Towns of Collins, Amherst and Colden in the updating of municipal planning documents to address to preserve agriculture and the siting of renewable energy facilities; and

WHEREAS, the 2022 Erie County Budget allocated funding to be utilized for an Agricultural Planning Program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Collins in the amount of \$16,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Amherst in the amount of \$15,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements, contracts, agreements as necessary with the Town of Colden in the amount of \$13,720, for the purpose of administration of planning document updates; and be it further

RESOLVED, that the source of these funds shall be in Fund 110, Cost Center 16200, GL Account 516020; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management and Finance; the Comptroller; Daniel Castle, Commissioner of the Department of Environment and Planning; Mark P. Rountree, Chief Planner, Department of Environment and Planning and the County Attorney.

(6-0)

8. COMM. 22E-3 (2022) AS AMENDED  
COUNTY EXECUTIVE

WHEREAS, the Department of Environment and Planning, Division of Sewerage Management, Sewer District No. 4 has been negatively impacted by unforeseen increases in the costs of maintenance, repairs, materials and supplies this year; and

WHEREAS, due to these circumstances, the budget in Commitment Item 506200 – Maintenance and Repairs, from which such services and supplies are purchased, has been depleted; and

WHEREAS, following the analysis of the 2022 Erie County Sewer District No. 4 Budget, it has been determined that utilizing fund balance is the most appropriate source of funding to cover this potential budgetary shortfall and allow the district to maintain pertinent operations with no other impact to the current fiscal year budget; and

WHEREAS, funds are available for transfer from Commitment Item 389999 – Unreserved / Undesignated Fund Balance, Fund Center 1811010, Fund 220 to Commitment Item 506200 – Maintenance and Repairs, Fund Center 1811010, Fund 220.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers are authorized within the 2022 Erie County Sewer District No. 4 Budget:

DIVISION OF SEWERAGE MANAGEMENT  
FUND CENTER – 1811010, FUND 220

INCREASE	AMOUNT
506200 MAINTENANCE AND REPAIRS	<u>\$ 60,000.00</u>
TOTAL	<u>\$ 60,000.00</u>
DECREASE	AMOUNT
389999 UNRESERVED / UNDESIGNATED FUND BALANCE	<u>\$ 60,000.00</u>
TOTAL	<u>\$ 60,000.00</u>

and be it further

RESOLVED, that the 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 send certified copies of this resolution to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and Joseph Fiegl, P.E., BCEE, Deputy Commissioner for the Department of Environment and Planning, Division of Sewerage Management.  
(6-0)

9. COMM. 22E-4 (2022)  
COUNTY EXECUTIVE

WHEREAS, the 2022 Assessment Rolls for Erie County Sewer District Nos. 1 6 and 8 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers prior to the date of the Public Hearing which informed the public that the Assessment Rolls would be open for public inspection; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, at 2:00 p.m., local time on November 2, 2022 and

that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Rolls, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 2022 Assessment Rolls 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 send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.

(6-0)

10. COMM. 22E-5 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation and Forestry intends to continue our advertising contract for the County of Erie; and

WHEREAS, in order to effectuate the consistency of advertising, it is necessary to transfer funds to the appropriate budget line; and

WHEREAS, funding for the needed transfer is available in Funds Center 16410, Fund 110, Account 506200, Maintenance & Repair, 2022 General Fund budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers are authorized within the Department of Parks, Recreation and Forestry’s 2022 General Fund budget – in Fund 110, Funds Center 16410:

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
506200	Maintenance & Repair	(\$20,000)
516020	Prof Svcs, Contracts & Fees	<u>\$20,000</u>
	TOTAL	\$ 0

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive’s Office, Comptroller’s Office, Division of Budget and Management, Department of Parks, Recreation & Forestry.

(6-0)

**TIMOTHY J. MEYERS  
CHAIR**

Item 24 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181

December 8, 2022	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 12
------------------	--

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 18E-8 (2022)  
LORIGO: “Letter to Comptroller Requesting Vacancy Report”  
(Chair’s Ruling)
  - b. COMM. 20E-1 (2022)  
COMPTROLLER: “Interim Financial Report for the Third Quarter, 2022”  
(Chair’s Ruling)
  - c. COMM. 20E-15 (2022)  
COMPTROLLER: “Letter to Legislator Lorigo Regarding Vacancy Report & Additional Data”  
(Chair’s Ruling)
  - d. COMM. 22D-2 (2022)  
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending September 2022”  
(Chair’s Ruling)
2. COMM. 22E-12 (2022)  
COUNTY EXECUTIVE  
WHEREAS, as part of its response to the COVID-19 emergency, the County needed to lease additional warehouse space to house Personal Protective Equipment (PPE), as well as other cleaning, sanitizing and medical supplies; and

WHEREAS, in August of 2020 the County entered into a Lease Agreement for approximately 57,250 square feet of warehouse space located at 500 Commerce Drive, Amherst, New York as a subtenant to Ivoclar Vivadent, Inc.; and

WHEREAS, in August of 2022 the County entered into a one-year extension for the underlying premises with Ivoclar Vivadent (see, COMM 14E-8 (2022)); and

WHEREAS, Ivoclar Vivadent no longer has use for the space and as a result, the County is seeking permission to enter into an agreement directly with the Landlord, ZTS Commerce Drive, LLC, to extend the agreement for the full length of the renewal term; the remainder of which is approximately four years; and

WHEREAS, the location is still desirable as it provides suitable warehouse storage space at below market rate prices.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement for property located at 500 Commerce Drive, Amherst, New York to store PPE; cleaning, sanitizing and medical supplies, as well as other general office need with the Landlord, ZTS Commerce Drive, LLC; and be it further

RESOLVED, that the monthly Base Rent shall be as follows:

Commencement Date – July 31, 2023	\$31, 217.16 (monthly)
Aug. 1, 2023 - July 31, 2024	\$32,713.74 (monthly)
Aug. 1, 2024 - July 31, 2025	\$34, 282.59 (monthly)
Aug. 1, 2025 – July 31, 2026	\$35, 927.23 (monthly)
Aug. 1, 2026- March 31, 2027 – 8 months	\$37, 555.40 (monthly)

and be it further

RESOLVED, that in addition to the Base Rent, the County shall be responsible for its portion of Common Area Maintenance (CAM) expenses; and be it further

RESOLVED that funding is available in Fund 253, Funds Center 12700 for the 2022-2024 costs; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any necessary adjustments to Fund 253 to facilitate this resolution; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Public Works, the Office of the Comptroller, the Division of Budget and Management, and the Department of Law.

(6-0)

**TIMOTHY J. MEYERS  
CHAIR**

Item 25 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 182

December 8, 2022	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 16
------------------	---

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 7-1 (2022)  
LORIGO, GREENE, TODARO & MILLS: “Support for the Donor Conceived Person Protection Act”  
(Chair’s Ruling)
  - b. COMM. 20D-1 (2022)  
COMMISSIONER OF HEALTH: “Letter Regarding National Lead Poisoning Prevention Week”  
(Chair’s Ruling)
  - c. COMM. 20D-2 (2022)  
COMMISSIONER OF SOCIAL SERVICES: “Comm. 12E-34 Compliance Report for the Month of October”  
(Chair’s Ruling)
  - d. COMM. 22D-1 (2022)  
COMMISSIONER OF HEALTH: “ECDOH Nursing Home COVID-19 Infection Report”  
(Chair’s Ruling)
2. COMM. 22E-7 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Senior Center Technology Project (SCTP) is a Department of Senior Services initiative utilizing the internet to link our congregate dining sites together and provide for the streaming of educational and recreational programming among them, as well as to older adults who are homebound; and



WHEREAS, this legislative body previously granted approval in COMM. 17E-15 (2022) to contract with Televeda Systems Inc. to develop the website technology underlying the SCTP; and

WHEREAS, the Department of Senior Services contracts with entities with the entities provided for under 2022 Budget resolution paragraph 65 (I) who own and operate senior centers throughout the County and in which the Department's congregate dining program operates; and

WHEREAS, this legislative body previously granted approval in the 2022 Budget book B resolution 66 for the Department of Senior Services to contract with new congregate dining entities qualified by the Department to meet geographic, ethnic, minority, demographic, and/or underserved populations service demand; and

WHEREAS, authorization is requested to utilize and reimburse congregate sites willing and able to install, at their respective locations, the Department of Senior Services provided technology equipment (TVs, PCs, speakers, microphones, cameras, etc.) needed for the project; and

WHEREAS, the Department of Senior Services also seeks authorization to amend the existing contracts with congregate dining entities , and contract with any future congregate dining entities to reimburse them for older adult recreational, educational, socialization and engagement activities undertaken under Department auspices; and

WHEREAS, American Rescue Plan (ARP) funding will be utilized, up to an aggregate of \$109,000 in the Professional Services Account (#516020) in its 163III-BARP2124 grant to cover these additional contract costs during the roll out of the SCTP for the period December 1, 2022 through September 30, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to amend existing contracts with congregate dining entities and to contract with any future congregate dining entities, to reimburse for entity performed installation and/or repairs of equipment and software associated with the Senior Center Technology Project, and for older adult recreational, educational, socialization and engagement activities undertaken under Department auspices; and be it further

RESOLVED, that authorization is hereby given that existing Professional Services Account (#516020) appropriations, up to an aggregate of \$109,000, in the Department's 163III-BARP2124 grant be utilized to pay for the contract amendments for the December 1, 2022 through September 30, 2024 period; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the: County Executive's Office; Division of Budget and Management; Comptroller's Office, Department of Information and Support Services; and the Department of Senior Services.

