

ERIE COUNTY LEGISLATURE
MEETING NO. 12
JUNE 23, 2022

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Johnson, who requested a moment of silence in remembrance of the tragedy that occurred in East Buffalo on May 14, 2022.

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. MEYERS moved for the approval of the minutes for Meeting Number 11 from 2022. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. CHIMERA presented a proclamation Honoring and Recognizing Giulia Zanghi on Her Tenure as a Student Representative on the Board of Education - Ken-Ton School District.

Item 6 – MS. CHIMERA presented a proclamation Honoring and Recognizing Andrew Roland on His Tenure as a Student Representative on the Board of Education - Ken-Ton School District.

Item 7 – MR. BARGNESI & MS. CHIMERA presented a proclamation In Remembrance of Kenneth Feltges.

Item 8 – MS. VINAL presented a proclamation Congratulating AYLUS of Williamsville - Recipient of the President's Volunteer Service Award.

Item 9 – CHAIR BASKIN presented a proclamation In Remembrance of Crystal Barton.

Item 10 – MS. CHIMERA presented a proclamation Recognizing Nowhere Lounge.

Item 11 – MS. CHIMERA presented a proclamation Recognizing Fattey Beer Company.

Item 12 – MS. CHIMERA presented a proclamation Recognizing Jay's Artisan Pizza.

Item 13 – MR. BARGNESI presented a proclamation In Remembrance of Ray Marelo.

Item 14 – MS. VINAL presented a proclamation Honoring Saul Elkin - Retiring Founder of Shakespeare in Delaware Park.

Item 15 – CHAIR BASKIN & MR. JOHNSON presented a proclamation Congratulating & Recognizing Alliah L. Agostini on Writing Her Book "The Juneteenth Story".

Item 16 – MR. LORIGO presented a proclamation Honoring the Boys & Girls Club of East Aurora During National Boys & Girls Club Week.

Item 17 – MR. LORIGO presented a proclamation Honoring the Boys & Girls Club of Elma, Marilla, & Wales During National Boys & Girls Club Week.

Item 18 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer Michael Rybak.

Item 19 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer Adam Schnitzer.

Item 20 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer David Quick.

Item 21 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer David Jarczyk.

Item 22 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer Jeremy Maloney.

Item 23 – MR. LORIGO presented a proclamation Recognizing and Honoring School Resource Officer Stephen Cartwright.

Item 24 – MR. GREENE presented a proclamation Honoring WNY Foster Closet, Sleep in Heavenly Peace, and Victory Sports as Citizens of the Month.

Item 25 – MR. GREENE presented a proclamation Recognizing and Honoring School Resource Officer Jamie Givens.

Item 26 – MR. GREENE presented a proclamation Recognizing and Honoring School Resource Officer A.J. Patterson.

Item 27 – MR. GREENE presented a proclamation Recognizing and Honoring School Resource Officer Kevin Koscielniak.

Item 28 – MR. GREENE presented a proclamation Recognizing and Honoring School Resource Officer Steve Smith.

Item 29 – MR. GREENE presented a proclamation Recognizing and Honoring School Resource Officer Michael Ballow.

Item 30 – MR. TODARO presented a proclamation Recognizing and Honoring School Resource Officer John Zimmerman.

Item 31 – MR. TODARO presented a proclamation Honoring the Boys & Girls Club of Depew Lancaster.

Item 32 – MR. TODARO presented a proclamation Recognizing and Honoring Alyssa Kornacki for Receiving the Girl Scout Gold Award.

Item 33 – MR. TODARO presented a proclamation Recognizing and Honoring Juliana Peters for AIM Program Outstanding Senior of the Year.

Item 34 – MR. MILLS presented a proclamation Honoring Hannon Landscaping & Excavating for Over 50 Years in Business.

Item 35 – MR. MILLS presented a proclamation Honoring the Boys & Girls Club of Eden-Lake Shore During National Boys and Girls Club Week.

Item 36 – MR. MILLS presented a proclamation Honoring the Boys & Girls Club of Orchard Park During National Boys & Girls Club Week.

Item 37 – MR. MILLS presented a proclamation Honoring the Boys & Girls Club of Boston During National Boys & Girls Club Week.