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

3. COMM. 22E-8 (2022)

COUNTY EXECUTIVE

WHEREAS, Project HOPE was implemented with FEMA disaster funding during the COVID-19 pandemic to provide outreach and crisis counseling services in the City of Buffalo; and

WHEREAS, Buffalo Urban League will continue to deliver these outreach and crisis counseling services to the residents of the City of Buffalo; and

WHEREAS, the Department of Mental Health desires to enter into a contract with Buffalo Urban League for the calendar year 2023 to provide said services; and

WHEREAS, funds totaling \$1,084,961 will be appropriated by the NYS Office of Mental Health.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Mental Health and the County Executive are hereby authorized to enter into contract with Buffalo Urban League in the amount of \$1,084,961 to provide outreach and crisis counseling services; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any additional budget adjustment which may be required in order to match expense with funding allocation adjustments; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Mental Health, the Erie County Comptroller, and the Director of the Division of Budget and Management.

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

4. COMM. 22E-9 (2022)

COUNTY EXECUTIVE

WHEREAS, mental health concerns have impacted many adults and children within Erie County; and

WHEREAS, it takes years to increase mental health professionals through traditional higher education to be able to assess and treat mental health issues; and

WHEREAS, institutions of higher education are working to increase the number of students enrolling and graduating to enter into the mental health field; and

WHEREAS, the Erie County Health Department Office of Health Equity has identified a means to help address mental health issues in adults and children via a mental health first aid program; and

WHEREAS, the program teaches adult members of the community how to recognize and respond to signs of mental illness and substance use disorders; and

WHEREAS, the program will be deployed within the Erie County Community via, civic educational and faith-based settings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Health Office of Health Equity's 2022 General Fund Budget (Fund 110, Funds Center 12713) to be amended as follows:

Department of Health Office of Health Equity  
Fund 110, Funds Center 12713

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
510200	Training & Education	\$57,800
516020	Prof Svcs, Contracts & Fees	(\$57,800)
	TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law and Department of Health.

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

5. COMM. 22E-10 (2022)  
COUNTY EXECUTIVE

WHEREAS, on or about July 1<sup>st</sup> 2020, Erie County entered into an agreement with the Cantalician Center for Learning to provide Special Education Services to public schools within Erie County. Such agreement was entered into pursuant to authority granted by 2020 Erie County Budget Resolution No. 28 and is referenced by Document No. 20-529-HE (the "Agreement"); and

WHEREAS, the Cantalician Center for Learning was recently purchased by the Learning Disabilities Association of WNY, Inc.; and

WHEREAS, since the purchase transaction, the Learning Disabilities Association of WNY, Inc has continued to provide services to Erie County as contemplated under the terms and conditions of the Agreement; and

WHEREAS, the Erie County Department of Health and the Learning Disabilities Association of WNY, Inc desire to memorialize this service relationship by entering into a formal agreement for the continued provision of these vital services; and

WHEREAS, the Erie County Department of Health is legally obligated to contract with NYS approved agencies and render payment for services authorized by local school districts and secured through State approved agencies; and

WHEREAS, the Learning Disabilities Association of WNY, Inc. is a NYS approved agency; and

WHEREAS, the costs of services are set by New York State and will remain consistent with the change of agency; and

WHEREAS, continued compliance with New York State regulations and the continuation of vital services to the subject population in Erie County are immediately necessary thereby rendering the provisions of Erie County Administrative Code Section 26.08 impractical.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the Learning Disabilities Association of WNY, Inc.; and be it further

RESOLVED, that the Erie County Legislature hereby finds it necessary that the special education services contemplated herein must be provided immediately and hereby waives the RFP provisions as outlined at Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Director of the Division of Budget and Management, the Office of the Comptroller, the County Attorney's Office, and Dr. Gale R. Burstein, the Commissioner of Health. (5-0) Chair Baskin not present for vote.

**JOHN J. GILMOUR  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 26 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded MR. LORIGO voted in the negative.

CARRIED. (9-1)

RESOLUTION NO. 183

RE: Support for Request from NYS Snowmobile Association Asking NYS to Increase Fees Charged on Snowmobile Registration Used for Trail Maintenance Across NYS (INTRO. 23-1)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLS, TODARO, GREENE & GILMOUR**

WHEREAS, snowmobiling is a key contributor to Erie County's winter tourism industry, bringing significant spending by snowmobiling supporting our restaurants and small businesses, and contributes up to \$868 million annually to the Upstate New York economy; and

WHEREAS, Erie County snowmobile clubs maintain over 384 miles of trails throughout the county, and 10,500 miles of trails statewide; and

WHEREAS, the maintenance of the snowmobile trails in Erie County is completed entirely by volunteers who are members of snowmobile clubs; and

WHEREAS, we must ensure that Erie County's snowmobile trail infrastructure is in a condition to welcome snowmobilers and that the trails are as safe and well maintained as they can be; and

WHEREAS, since 1987, the New York State Snowmobile Trail Development and Maintenance Fund has been utilized by municipalities and their snowmobile club partners to properly groom and maintain their local snowmobile trails, including through the purchase of necessary equipment; and

WHEREAS, the Snowmobile Trail Development and Maintenance Fund is fully funded through the registration of snowmobilers participating in the sport, and has no general assessment on taxpayers; and

WHEREAS, the snowmobile community, including the New York State Snowmobile Association, and the clubs in Erie County have requested an increase in the snowmobile registration fees to support trail maintenance; and

WHEREAS, there has not been a registration fee increase for snowmobiles since 2005, while there have been registration fee increases in surrounding states; and

WHEREAS, there is significant inflation throughout the country, including on critical machinery and materials needed to maintain the trails; and

WHEREAS, Erie County supports the snowmobiling community and the economic impact that snowmobiling has on our businesses and people.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature respectfully requests that the Governor and Legislature support increases to snowmobile registration fees that will in turn create more financial support for the Snowmobile Trail Development and Maintenance Fund, the utilization of which supports critical winter tourism in Erie County.

Item 27 – CHAIR BASKIN directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 23-2 from JOHNSON. In Support of the Proposed "3 Bell System" for Buffalo Public Schools and Calling on Governor Hochul to Declare a State of Emergency.

Item 28 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 184

RE: Re-Appropriation of 2021  
RENEW Plan Funding  
(INTRO. 23-3)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR BASKIN**

WHEREAS, the GBUAHN was awarded \$200,000 in RENEW Plan funding by the Erie County Legislature in Comm. 18E-18 (2021) in Erie County Department of Health Fund Center 12700, Account 516020; and

WHEREAS, the organization is not able to accept the funds, and the funding should be transferred to an alternative organization; and

WHEREAS, this Honorable Body, in partnership with the District Attorney, is looking to collaborate with United States District Court for the Western District of New York (“WDNY”) and New York State Office of Court Administration (“OCA”) on an effort to increase the diversity of Erie County’s juries; and

WHEREAS, WDNY, OCA, and Erie County have agreed to share the costs of the Jury Diversification Project.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to transfer funds previously reserved for the GBUAHN Health Home Fund 110, Fund Center 12700, Account #516020 – Professional Services, Contracts, and Fees to Fund 110, Fund Center 1332010 and reallocate \$15,000 for the Jury Diversification Project; and be it further

RESOLVED, that while the agency names are changing the overall budget line amount is to remain the same; and be it further

RESOLVED, that the Director of the Division of Purchase is authorized to create any necessary documents to facilitate the granting of funds for the Jury Diversification Project; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Comptroller, the Director of the Division of Purchase, the Director of Budget and Management, and any other party deemed necessary and proper.

Item 29 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 185

RE: Support for Akron Jesson Field's  
Application for the NYS Dept. of  
Transportation Aviation Capital  
Grant  
(INTRO. 23-4)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR GREENE**

WHEREAS, the Akron Jesson Field is seeking to expand their airport, which has been designated as a reliever airport for the Buffalo-Niagara International Airport; and

WHEREAS, they are hoping to purchase a 10-bay metal hanger for aircraft storage, including associated site and electric work; and

WHEREAS, they currently have a hangar waiting list of 20 aircraft that are currently located at other airfields and have a waiting list of 10 current tenants that wish to upgrade to individual hangars with concrete floors and electrically operated bi-fold metal doors; and

WHEREAS, the NYS Department of Transportation requires they provide a copy of a supporting resolution from the home County's Legislature as part of the application process; and

WHEREAS, as part of their efforts to construct the new hanger, the airport is submitting a \$1 million grant application to the NYS Department of Transportation, through the Aviation Capital Grant Program; and

WHEREAS, the New York State Aviation Capital Grant Program provides for 90% of funds and the airport will pay the remaining 10%; and

WHEREAS, this vital funding source will allow our entire region to benefit from a shortage of reliable hanger space.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the grant application for the Akron Jesson Field's new hanger under the NYS Department of Transportation Aviation Capital Grant Program and urges NYS to provide the needed funding to the airfield for the purpose of constructing a new hanger; and be it further

RESOLVED, that the adoption of this resolution shall be solely for the purposes stated herein and in no way binds the County Legislature and or any other county agency or subdivision thereof to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to the Akron Jesson Field; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Commissioner of Transportation, the Erie County Executive Mark C. Poloncarz, and any other party deemed necessary and proper.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 30 – MR. JOHNSON moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 20E-10 (2022). MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 187-2022

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 3 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) December 15, 2022.

(Adopted) December 15, 2022.

WHEREAS, the County Legislature of the County of Erie, New York (herein called the “County Legislature” and the “County”, respectively), on behalf of the Erie County Sewer District No. 3 in the County (the “District”) and pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, has established the District; and

WHEREAS, the Board of Managers of the District has duly directed that there be prepared a map, plan and report and estimate of cost (the “Report” and the “Estimate” respectively and, collectively, the “Report and Estimate”) by the County Engineers (i.e., the Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District, which Report and Estimate have been approved by the Board of Managers of the District on April 6, 2022, and subsequent thereto the Report and Estimate were filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the Report and Estimate describe a proposed increase and improvement of the facilities of the District, generally consisting of improvements to the Southtowns Advanced Wastewater Treatment Facility, existing pumping stations, and the sanitary sewer collection system; as more fully described in the Report and Estimate (collectively, “Improvements” or the “Project”); and



WHEREAS, such Project will generally consist of substantial improvements to the Southtowns Advanced Wastewater Treatment Facility, such work being currently anticipated to include, but not necessarily be limited to, disinfection and effluent pumping improvements, ORF and outfall modifications, bioclarifier and aeration/UNOX system improvements including the rehabilitation of existing tanks, solids handling improvements, electrical improvements, equipment replacements and upgrades to backup power generator(s), IT infrastructure and HVAC system improvements, as well as other upgrades that are identified in the additional facility needs evaluation and as more fully identified in (or contemplated by) the Report, with the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof; and

WHEREAS, the maximum estimated cost of the Project is \$100,000,000, and unless paid for from other sources or charges, such cost will be apportioned among the benefitted real properties in the District in accordance with charges based on usage and/or special assessments based on units, assessed value and/or footage, as these or other applicable cost apportionment standards may be specified in the District's Benefit and User Charge formulas (as those currently exist or as they may be amended from time to time in accordance with the County's sewer rents local law and the rules and procedures adopted by the Board of Managers of the District); and

WHEREAS, pursuant to the County Law the consent of the State Comptroller is required prior to the construction and development of the Project in the District because the cost thereof to the Typical Property (as defined in the County Law) is estimated to exceed the Average Estimated Cost to the Typical Property for similar types of projects, as computed by the State Comptroller, with such cost being estimated to be \$111.17; and

WHEREAS, the County Legislature has given due consideration to the impact that the Project may have on the environment and, on the basis of such consideration, the County Legislature found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the County Legislature and the County have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation concerning the project, which has been filed in the office of the County Clerk; and

WHEREAS, the County Legislature adopted Resolution No. 137-2022 on September 22, 2022, calling a meeting of the County Legislature for the purpose of holding a public hearing on the proposed Project in accordance with the Report and Estimate (the "Public Hearing"); and

WHEREAS, such Resolution No. 137-2022 authorized and directed the Clerk of the County Legislature to publish the notice of the Public Hearing; and

WHEREAS, the Public Hearing was duly held at County Hall, in Buffalo, New York, on October 17, 2022, at 2:00 o'clock P.M., Prevailing Time; and

WHEREAS, notice of the Public Hearing was duly published and filed in the manner provided by law and proof thereof was submitted to the County Legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the Public Hearing, it is hereby found and determined that it is in the public interest to proceed with the Project and its proposed plan of financing, all as more fully described in the preambles hereto, and the Project is hereby authorized in concept (subject to the County's obtaining the required approval of the New York State Comptroller) at a maximum estimated cost of \$100,000,000.

Section 2. It is hereby found and determined that the parcels and lots of the District shall be benefited by the Project.

Section 3. It is hereby found and determined that the maximum estimated cost of the Project is \$100,000,000, and unless paid for from other sources or charges, such cost to be to be apportioned among the benefitted real properties in the District in accordance with charges based on usage and/or special assessments based on units, assessed value and/or footage, as these or other applicable cost apportionment standards may be specified in the District's Benefit and User Charge formulas (as those currently exist or as they may be amended from time to time in accordance with the County's sewer rents local law and the rules and procedures adopted by the Board of Managers of the District).

Section 4. It is hereby found and determined that the cost of the Project shall be financed by the issuance of serial bonds of the County (to be issued pursuant to one or more bond resolutions that are to be adopted by the Legislature in the future) in an amount not to exceed \$100,000,000, and with the balance of the cost of the Project to be annually apportioned within the District as described previously herein.

Section 5. It is hereby found and determined that this resolution shall constitute the declaration (or reaffirmation) of the County's "official intent" to reimburse (to the extent permitted) expenditures toward the Project with the proceeds of bonds, notes or other obligations, as required by United States Treasury Regulations Section 1.150-2.

Section 6. It is hereby found and determined that the County Legislature has directed that the attached application for approval be prepared and submitted to the New York State Comptroller's office, believes the contents of the application to be accurate, has determined that the Project (and its proposed plan of financing) for which approval is being sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof, and if the cost of the proposed improvements is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefited by the proposed improvements and that no benefitted property has been excluded. The Legislature understands that the attached application has been presented and approved in substantially complete and final form, but nevertheless authorizes and approves, in advance, such non-material modifications, amendments or revisions as may, in the opinion of the County Attorney and the County's bond counsel, be deemed appropriate.

Section 7. It is hereby directed that within ten (10) days after adoption of this Resolution, the Clerk of the County Legislature shall record with the Clerk of the County a copy of this Resolution, certified by the Clerk of the County Legislature.

Section 8. It is hereby directed that this resolution shall take effect immediately.

\* \* \*

The adoption of the foregoing resolution was seconded by Legislator Lorigo and duly put to a vote, which resulted as follows:

AYES:

Howard J. Johnson, Jr., April N.M. Baskin, Michael H. Kooshoian, John A. Bargnesi, Jr., Jeanne M. Vinal, Christopher D. Greene, Frank J. Todaro, John J. Gilmour, Joseph C. Lorigo and John J. Mills.

NOES:

None.

The resolution was thereupon declared duly adopted.

**SUSPENSION OF THE RULES**

Item 31 - MR. JOHNSON moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 23E-16 from BASKIN Re: 2023 Schedule of Legislative Sessions

Received, filed and printed.

**2023 SCHEDULE OF LEGISLATIVE SESSIONS**

JANUARY  
5  
19

JULY  
6  
20

FEBRUARY  
2  
16

AUGUST  
Recess

MARCH

9  
23

SEPTEMBER

7  
21

APRIL

13  
27

OCTOBER

5  
19

MAY

11  
25

NOVEMBER

2  
16

JUNE

8  
22

DECEMBER

7 - Session & Budget Vote  
21 - Session & Budget Override

All Regular Sessions will begin at 12:00 p.m. in the Legislature Chambers unless notice is provided for meeting(s) to be conducted via video conferencing. Pre-Session Joint Caucus Meetings held on the day of Session begin at 10:00 a.m. All Meetings are open to the public.

Item 32 - MR. JOHNSON moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 23-5 from MAJORITY & MINORITY CAUCUSES Re: Legislature 2023 Budget Authorization

MR. JOHNSON moved to approve the resolution. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188

**A RESOLUTION TO BE SUBMITTED BY THE  
MAJORITY & MINORITY CAUCUSES  
OF THE ERIE COUNTY LEGISLATURE**

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

WHEREAS, it states that “the fund appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, shall be

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

WHEREAS, annually, funding is designated for each legislator to hire a district staff representative in a full-time capacity or two in part time capacities and a process exists that is ratified in the annual budget resolutions to pay them fairly so that no one member has an advantage in recruiting or retaining staff over another member; and

WHEREAS, in order to keep the Legislature’s annual departmental budget in accordance with the Erie County Charter and in order to guarantee legislators have equality in funding for hiring district staff personnel, the Legislature needs the authority to hire staff at a variable minimum; and

WHEREAS, Article II, Section 202.4 of the Erie County Charter, as amended by Local Law No. 1-2017, further states that “the County Legislature shall adopt an ordinance or resolution to effect the allocation in December of each year where necessary.”