MR. MEYERS moved for consideration of the above thirty-three items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above thirty-three items by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above thirty-three items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 38 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2022 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 39 – MR. MAYERS moved the take Local Law No. 2 (Print #1) 2022 from the table. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE
LOCAL LAW INTRO. – NO. 2-1, 2022
LOCAL LAW – NO. _____ - 2022

Amendment to Local Law 3-1997, as amended by Local Law 5 (1997), increasing the threshold of property tax exemptions for veterans of the United States Armed Services

SECTION 1: Legislative Intent

Erie County last increased the exemptions cap on the value of real property owned by veterans through Local Law – 5 (1997). In the ensuing twenty-four years, inflation and rising property values have diminished the utility of this exemption as it was originally intended. It is a finding of this body, which has been supported by past practices, that veterans are deserving of these sorts of exemptions and as such we seek to raise the exemptions from their current rates to that listed in Section 2 of this law.

SECTION 2: Amendment to Erie County Local Law 3 (1997), as amended by Local Law 5 (1997)

Pursuant to paragraph (d)(ii) of subdivision two of section four hundred fifty-eight-a of the New York State Real Property Tax law, as amended, the maximum exemption from taxation of qualified real property under real property tax exemptions allowable to qualified veterans in Erie County under paragraphs (a), (b), and (c) of subdivision two of section four hundred fifty-eight-a of the real property tax law shall be: with respect to paragraph (a) of said subdivision, thirty thousand dollars; with respect to paragraph (b) of said subdivision, twenty thousand dollars; and with respect to paragraph (c) of said subdivision, one-hundred thousand dollars.

SECTION 3. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

SECTION 4. Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be

adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Sponsors: Legislators Todaro, Greene, Lorigo, Mills, Baskin, Meyers, Johnson, Chimera, Bargnesi, Vinal, and Gilmour

MR. MEYERS moved to approve Local Law No. 2 (Print #1) 2022. MR. LORIGO seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 93

June 16, 2022	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GILMOUR.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16M-15 (2021)
NY COALITION FOR OPEN GOVERNMENT, INC.: “Letter to County Executive Concerning Commitment to Transparency and the Buffalo Bills Stadium Negotiations”
(Chair’s Ruling)
 - b. COMM. 2M-1 (2022)
HODGSON RUSS LLP: “Buffalo City Cemetery ("Forest Lawn") Mergers”
(Chair’s Ruling)

- c. COMM. 4D-1 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”
(Chair’s Ruling)
- d. COMM. 6D-1 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- e. COMM. 8D-2 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
- f. COMM. 9E-16 (2022)
COUNTY CLERK: “2021 Annual Report”
(Chair’s Ruling)
- g. COMM. 10E-4 (2022)
COUNTY CLERK: “Erie County Clerk's ZOMBIE Initiative Tax Delinquency Report”
(Chair’s Ruling)
- h. COMM. 11E-1 (2022)
COUNTY EXECUTIVE: “Letter to County Clerk Regarding CSEA Contract Requirements”
(Chair’s Ruling)
- i. COMM. 11E-4 (2022)
COUNTY EXECUTIVE: “Letter Designating Acting County Attorney”
(Chair’s Ruling)
- j. COMM. 11D-3 (2022)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)

JOHN A. BARGNESI, JR.
CHAIR

Item 41 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94

June 16, 2022	PUBLIC SAFETY COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 11E-15 (2022)
SHERIFF

WHEREAS, the Erie County Sheriff's Office offers numerous educational and re-entry programs for incarcerated individuals; and

WHEREAS, the Sheriff's Office seeks to renew its contract with Prisoners are People Too, Inc; and

WHEREAS, Prisoners are People Too, Inc., will provide a series of presentations over 10-weeks titled "Restorative Circles."

The topics will include:

- Living Together as a Community;
- Exploring Dimensions of Identity/Who am I Really?
- Core Self/Seeing the Light Instead of the Lampshade;
- Pick an Emotion/Emotional Weather Report;
- Unfairness in Life/Jesse's Story/ Dealing with Losses in My Life;
- Understanding trauma/ What Went Right in Your Family;
- Gender Box/Self-Love;
- Elements of Healthy Relationships/Choosing Trustworthy Friends;
- Family Connections;
- Talking about Sex/sexual Relationships and Emotional Needs.

and

WHEREAS, the contract will not exceed \$4,950.00, and the term will be one (1) year; and

WHEREAS, these professional agreements will not have any fiscal impact on the 2022 County Budget because commissary funds will be utilized.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the County Executive and the Erie County Sheriff's Office to enter into an agreement with Prisoners are People Too, Inc., 4305 Union Road, Cheektowaga, New York 14225; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make any payments for the approved agreements; and be it further

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

(6-0)

2. COMM. 11E-16 (2022)
SHERIFF

WHEREAS, the New York State Office of Mental Health’s Suicide Prevention Center (OMH SPC) and the Research Foundation for Mental Hygiene, Inc., founded the CARES UP grant and created programming to help first responders and uniformed personnel; and

WHEREAS, the Erie County Sheriff’s Office has been selected to receive \$40,000.00 from the group; and

WHEREAS, this funding will be utilized to develop a mental health, wellness, and resiliency program for the agency; and

WHEREAS, the primary purpose of this demonstration project is to develop programming to prevent officer and first-responder suicides; and

WHEREAS, the program will be developed in conjunction with the Research Foundation for Mental Hygiene and the New York State Office of Mental Health; and

WHEREAS, this resolution accepts \$40,000.00 in grant funding and will provide for all expenses needed to support this program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff to enter into a contract with the New York State Office of Mental Health Suicide Prevention Center to accept \$40,000.00; and be it further

RESOLVED, the Fund Center is 11510, and the grant will be allocated to the following accounts:

ERIE COUNTY SHERIFF'S OFFICE
FY 2021 CARES UP Grant

<u>REVENUE</u>		<u>DECREASE</u>
409020	Revenue	<u>\$40,000.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
501000	Overtime	\$36,800.00
505000	Office Supplies	\$500.00
510500	Out of Area Travel	\$1,700.00
530000	Other Expenses	\$1,000.00
	Total Revenue	<u>\$40,000.00</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary transfers and to make any technical adjustments necessary to effectuate these transfers 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 the approved resolution shall be sent to the County Executive, the County Attorney, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.
(6-0)

3. COMM. 11E-17 (2022)
SHERIFF

WHEREAS, the Sheriff's Office has been the primary law enforcement agency at the stadium for the Buffalo Bills' home games; and

WHEREAS, currently, there is an agreement the Erie County Sheriff's Office post 155 Deputies at each Bills' game at the Stadium for public safety; and

WHEREAS, since the pandemic, the Sheriff's Office has found it increasingly difficult to fulfill the posts with the current manpower pool, and because there are only 155 active positions, the Sheriff's Office cannot increase the reserve of qualified individuals to fill positions if someone calls in sick or cannot work the event for other reasons; and

WHEREAS, the Sheriff's Office seeks to increase this manpower pool to ensure the agency meets the required amount of posts set forth in the agreement between the County and the Buffalo Bills; and

WHEREAS, because of the agreement, the Sheriff's Office is limited to the number of seasonal Deputies it can deploy at the event. Therefore, the Sheriff's Office is not seeking to increase the number of deployed Deputies, rather to have access to a larger pool call upon when individuals cannot work events; and

WHEREAS, because there is a limit to the number of Deputies deployed for the event, there is no financial impact to the 2022 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to create seventy (70) Deputy Sheriff Security Reserve (Seasonal) positions; and be it further

RESOLVED, that the Division of Budget and Management and the Commissioner of Personnel are authorized to make any changes necessary to effectuate the change; and be it further

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

4. COMM. 11E-18 (2022)
SHERIFF

WHEREAS, due to the responsibilities and schedules of the Undersheriff and the Jail Management Superintendent, it is appropriate and necessary to create confidential secretaries for the positions; and

WHEREAS, the Sheriff's Office has identified three vacant positions that can be deleted to fund the two Confidential Secretary positions; and

WHEREAS, the Sheriff's Office is deleting one Records Clerk position (#7794) with total yearly wages of \$41,132.00, one Records Clerk (#51005966) with total yearly wages of \$47,925.00, and one Receptionist position (#51011253) with annual totals wage of \$33,440.00; and