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature shall have the authority to hire staff at a variable minimum up to and including Step 5 for the three new positions included in the 2023 Adopted Budget, Cost Center – 1003030 – Majority - Senior Administrative Clerk and Junior Administrative Assistant, and in Cost Center – 1004040 – Minority – Senior Administrative Clerk; and be it further

RESOLVED, that pursuant to Article II, Section 202.4 of the Erie County Charter, the Erie County Legislature hereby determines it necessary to adopt this resolution in December of 2022.

Item 33 - MR. JOHNSON moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 23D-3 from BOARD OF ELECTIONS Re: EC Board of Elections Budget Transfer Request

MR. JOHNSON moved to approve the resolution. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 189

WHEREAS, the Erie County Board of Elections (BOE) must pay polling locations across the county; and

WHEREAS, the cost of such payment is \$52,000 in addition to funds available in the Rental Line (545000).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Director of Budget and Management to make the following adjustments to the 2022 Budget for the Board of Elections:

Board of Elections  
Fund 110, Funds Center 1500020

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
530000	Other Expenses	(\$52,000)
545000	Rental Charges	\$ 52,000
	TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any additional budget adjustment to effectuate this resolution; and be it further

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

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 34 – (COMM. 23E-1) Appointments to the Erie County Stadium Corporation

Received, filed and printed.

January 8, 2023

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

Re: Appointments to the Erie County Stadium Corporation

Dear Honorable Members,

Pursuant to Article II, Section 5(b) of the Erie County Stadium Corporation bylaws, I hereby appoint the following individuals to the Erie County Stadium Corporation.

Appointments:

Mr. William E. Geary, Jr.  
6 Alexander Road  
West Seneca, NY 14224

Mr. Jeremy Toth, Esq.  
72 Ashland Avenue  
Buffalo, NY 14222

If you have any questions about this matter, please feel free to contact my office at 858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

Item 35 – (COMM. 23E-2) Re-Appointment to the Erie County Corrections Specialist Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 36 – (COMM. 23E-3) Appointment to the Board of the Buffalo Niagara Convention & Visitors Bureau

Received, filed and printed.

**Insert Letter**

FROM THE COMPTROLLER

Item 37 – (COMM. 23E-4) Letter to WNYOTB CEO Regarding Requested Information

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 38 – (COMM. 23E-5) Department of Law Risk Retention Fund Spending - September & October 2022

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 66 – (COMM. 23E-6) Letter to Legislature Concerning No Objections to Additions to the 2023 EC Budget, as Amended

Received, filed and printed.

December 9, 2022

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

Re: 2023 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 1, 2023.

I hereby formally state that I have no objections to the additions made by your Honor Body to the 2023 Budget.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

Item 40 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190

RE: Establishment of a November 2022  
Storm Fund  
(COMM. 23E-7)

WHEREAS, beginning on November 17, 2022 a massive lake effect snow storm descended upon our region dropping up to six feet of snow in certain areas; and

WHEREAS, County, State and local governments responded to provide snow removal and emergency response assistance to residents; and

WHEREAS, snow disaster declarations under FEMA Public Assistance criteria are unique and applicants must maintain accurate records and adhere to the requirements in order to be considered for inclusion in the declaration and submit expenses for reimbursement; and

WHEREAS, preliminary estimates of cost to be incurred by Erie County alone for the November Storm will be approximately \$7-\$10 million; and

WHEREAS, funding for all local share costs can be derived from known 2022 savings in MMIS-Medicaid costs; and



WHEREAS, it has been determined that the most effective way to track revenue and expenses related to the storm for reimbursement purposes is to create a new Fund.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of the November 2022 Storm Fund – Fund 254 in the amount of no more than \$10 million in order to effectively track revenue and expense related to the November snow storm; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget & Management to make any and all required budgetary adjustments to properly record expense and account for all additions or reductions in Federal, State, or other revenues that are made available related to the November 2022 Storm response efforts; and be it further

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

Item 41 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded. MR. LORIGO voted in the negative.

CARRIED. (9-1)

RESOLUTION NO. 191

RE: Disparity Study RFP Contract Approval  
(COMM. 23E-8)

WHEREAS, the Erie County Division of Equal Employment Opportunity is responsible for understanding whether disparities exist in our community relative to the existence and utilization of MWBEs and, if so, for determining ways to develop, support, and expand MWBE participation within our County; and

WHEREAS, the Department wishes to understand the current Minority/Woman-Owned Business Utilization in the County; and

WHEREAS, the Department desires to continue to develop, support, and expand MWBE participation within Erie County; and

WHEREAS, the Department, through an RFP process, selected Griffin & Strong PC to provide a Disparity Study to Erie County; and

WHEREAS, the Department now desires to enter into contracts with Griffin & Strong PC Attorneys and Public Policy Consultants for 13 months from January 1, 2023, to January 31, 2024, which at the sole discretion of the County may be extended beyond the initial term for up to one-year periods at prices and conditions agreed upon by the County and Agency; and

WHEREAS, no additional County funds are required as budgetary appropriations for aggregate transportation expenditures are available within the Department's Professional Services account; and

WHEREAS, amounts available for subsequent contract years are to be determined based upon appropriations available in each respective succeeding year's County budgets.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into contracts with Griffin & Strong PC Attorneys and Public Policy Consultants to provide a Disparity Study for the Division of Equal Employment Opportunity during January 1, 2023, to January 31, 2024, period, which at the sole discretion of the County may be extended beyond the initial term for up to two, one-year periods, at prices and conditions agreed upon by County Agency; and be it further

RESOLVED, that the existing aggregate Professional Services Account appropriations in Fund 110, Funds Center 10810, Account 516020 for up to \$500,000 be carried forward to 2023 and then utilized to pay for a Disparity Study for the term of January 1, 2023, to January 31, 2024 with amounts for the subsequent Disparity Studies to be funded via appropriations in future year County budgets; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the budget as needed to comply with this approved funding; and be it further

RESOLVED, that certified copies of this resolution are forwarded to the: County Executive's Office, Division of Budget and Management, Comptroller's Office, Purchasing, and the Erie County Division of Equal Employment Opportunity.

Item 42 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded. MR. LORIGO voted in the negative.

CARRIED. (9-1)

RESOLUTION NO. 192

RE: Downtown Pedestrian/Trans Mall  
Special District - Adoption of Mall  
District Service Charge Roll for 2023  
(COMM. 23E-9)

WHEREAS, after a public hearing, held on October 25, 2022 by Buffalo Place Inc., and upon adoption of Intro 19-2, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2023 for the downtown pedestrian/transit mall special district shall be the sum of \$1,796,526; and

WHEREAS, the 2023 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2023 for the downtown pedestrian/transit mall special district shall be the sum of \$53,715.00; and

WHEREAS, the Director of Real Property Tax Services has established the 2023 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Real Property Tax Services for the purpose of assessing 2023 service charges for the downtown pedestrian/transit mall special district; and be it further

RESOLVED, that 2023 mall district service charges and payment in lieu amounts shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 1, 2023 and shall be payable to the Director of Real Property Tax Services as provided in Erie County Local Law No. 8-1984; and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$10,000.00 shall be added to the Mall Budget for collection of these late fees; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish the 2023 Downtown Mall Budget in the amount \$1,850,241 which includes \$1,796,526 for service charges, \$53,715 for payment in lieu, and \$10,000 for interest earnings; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to make adjustments and modifications as deemed appropriate; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Budget Director, County Comptroller, County Attorney, and Scott A. Bylewski, Director Real Property Tax Services.

Item 43 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 193

RE: Section 520 Exemption Charges  
for 2023  
(COMM. 23E-10)

WHEREAS, Section 520 Exemption Charges for 2023 have been calculated as indicated on the attached schedule.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Director of Real Property Tax Services is directed to spread the amount of taxes, as indicated on the attached schedule, upon the tax rolls of the several

municipalities in Erie County, being taxes due from the exemption removal on properties transferred during the past year, pursuant to Section 520 of the Real Property Tax Law; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, Scott A. Bylewski, Director of Real Property Tax Services, the Erie County Comptroller, and County Attorney.