WHEREAS, the Sheriff's Office is creating a Confidential Secretary – Undersheriff (JG 8, step 0) and a Secretary – Superintendent Correctional Facility (JG 7, step 0); and

WHEREAS, Section 2507b of the Erie County Charter states that independently elected officials have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds needed to effectuate this change are available within the Erie County Sheriff's Office adopted 2022 budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to delete the following positions:

One (1) Records Clerk position, Position #7794, JG 6;

One (1) Records Clerk position, Position 51005966, JG 6;

One (1) Receptionist position, Position #51011253, JG 5; and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to create one (1) Confidential Secretary – Undersheriff, Job Group 8, step 0 position with an annual wage of \$47,815.00; and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and the Personnel Department to create one (1) Confidential Secretary – Superintendent Correctional Facility, Job Group 7, step 0 position with an annual wage of \$45,026.00; and be it further

RESOLVED, that the Division of Budget and Management and the Commissioner of Personnel are authorized to make any changes necessary to effectuate the change; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive's Office, the Department of Personnel, the Division of Budget and Management, and the Erie County Sheriff's Office.

(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 42 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95

June 16, 2022	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.
(Chair's ruling)

JOHN J. GILMOUR
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 96

June 16, 2022	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT, EXCEPT CHAIR MEYERS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 11E-5 (2022)
COUNTY EXECUTIVE: "ECSD No. 3 Engineer Term Contract Agreement"
(Chair's Ruling)
 - b. COMM. 11E-6 (2022)
COUNTY EXECUTIVE: "ECSD No. 3 Engineer Term Contract Agreement"
(Chair's Ruling)

2. COMM. 10E-22 (2022) AS AMENDED
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract Nos. 72-A and 72-D at 10:00 a.m. on June 2, 2022:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 72A General/Mechanical	Hohl Industrial Services Inc. 770 Riverview Blvd Tonawanda, NY 14150	\$ 3,100,000.00
Contract 72D Electrical	CIR Electric Construction Corporation 2517 Long Road Grand Island, NY 14072	\$ 262,500.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; and

WHEREAS, the Division of Sewerage Management has determined this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Southtowns Influent Pumps Replacement Project, Erie County Sewer District No. 3, Contract Nos. 72-A and 72-D be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 72A General/Mechanical	Hohl Industrial Services Inc. 770 Riverview Blvd Tonawanda, NY 14150	\$ 3,100,000.00
Contract 72D Electrical	CIR Electric Construction Corporation 2517 Long Road Grand Island, NY 14072	\$ 262,500.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$3,362,500.00 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract Nos. 72-A and 72-D; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the capital project and the budgets be adjusted accordingly; 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 and Planning.
(5-0)

3. COMM. 11E-12 (2022)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides support to the Northwest and the Northeast-Southtowns Solid Waste Management Boards for solid waste and recycling planning and implementation of their Solid Waste Management Plans; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities to implement projects to reduce solid waste in New York; and

WHEREAS, the NYSDEC awarded Erie County a one-year recycling grant of \$87,005.00 for a Municipal Waste Reduction and Recycling (MWRR) Coordination Program; and

WHEREAS, the acceptance of this funding necessitates the execution of a grant contract with the NYSDEC, as well as the creation of a grant budget, continuing a Senior Environmental Compliance Specialist (JG- 12) position (B-11961) and establishing one Intern Seasonal (JG-01) position (B-12966); and

WHEREAS, NYSDEC identified Recycle Coach as a sub-awardee in the approved work plan to provide customized web interface to assist municipalities with recycling education and outreach.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$87,005.00 from the NYSDEC for the purpose of continuing the County's MWRR Coordination Program; and be it further

RESOLVED, that the grant budget and project period for the NYSDEC MWRR Coordination Program is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

New York State Department of Environmental Conservation Waste Reduction and Recycling
Coordination Grant (Grant Period: 1/1/2022 - 12/31/2022),
SAP Grant 1 62MWRRCG2022