EXEMPTION REMOVALS FOR 2023 COUNTY TAX

TOWN	COUNTY	TOWN	TOTAL
Buffalo	\$ 232,807.99	\$ -	\$ 232,807.99
C. Lack	\$ 21,793.82	\$ -	\$ 21,793.82
C. Ton	\$ 11,190.62	\$ -	\$ 11,190.62
Alden	\$ 12,967.92	\$ 4,870.47	\$ 17,838.39
Amherst	\$ 67,727.56	\$ 67,269.59	\$ 134,997.15
Aurora	\$ 16,390.93	\$ 7,520.76	\$ 23,911.69
Boston	\$ 6,411.24	\$ 1,442.95	\$ 7,854.19
Brant	\$ 3,339.08	\$ 1,477.21	\$ 4,816.29
Cheektowaga	\$ 134,940.76	\$ 149,057.99	\$ 283,998.75
Clarence	\$ 18,464.80	\$ 7,498.50	\$ 25,963.30
Colden	\$ 10,572.79	\$ 3,773.41	\$ 14,346.20
Collins	\$ 7,246.03	\$ 1,123.69	\$ 8,369.72
Concord	\$ 10,679.30	\$ 3,154.24	\$ 13,833.54
Eden	\$ 9,384.29	\$ 5,551.41	\$ 14,935.70
Elma	\$ 6,640.71	\$ 320.69	\$ 6,961.40
Evans	\$ 30,945.49	\$ 47,822.44	\$ 78,767.93
Grand Island	\$ 23,206.96	\$ 12,052.45	\$ 35,259.41
Hamburg	\$ 71,870.33	\$ 48,615.02	\$ 120,485.35
Holland	\$ 572.80	\$ 473.32	\$ 1,046.12
Lancaster	\$ 34,714.61	\$ 31,252.41	\$ 65,967.02
Marilla	\$ 4,690.06	\$ 223.31	\$ 4,913.37
Newstead	\$ 4,016.87	\$ 1,288.38	\$ 5,305.25
North Collins	\$ 5,319.12	\$ 2,892.89	\$ 8,212.01
Orchard Park	\$ 33,051.29	\$ 21,872.17	\$ 54,923.46
Sardinia	\$ 3,856.66	\$ -	\$ 3,856.66
Tonawanda	\$ 102,367.24	\$ 88,478.92	\$ 190,846.16
Wales	\$ 9,170.59	\$ 494.80	\$ 9,665.39
<u>West Seneca</u>	<u>\$ 86,290.51</u>	<u>\$ 116,432.23</u>	<u>\$ 202,722.74</u>
<u>Totals</u>	<u>\$ 980,630.37</u>	<u>\$ 624,959.25</u>	<u>\$ 1,605,589.62</u>

Item 44 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 194

RE: Levy & Apportionment of EC Real  
Property Tax for 2023  
(COMM. 23E-11)

WHEREAS, the Erie County budget for the year 2023 has been adopted by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the amounts in said County budget that are required to be raised by taxes, by the Legislature's adoption of the Erie County Budget for 2023, are hereby levied upon and shall be collected from the taxable property situated within the County of Erie and liable therefore, effective January 1, 2023; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby directed to apportion said taxes to be raised for such budget against the taxable property liable, therefore, as provided by law; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget and Management, County Comptroller, County Attorney, and Scott A. Bylewski, Director of Real Property Tax Services.

Item 45 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195

RE: 2023 Levy of Town & Special District  
Budgets  
(COMM. 23E-12)

RESOLVED, that the following abstracts of the adopted Town and Special District Budgets for the year 2023, as certified and presented to this Legislature by the appropriate Town Officers; be printed by the Clerk in the minutes of the proceedings of this Legislature; and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to make adjustments and modifications as deemed appropriate; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget and Management, County Comptroller, County Attorney and Scott A. Bylewski, Director of Real Property Tax Services.

**ALDEN**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	1,608,897.00	714,625.00	894,272.00
General Town Outside	277,399.00	277,399.00	-
Highway Town Outside	1,117,066.00	813,500.00	303,566.00
<b>Total Town &amp; Highway</b>	<b>3,003,362.00</b>	<b>1,805,524.00</b>	<b>1,197,838.00</b>
Fire Protection District	837,952.00	140,500.00	697,452.00
Lighting District	62,800.00	2,800.00	60,000.00
Garbage District	480,600.00	6,000.00	474,600.00
Sewer District #1	10,500.00	2,500.00	8,000.00
Sewer District #2	70,357.00	700.00	69,657.00
Water Districts	170,546.00	6,000.00	164,546.00
<b>Total Special Districts</b>	<b>1,632,755.00</b>	<b>158,500.00</b>	<b>1,474,255.00</b>
Premium Assessment (ECSA)	15,172.58	-	15,172.58
Unpaid Water	258.62	-	258.62
<b>Total Other Items</b>	<b>15,431.20</b>	<b>-</b>	<b>15,431.20</b>
<b>GRAND TOTALS</b>	<b>4,651,548.20</b>	<b>1,964,024.00</b>	<b>2,687,524.20</b>

**AMHERST**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
-------------------	----------------	------------------------	---------------------

General Fund Town Only	76,388,763.87	50,198,916.96	26,189,846.91
General Fund Village Only	3,570,826.50	853,076.79	2,717,749.71
General Fund Outside Village	6,006,284.34	4,803,754.88	1,202,529.46
Highway Outside Village	15,650,801.46	3,172,589.68	12,478,211.78
Central Alarm	1,602,084.88	496,810.60	1,105,274.28
<b>Total Town &amp; Highway</b>	<b>103,218,761.05</b>	<b>59,525,148.91</b>	<b>43,693,612.14</b>
Community Environment	8,679,473.32	395,403.96	8,284,069.36
Lighting Districts	3,474,031.02	5,241.12	3,468,789.90
Fire Protection District	6,558,994.70	28,992.05	6,530,002.65
Fire Districts	2,944,595.00	-	2,944,595.00
Sanitary Sewer Districts	25,378,769.98	3,517,113.83	21,861,656.15
Storm Sewer Districts	6,299,483.12	136,769.81	6,162,713.31
Water Districts	1,908,798.06	82,414.75	1,826,383.31
Combined Snow Relief District	44,950.50	-	44,950.50
<b>Total Special Districts</b>	<b>55,289,095.70</b>	<b>4,165,935.52</b>	<b>51,123,160.18</b>
Delinquent Water - ECWA	5,334.31	-	5,334.31
Delinquent Sewer – Village	3,325.27	-	3,325.27
Code Violations	83,153.86	-	83,153.86
Pretreatment Surcharge	272,399.47	-	272,399.47
<b>Total Other Items</b>	<b>364,212.91</b>	<b>-</b>	<b>364,212.91</b>
<b>GRAND TOTALS</b>	<b>158,872,069.66</b>	<b>63,691,084.43</b>	<b>95,180,985.23</b>

**AURORA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	3,635,863.00	1,492,628.00	2,143,235.00
General Town Outside	1,887,500.00	931,600.00	955,900.00
Highway Townwide	62,904.00	50.00	62,854.00
Highway Town Outside	2,041,253.00	1,484,600.00	556,653.00
<b>Total Town &amp; Highway</b>	<b>7,627,520.00</b>	<b>3,908,878.00</b>	<b>3,718,642.00</b>
Cemetery Special Reserve	1,455.00	1,455.00	-
Lighting District	14,006.00	3,575.00	10,431.00
Fire Protection District	397,332.00	150.00	397,182.00
Garbage (Refuse) District	770,165.00	15,750.00	754,415.00
Rubbish District	84,694.00	100.00	84,594.00
Sewer Districts	58,350.00	53,600.00	4,750.00
Water Districts	1,208,484.00	105,924.00	1,102,560.00
Fire Districts	584,661.46	-	584,661.46
<b>Total Special Districts</b>	<b>3,119,147.46</b>	<b>180,554.00</b>	<b>2,938,593.46</b>
Delinq. Water ECWA	335.01	-	335.01
Delinq. Water Orchard Park	263.80	-	263.80
<b>Total Other Items</b>	<b>598.81</b>	<b>-</b>	<b>598.81</b>
<b>GRAND TOTALS</b>	<b>10,747,266.27</b>	<b>4,089,432.00</b>	<b>6,657,834.27</b>

**BOSTON**



FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,220,959.00	2,056,495.00	164,464.00
Highway Fund	1,542,990.00	689,658.00	853,332.00
Total Town & Highway	3,763,949.00	2,746,153.00	1,017,796.00
Fire Protection District	919,519.00	118,480.00	801,039.00
Lighting District	14,051.00	50.00	14,001.00
Ambulance	181,187.00	80,200.00	100,987.00
Refuse & Garbage	845,328.00	2,200.00	843,128.00
Water Districts	474,396.00	4,584.00	469,812.00
Total Special Districts	2,434,481.00	205,514.00	2,228,967.00
Delinquent Water - Town	141.70	-	141.70
Additional Refuse Charge	3,599.38	-	3,599.38
Total Other Items	\$3,741.08	-	3,741.08
<b>GRAND TOTALS</b>	<b>6,202,171.08</b>	<b>2,951,667.00</b>	<b>3,250,504.08</b>

**BRANT**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,257,725.00	779,890.00	477,835.00
General Fund Town Outside	172,586.00	172,586.00	-
Highway Fund Townwide	182,003.00	159,097.00	22,906.00
Highway Fund Town Outside	158,080.00	158,080.00	-
Capital Projects	31,000.00	31,000.00	-

Total Town & Highway	1,801,394.00	1,300,653.00	500,741.00
Fire Protection District	266,802.00	-	266,802.00
Lighting District	36,000.00	-	36,000.00
Sewer Districts	-	-	-
Water District	25,820.00	-	25,820.00
Total Special Districts	328,622.00	-	328,622.00
<b>GRAND TOTALS</b>	<b>2,130,016.00</b>	<b>1,300,653.00</b>	<b>829,363.00</b>

**CHEEKTOWAGA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	54,548,951.00	10,374,215.00	44,174,736.00
General Town Outside	2,567,788.00	2,567,788.00	-
Highway Town Outside	13,758,473.00	13,421,967.00	336,506.00
Total Town & Highway	70,875,212.00	26,363,970.00	44,511,242.00
Consolidated Garbage	9,734,077.00	321,350.00	9,412,727.00
General Lighting	2,825,910.00	4,400.00	2,821,510.00
Risk Retention	17,427,069.00	17,427,069.00	-
Debt Service Fund	6,932,200.00	6,932,200.00	-
Sanitary Sewer	14,223,559.00	1,390,897.00	12,832,662.00
Storm Sewer (Drainage)	538,976.00	42,200.00	496,776.00
Hydrant Districts	479,610.00	11,622.00	467,988.00
Fire Districts	8,649,502.00	12,400.00	8,637,102.00

Sidewalks & Curbs	31,793.36	-	31,793.36
Total Special Districts	60,842,696.36	26,142,138.00	34,700,558.36
Premium Assessment (ECSD)	73,840.01	-	73,840.01
Cleanup Debris	136,622.96	-	136,622.96
Admin Fees Cleanup Debris	58,200.00	-	58,200.00
Delinquent Refuse	325.00	-	325.00
Demo Charges	37,903.12	-	37,903.12
Total Other Items	306,891.09	-	306,891.09
<b>GRAND TOTALS</b>	<b>132,024,799.45</b>	<b>52,506,108.00</b>	<b>79,518,691.45</b>

**CLARENCE**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	15,852,246.00	12,335,936.00	3,516,310.00
Highway Townwide	6,634,385.00	1,932,358.00	4,702,027.00
Total Town & Highway	22,486,631.00	14,268,294.00	8,218,337.00
Central Alarm	320,000.00	34,325.00	285,675.00
Aquatic Growth Control	1,000.00	515.00	485.00
Drainage District	586,500.00	61,500.00	525,000.00
Clarence Fire District 1	1,039,658.00	-	1,039,658.00
Fire Protection Districts	2,987,797.00	595.00	2,987,202.00
Lighting Districts	9,700.00	1,344.00	8,356.00
Sewer Districts	1,254,010.00	161,330.00	1,092,680.00

Townwide Water District	454,200.00	10,200.00	444,000.00
Town Special Assessments	4,557.00	-	4,557.00
Property Maintenance	9,734.23	-	9,734.23
Total Special Districts	6,667,156.23	269,809.00	6,397,347.23
<b>GRAND TOTALS</b>			
	29,153,787.23	14,538,103.00	14,615,684.23

**COLDEN**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,277,555.00	1,277,555.00	-
Highway Fund	937,028.00	260,032.00	676,996.00
Total Town & Highway	2,214,583.00	1,537,587.00	676,996.00
Lighting District	18,000.00	25.00	17,975.00
Refuse District	322,981.00	17,800.00	305,181.00
Water District	280,619.00	158,350.00	122,269.00
Colden Fire District	390,204.00	-	390,204.00
Aurora Colden Fire District	39,554.37	-	39,554.37
Unpaid Water	4,879.59	-	4,879.59
Total Special Districts	1,056,237.96	176,175.00	880,062.96
<b>GRAND TOTALS</b>			
	3,270,820.96	1,713,762.00	1,557,058.96

**COLLINS**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,341,534.00	798,332.00	543,202.00

General Fund Town Outside	433,388.00	433,388.00	-
Highway Fund Townwide	8,000.00	8,000.00	-
Highway Fund Town Outside	2,511,637.00	2,511,637.00	-
<b>Total Town &amp; Highway</b>	<b>4,294,559.00</b>	<b>3,751,357.00</b>	<b>543,202.00</b>
Capital Projects	600,000.00	600,000.00	-
Collins Fire Districts	250,617.00	-	250,617.00
Rosenburg Fire District	21,810.00	-	21,810.00
Lighting District	12,000.00	25.00	11,975.00
Helmuth Fire Control	34,474.00	150.00	34,324.00
Refuse District	131,950.00	62,000.00	69,950.00
Water Districts	305,222.00	224,300.00	80,922.00
<b>Total Special Districts</b>	<b>1,356,073.00</b>	<b>886,475.00</b>	<b>469,598.00</b>
Delinquent Water	43,167.45	-	43,167.45
<b>Total Other Items</b>	<b>43,167.45</b>	<b>-</b>	<b>43,167.45</b>
<b>GRAND TOTALS</b>	<b>5,693,799.45</b>	<b>4,637,832.00</b>	<b>1,055,967.45</b>

**CONCORD**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,422,884.47	417,753.00	1,005,131.47
General Fund Town Outside	1,000,998.92	1,000,998.92	-
Highway Fund Townwide	20,000.00	25.00	19,975.00
Highway Fund Town Outside	1,486,826.07	1,281,568.07	205,258.00

Total Town & Highway	3,930,709.46	2,700,344.99	1,230,364.47
Joint Projects	179,282.40	179,282.40	-
Library Fund	8,000.00	5.00	7,995.00
Fire Protection District	725,160.38	30.00	725,130.38
Lighting District	25,000.00	-	25,000.00
Sewer District	185,593.75	200.00	185,393.75
Kissing Bridge Sewer	67,000.00	15.00	66,985.00
Kissing Bridge Water	19,851.90	9.00	19,842.90
Trevett Road Water District	2,395.05	-	2,395.05
Cattaraugus Street Water	5,460.50	-	5,460.50
Total Special Districts	1,217,743.98	179,541.40	1,038,202.58
Omitted Tax - Town	4,374.04	-	4,374.04
Omitted Tax - County	547.17	-	547.17
Total Other Items	4,921.21	-	4,921.21
<b>GRAND TOTALS</b>	<b>5,153,374.65</b>	<b>2,879,886.39</b>	<b>2,273,488.26</b>

**EDEN**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	3,054,587.36	2,076,365.00	978,222.36
Highway Fund	2,039,182.00	636,500.00	1,402,682.00
Total Town & Highway	5,093,769.36	2,712,865.00	2,380,904.36
Fire Protection District			

	491,115.35	16,000.00	475,115.35
Lighting District	64,820.00	-	64,820.00
Water Districts	884,633.93	4,170.38	880,463.55
Refuse & Garbage	661,450.00	5,200.00	656,250.00
<b>Total Special Districts</b>	<b>2,102,019.28</b>	<b>25,370.38</b>	<b>2,076,648.90</b>
Premium Assessment	1,200.00	-	1,200.00
Unpaid Water	779.80	-	779.80
Omitted Tax - Town	1,991.65	-	1,991.65
Omitted Tax - County	2,135.48	-	2,135.48
<b>Total Other Items</b>	<b>6,106.93</b>	<b>-</b>	<b>6,106.93</b>
<b>GRAND TOTALS</b>	<b>7,201,895.57</b>	<b>2,738,235.38</b>	<b>4,463,660.19</b>

**ELMA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	3,214,245.00	3,214,245.00	-
Highway Fund	1,765,016.00	1,393,752.00	371,264.00
<b>Total Town &amp; Highway</b>	<b>4,979,261.00</b>	<b>4,607,997.00</b>	<b>371,264.00</b>
Water Districts	3,415,553.00	3,415,553.00	-
Sewer Districts	366,777.00	180.00	366,597.00
Drainage	16,025.00	-	16,025.00
Lighting District	40,100.00	-	40,100.00
Fire Protection District	931,660.00	21,419.00	910,241.00
TFPD Service Award			

	175,402.00	-	175,402.00
Springbrook Fire District	486,800.00	25,000.00	461,800.00
Springbrook Fire Service Award	104,000.00	-	104,000.00
Refuse User Fee	337,480.00	-	337,480.00
Delinquent Water	671.97	-	671.97
Total Special Districts	5,874,468.97	3,462,152.00	2,412,316.97
<b>GRAND TOTALS</b>	<b>10,853,729.97</b>	<b>8,070,149.00</b>	<b>2,783,580.97</b>

**EVANS**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	10,925,728.00	1,900,701.00	9,025,027.00
General Town Outside	671,640.00	671,640.00	-
Highway Town Outside	2,997,507.00	2,489,267.00	508,240.00
Total Town & Highway	14,594,875.00	5,061,608.00	9,533,267.00
Water Districts	39,173.00	-	39,173.00
Water District Eden Extension 3	1,560.38	-	1,560.38
Fire Protection District	877,905.00	52,500.00	825,405.00
Lighting Districts	405,882.00	-	405,882.00
Water Fund	1,486,596.00	1,486,596.00	-
Refuse & Garbage	1,606,733.00	-	1,606,733.00
Debt Services	1,171,583.00	1,171,583.00	-
Indep/PeppTree Admin Fee	3,000.00	-	3,000.00
N. Evans Fire District	977,035.00	39,000.00	938,035.00



Total Special Districts	6,569,467.38	2,749,679.00	3,819,788.38
Delinq. Water (Evans)	5,710.64	-	5,710.64
Delinq. Water (ECWA)	10,730.32	-	10,730.32
ECWA Surcharge	8,815.56	-	8,815.56
Demolition/Cleanup Charges	73,678.75	-	73,678.75
Premium Assessment (ECSA)	1,900.00	-	1,900.00
Total Other Items	100,835.27	-	100,835.27
<b>GRAND TOTALS</b>	<b>21,265,177.65</b>	<b>7,811,287.00</b>	<b>13,453,890.65</b>

**GRAND ISLAND**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	10,483,797.00	8,254,662.00	2,229,135.00
Highway Fund	3,880,662.00	713,511.00	3,167,151.00
Total Town & Highway	14,364,459.00	8,968,173.00	5,396,286.00
Debt Service	419,463.00	419,463.00	-
Fire Protection District	1,715,355.00	94,470.00	1,620,885.00
Lighting Districts	249,121.00	51,042.00	198,079.00
Water Districts	3,723,329.00	2,748,838.00	974,491.00
Sewer District	5,049,842.00	3,177,545.00	1,872,297.00
Garbage	1,741,390.00	19,595.00	1,721,795.00
Total Special Districts	12,898,500.00	6,510,953.00	6,387,547.00
		-	

Delinquent Water	310,872.06	-	310,872.06
Delinquent Sewer	373,814.83	-	373,814.83
Lighting Charge	1,210.00	-	1,210.00
Omitted Tax - Town	11,125.00	-	11,125.00
Total Other Items	697,021.89	-	697,021.89
<b>GRAND TOTALS</b>	<b>27,959,980.89</b>	<b>15,479,126.00</b>	<b>12,480,854.89</b>

**HAMBURG**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	19,328,762.00	7,494,156.00	11,834,606.00
General Fund Outside Village	14,764,794.00	9,276,808.00	5,487,986.00
Highway Fund Outside Village	7,096,408.00	906,995.00	6,189,413.00
Total Town & Highway	41,189,964.00	17,677,959.00	23,512,005.00
Enterprise Funds	1,606,765.00	1,606,765.00	-
Lighting Districts	1,465,929.00	1,000.00	1,464,929.00
Town Hydrant	444,676.00	1,000.00	443,676.00
Insurance Reserve	2,334,000.00	2,334,000.00	-
Fire Protection District	3,840,076.00	23,000.00	3,817,076.00
Sewer Districts	1,129,201.00	279,928.00	849,273.00
Water Districts	106,557.00	-	106,557.00
Lake View Fire District	999,775.00	150,746.00	849,029.00
Total Special Districts	11,926,979.00	4,396,439.00	7,530,540.00

Delinquent Water ECWA	13,911.65	-	13,911.65
Premium Assessment	11,650.00	-	11,650.00
Grass Cutting	45,998.10	-	45,998.10
Board-Ups	16,347.00	-	16,347.00
Total Other Items	87,906.75	-	87,906.75
<b>GRAND TOTALS</b>			
	53,204,849.75	22,074,398.00	31,130,451.75

**HOLLAND**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,200,752.10	691,524.00	509,228.10
Highway Fund	1,367,868.61	448,603.71	919,264.90
Total Town & Highway	2,568,620.71	1,140,127.71	1,428,493.00
Water Districts	700,750.00	700,750.00	-
Lighting District	16,800.00	-	16,800.00
Refuse & Garbage	372,283.26	-	372,283.26
Holland Fire District	477,687.41	8,150.00	469,537.41
Java Sheldon Fire Protection	11,850.00	-	11,850.00
Total Special Districts	1,579,370.67	708,900.00	870,470.67
Delinquent Water	14,802.63	-	14,802.63
Unpaid Refuse	1,181.16	-	1,181.16
Agricultural Penalty	975.84	-	975.84
Total Other Items	16,959.63	-	16,959.63

GRAND TOTALS	4,164,951.01	1,849,027.71	2,315,923.30
--------------	--------------	--------------	--------------

**LANCASTER**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	11,411,427.00	3,035,371.00	8,376,056.00
General Town Outside	1,400,704.00	1,144,295.00	256,409.00
Police Fund	12,783,781.00	8,387,194.00	4,396,587.00
Highway Fund Townwide	817,557.00	194,794.00	622,763.00
Highway Town Outside	5,238,530.00	1,220,542.00	4,017,988.00
Misc Special Revenue	175,700.00	175,700.00	-
<b>Total Town &amp; Highway</b>	<b>31,827,699.00</b>	<b>14,157,896.00</b>	<b>17,669,803.00</b>
Refuse District	2,668,872.00	41,800.00	2,627,072.00
Lighting District	274,587.00	2,000.00	272,587.00
Fire Protection District	4,132,368.00	7,600.00	4,124,768.00
Water Districts	1,178,702.00	211,650.00	967,052.00
<b>Total Special Districts</b>	<b>8,254,529.00</b>	<b>263,050.00</b>	<b>7,991,479.00</b>
Premium Assessment (ECSA)	48,862.94	-	48,862.94
Delinq. Water ECWA	1,807.93	-	1,807.93
Property Clean Up	830.00	-	830.00
<b>Total Other Items</b>	<b>51,500.87</b>	<b>-</b>	<b>51,500.87</b>
<b>GRAND TOTALS</b>	<b>40,133,728.87</b>	<b>14,420,946.00</b>	<b>25,712,782.87</b>

**MARILLA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,081,250.00	1,081,250.00	-
Highway Fund	627,000.00	506,000.00	121,000.00
<b>Total Town &amp; Highway</b>	<b>1,708,250.00</b>	<b>1,587,250.00</b>	<b>121,000.00</b>
Sanitation	440,400.00	9,720.00	430,680.00
Fire Protection District	448,315.00	18,315.00	430,000.00
Water Districts	260,000.00	4,500.00	255,500.00
<b>Total Special Districts</b>	<b>1,148,715.00</b>	<b>32,535.00</b>	<b>1,116,180.00</b>
Community Development	-	-	-
<b>Total Other Items</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>GRAND TOTALS</b>	<b>2,856,965.00</b>	<b>1,619,785.00</b>	<b>1,237,180.00</b>

**NEWSTEAD**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	2,205,004.00	1,159,681.00	1,045,323.00
General Fund Town Outside	253,793.00	253,793.00	-
Highway Fund Townwide	2.00	2.00	-
Highway Fund Town Outside	1,753,900.00	1,494,848.00	259,052.00
<b>Total Town &amp; Highway</b>	<b>4,212,699.00</b>	<b>2,908,324.00</b>	<b>1,304,375.00</b>
Water Districts	823,013.00	208,964.00	614,049.00
Fire Protection Districts	691,094.00	44,465.00	646,629.00

Refuse & Garbage	411,605.00	14,495.00	397,110.00
Drainage District	70,020.00	45,700.00	24,320.00
Sewer Districts	23,012.00	23,012.00	-
<b>Total Special Districts</b>	<b>2,018,744.00</b>	<b>336,636.00</b>	<b>1,682,108.00</b>
Delinquent Water	574.96	-	574.96
Unpaid Refuse	684.00	-	684.00
Ag Penalty	1,458.22	-	1,458.22
<b>Total Other Items</b>	<b>2,717.18</b>	<b>-</b>	<b>2,717.18</b>
<b>GRAND TOTALS</b>	<b>6,234,160.18</b>	<b>3,244,960.00</b>	<b>2,989,200.18</b>

**NORTH COLLINS**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,009,714.00	497,239.00	512,475.00
General Fund Town Outside	251,352.00	23,696.00	227,656.00
Highway Fund Townwide	65,638.00	1,673.00	63,965.00
Highway Fund Town Outside	780,884.00	583,409.00	197,475.00
<b>Total Town &amp; Highway</b>	<b>2,107,588.00</b>	<b>1,106,017.00</b>	<b>1,001,571.00</b>
Fire Protection District	198,843.00	12,395.00	186,448.00
Refuse District	204,803.00	-	204,803.00
Water District	41,800.00	29,910.00	11,890.00
Unpaid Water	4,405.45	-	4,405.45
<b>Total Special Districts</b>	<b>449,851.45</b>	<b>42,305.00</b>	<b>407,546.45</b>

GRAND TOTALS	2,557,439.45	1,148,322.00	1,409,117.45
--------------	--------------	--------------	--------------

**ORCHARD PARK**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	19,058,024.00	10,966,305.00	8,091,719.00
General Town Outside	1,060,390.00	1,060,390.00	-
Highway Town	5,878,674.00	909,583.00	4,969,091.00
Debt Service Fund	2,999,047.00	2,999,047.00	-
Total Town & Highway	28,996,135.00	15,935,325.00	13,060,810.00
Sanitary Sewer Districts	1,655,012.00	407,004.00	1,248,008.00
Water Districts	1,070,636.00	162,550.00	908,086.00
Drainage Districts	53,975.00	-	53,975.00
General Lighting	394,775.00	75,800.00	318,975.00
Consolidated Garbage	2,950,219.00	267,000.00	2,683,219.00
Fire District	4,263,860.00	161,000.00	4,102,860.00
Hydrant Districts	10,520.00	-	10,520.00
Total Special Districts	10,398,997.00	1,073,354.00	9,325,643.00
Delinq. Water ECWA & OP	2,279.37		2,279.37
Prorated/Delinq. Garbage	6,198.53		6,198.53
Property Maintenance	3,289.89		3,289.89
Ag Conversion	1,777.70		1,777.70
Total Other Items	13,545.49	-	13,545.49

GRAND TOTALS	39,408,677.49	17,008,679.00	22,399,998.49
--------------	---------------	---------------	---------------

**SARDINIA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,835,159.00	2,835,159.00	-
Highway Fund	1,146,500.00	1,146,500.00	-
Total Town & Highway	3,981,659.00	3,981,659.00	-
Fire Protection	432,083.00	432,083.00	-
Street Lighting	17,100.00	1,802.00	15,298.00
Total Special Districts	449,183.00	433,885.00	15,298.00
GRAND TOTALS	4,430,842.00	4,415,544.00	15,298.00

**TONAWANDA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	32,018,418.00	15,464,455.00	16,553,963.00
General Town Outside	28,593,569.00	14,788,622.00	13,804,947.00
Highway Town Outside	9,069,158.00	2,287,978.00	6,781,180.00
Total Town & Highway	69,681,145.00	32,541,055.00	37,140,090.00
Lighting Districts	1,891,430.00	301,000.00	1,590,430.00
Water Acq. & Storage	12,104,749.00	12,104,749.00	-
Fire Protection District	879,901.00	-	879,901.00
Fire Districts	3,853,929.00	492,245.00	3,361,684.00
Sewer Consolidated			



	17,374,275.00	14,874,000.00	2,500,275.00
Drainage Consolidated	710,717.00	100.00	710,617.00
Refuse & Garbage Cons.	8,992,437.00	314,600.00	8,677,837.00
Total Special Districts	45,807,438.00	28,086,694.00	17,720,744.00
Cleanup Spec. Assmt.	63,376.33	-	63,376.33
Unpaid Water	1,075,591.70	-	1,075,591.70
Omitted Tax - Town	530.02	-	530.02
Total Other Items	1,139,498.05	-	1,139,498.05
<b>GRAND TOTALS</b>	<b>116,628,081.05</b>	<b>60,627,749.00</b>	<b>56,000,332.05</b>

**WALES**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	958,364.00	958,364.00	-
Highway Fund	881,631.00	800,782.00	80,849.00
Total Town & Highway	1,839,995.00	1,759,146.00	80,849.00
Fire Protection	311,308.00	7,898.00	303,410.00
Lighting District	5,250.00	81.00	5,169.00
Refuse District	383,351.00	140,000.00	243,351.00
South Wales Fire District	115,797.17	-	115,797.17
Total Special Districts	815,706.17	147,979.00	667,727.17
<b>GRAND TOTALS</b>	<b>2,655,701.17</b>	<b>1,907,125.00</b>	<b>748,576.17</b>

**WEST SENECA**

FOR THE YEAR 2023	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	31,852,068.00	14,277,359.00	17,574,709.00
Highway Fund	12,565,271.00	2,588,363.00	9,979,101.93
Highway Credit (68005)	-	-	(2,193.93)
<b>Total Town &amp; Highway</b>	<b>44,417,339.00</b>	<b>16,865,722.00</b>	<b>27,551,617.00</b>
Sewer Districts	11,796,103.00	2,161,528.00	9,634,575.00
Water Districts	321,936.00	5,275.00	316,661.00
Special Assessment	1,000.00	-	1,000.00
Gas Lighting Districts	16,251.00	1,280.00	14,971.00
Electric Lighting Districts	126,933.00	5,325.00	121,608.00
Fire Districts	4,927,029.00	14,947.00	4,912,082.00
<b>Total Special Districts</b>	<b>17,189,252.00</b>	<b>2,188,355.00</b>	<b>15,000,897.00</b>
Delinquent Water	4,157.29		4,157.29
Demolition	7,185.00		7,185.00
Grass Cutting	12,320.00		12,320.00
Administration Fees	6,400.00		6,400.00
Premium Assessment	947,639.12	-	947,639.12
<b>Total Other Items</b>	<b>977,701.41</b>	<b>-</b>	<b>977,701.41</b>
<b>GRAND TOTALS</b>	<b>62,584,292.41</b>	<b>19,054,077.00</b>	<b>43,530,215.41</b>

FROM THE SHERIFF

Item 46 – MR. JOHNSON presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196

RE: Emergency Heliport Lease  
(COMM. 23E-13)

WHEREAS, the Erie County Sheriff's Office has a lease with Evans Airways airfield for the use of a hanger to store the Sheriff's helicopter (Air-1); and

WHEREAS, during the recent snow storm, the accumulation of snow onto the roof of the hanger caused structural damage resulting in a partial building collapse; and

WHEREAS, due to the repairs required and the need to house the aircraft in a secure location that is out of the elements, the Erie County Sheriff's Office has negotiated a month-to-month with Mercy Flight Inc. for hanger use; and

WHEREAS, the lease will cost the County \$1.00 per month.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Sheriff's Office and the County Executive to enter into a month-to-month lease agreement with Mercy Flight Inc., 100 Amherst Villa Road, Cheektowaga, New York, 14225, for storage of the Erie County Sheriff's Office helicopter; and be it further

RESOLVED, the lease will cost the County \$1.00 per month; 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 Erie County Comptroller, the Department of Public Works, and the Sheriff's Administration Division.

**FROM THE COUNTY EXECUTIVE**

Item 47 – (COMM. 23E-14) Appointments to the EC Advisory Board to the Division for Persons with Disabilities

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE SHERIFF**

Item 48 – (COMM. 23E-15) Axon Body Worn Cameras for ECSO Personnel

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE EC COMPTROLLER'S OFFICE**

Item 49– (COMM. 23D-1) EC Comptroller's Office Audit of the Department of Social Services

Received and referred to the HEALTH & HUMAN SERVICE COMMITTEE.

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 50 – (COMM. 23D-2) Budget Monitoring Report for Period Ending October 2022

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE PRESIDENT & CEO OF VISIT BUFFALO NIAGARA**

Item 51 – (COMM. 23M-1) Third Quarter Reports & Financial Statements for Period Ending September 30, 2022

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE BEVERLY MINGLE**

Item 52 – (COMM. 23M-2) Letter Supporting the Proposed 2023 Budget Allocation to the Buffalo & Erie County Public Library

Received and filed.

**FROM THE CHAIR, EC BOARD OF HEALTH**

Item 53 – (COMM. 23M-3) Proposed Revisions to the Erie County Sanitary Code

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE VILLAGE OF AKRON**

Item 54 – (COMM. 23M-4) Certified Resolution Opposing NYS Laws Concerning Firearm Restrictions

Received and referred to the PUBLIC SAFETY COMMITTEE.

**ANNOUNCEMENTS**

Item 55 – Chair Baskin announced that the next session of the Legislature will be held on Thursday, January 5, 2023, and wished everyone a wonderful holiday season.

**MEMORIAL RESOLUTIONS**

Item 56 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Vincent Joseph Caruana, Jr.

Item 57 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Hon. Gordon N. Willis.

Item 58 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Guy C. Meyers.

**ADJOURNMENT**

Item 59 - 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, January 5, 2023 at 12:00 Noon Eastern Standard Time. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, January 5, 2023 at 12:00 Noon Eastern Standard Time.

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