REVENUE

Account	Description	Amount
402499	Other Local Source Revenue (Solid Waste Boards)	\$20,250.00
409000	State Aid Revenue	\$87,005.00
559000	County Share Grants	\$66,755.00
TOTAL REVENUE:		\$174,010.00

APPROPRIATIONS

Account	Description	Amount
500000	Regular Full Time Wages	\$73,910 .00
500030	Seasonal Wages	\$11,000.00
502000	Fringe Benefits	\$40,600.00
510100	Out of Area Travel	\$2,000.00
510200	Training and Education	\$3,000.00
516020	Professional Services	\$21,200.00
530000	Other (Promotional)	\$13,000.00
545000	Rental	\$9,300.00
TOTAL APPROPRIATIONS:		\$174,010.00

and be it further

RESOLVED, that the following positions, for which sufficient funding for personnel services and fringe benefits exists, will be funded in the above program:

Senior Environmental Compliance Specialist (JG-12)
B-100 No. 11961
Budgeted Annual Salary: \$73,910

Intern Seasonal (JG-01)
B-100 No. 12966
Budgeted Annual Salary \$11,000

and be it further

RESOLVED, that the County Executive or the Deputy County Executive execute a contract with grant sub-awardee, Recycle Coach, in the amount of \$20,000 to provide customized web interface to assist municipalities with recycling education and outreach; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Daniel R. Castle, Commissioner of the Department of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of the Department of Environment and Planning.

(5-0)

JEANNE M. VINAL
ACTING CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 97

June 16, 2022	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MEYERS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO. 4-1 (2022)
LORIGO, GREENE, TODARO & MILLS: “Opposition to New Overtime Rules Being Imposed on Farmers”
(Chair’s Ruling)
 - b. COMM. 7M-5 (2022)
NYSAC: “Resolution Supporting Maintaining the 60-Hour Work Week for Farm Workers”
(Chair’s Ruling)
 - c. COMM.11E-2 (2022)
COUNTY EXECUTIVE: “Letter to County Clerk Regarding the ZOMBIE Initiative Tax Delinquency Report”
(Chair’s Ruling)
 - d. COMM. 11M-1 (2022)
TOWN OF MARILLA: “Letter Regarding the Status and Condition of County Roads in Marilla”

(Chair's Ruling)

2. COMM. 11E-9 (2022)
COUNTY EXECUTIVE

WHEREAS, via COMM 21E-12 (December 16, 2021) your Honorable Body approved an amendment to the existing engineering services agreement with Bergmann Associates for the Rehabilitation of Borden Road; and

WHEREAS, \$19,550 of the contract amendment was going to be funded from Fund 420, Funds Center 123, Capital Project B.20005 – 2020 Preservation of Roads; and

WHEREAS, it is necessary to change that funding source to Fund 420, Funds Center 123, Capital Project B.17003 – 2017 Preservation of Roads.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the noted change in funding sources for the amendment to Bergmann Associates engineering services contract; and be it further resolved

RESOLVED, that funding for the amendment to Bergmann Associates engineering services contract is hereby appropriated from Fund 420, Funds Center 123, and made available for the project as follows:

B.17003 -	2017 Preservation of Roads	\$19,550
	Total	\$19,550

and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded 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 Office of the County Attorney, and the Office of the Comptroller.

(5-0)

3. COMM. 11E-10 (2022)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project on Tuesday November 30, 2021 and the responsible bidder for General Construction Work is Scott Lawn Yard Inc. per previously approved resolution (COMM. 25E-11 (2021)); and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, there is a need to increase the construction contingency fund to allow for the additional non-compliant ADA ramp and sidewalk replacement scope at North Campus, and other

unforeseen site conditions; and this work will contribute to compliance with the NYSED Voluntary Compliance Plan and eliminate hazardous pedestrian conditions that may potentially cause injury respectively; and

WHEREAS, it is not anticipated that any of the additional construction contingency fund requested herein will be used at the South Campus; and

WHEREAS, the County Executive is requesting authorization to increase the Construction Contingency Fund for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project by \$172,219 from \$177,781 to \$350,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the Construction Contingency Fund for the SUNY Erie Community College Campus-wide 2021 Sidewalk and Concrete Curb Replacement project by \$172,219 from \$177,781 to \$350,000 and to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved capital budgets, Fund 480, Funds Center 122, follows:

E.20001	2020 Collegewide Improvements and Renovations	\$ 172,219
	For a Total Amount Not to Exceed	\$ 172,219

and be it further

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

(5-0)

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

WHEREAS, Sutton Place Housing Project consists of the rehab and renovation of an affordable housing property under US Department of Housing and Urban Development Section 8 contract into two hundred and fifty-six (256) affordable rental units located at 113 Traverse Boulevard; Amherst, NY; 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 Sutton Place LLP and/or Sutton Place Housing Development Fund Company Inc. to operate the housing project it is necessary to extend tax relief from the County of Erie and the Town of Amherst.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Sutton Place LLP and/or Sutton Place Housing Development Fund Company Inc., and the Town of Amherst, 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 Payments

Year	Total	Town	School	County
1	\$ 197,966	\$ 89,085	\$ 59,390	\$ 49,492
2	\$ 203,905	\$ 91,757	\$ 61,171	\$ 50,976
3	\$ 210,022	\$ 94,510	\$ 63,007	\$ 52,506
4	\$ 216,323	\$ 97,345	\$ 64,897	\$ 54,081
5	\$ 222,812	\$ 100,266	\$ 66,844	\$ 55,703
6	\$ 229,497	\$ 103,274	\$ 68,849	\$ 57,374
7	\$ 236,382	\$ 106,372	\$ 70,915	\$ 59,095
8	\$ 243,473	\$ 109,563	\$ 73,042	\$ 60,868
9	\$ 250,777	\$ 112,850	\$ 75,233	\$ 62,694
10	\$ 258,301	\$ 116,235	\$ 77,490	\$ 64,575
11	\$ 266,050	\$ 119,722	\$ 79,815	\$ 66,512
12	\$ 274,031	\$ 123,314	\$ 82,209	\$ 68,508
13	\$ 282,252	\$ 127,013	\$ 84,676	\$ 70,563
14	\$ 290,720	\$ 130,824	\$ 87,216	\$ 72,680
15	\$ 299,441	\$ 134,749	\$ 89,832	\$ 74,860
Total	\$ 3,681,953	\$ 1,656,879	\$ 1,104,586	\$ 920,488

(5-0)

5. COMM. 11E-13 (2022)
COUNTY EXECUTIVE

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial, or recreational; and

WHEREAS, County of Erie, City of Lackawanna, Erie County Industrial Development Agency, continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel site into Renaissance Commerce Park; and

WHEREAS, the development of signage and wayfinding is necessary for the commercial development of the site; and

WHEREAS, the Erie County Legislature in the 2021 Year-End Budget Balancing Amendments and Designations (Comm.8E-1) (2022) allocated funding in the amount of \$150,000 towards the development of signage at Renaissance Commerce Park.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the Erie County Industrial Development Agency or Buffalo and Erie County Industrial Land Development Corporation as needed to facilitate the development of signage and wayfinding at Renaissance Commerce Park; and be it further

RESOLVED, that the source of the funds for the aforementioned contract in the amount \$150,000 shall be Fund 110, Cost Center 1620070, General Ledger 570050, Funds Reservation 100001127; 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 Commissioner of the Department of Environment and Planning; Commissioner of Real Property, Commissioner of Parks, Recreation and Forestry and the County Attorney.
(5-0)

6. COMM. 11E-19 (2022)
COUNTY EXECUTIVE

WHEREAS, the 2022 Adopted County Budget contains thirty-four capital projects designated for financing via the issuance of bonds; and

WHEREAS, one of these projects, DPW (Buildings and Grounds) – Rehabilitation of New Era Field – 10th Year CIA, is intended for a facility which will be demolished prior to the 25-year maturity date of the bonds set to be issued to finance it; and

WHEREAS, county-share funding budgeted for this project which was to be bonded totaled \$2,203,854; and

WHEREAS, switching this project to pay-as-you-go (“PAYGO”) funding and eliminating the need to bond for this project will save Erie County interest and debt issuance costs; and

WHEREAS, Erie County recently received \$16,050,531 in unbudgeted revenue from prior-year casino aid owed to the State of New York and select municipalities providing adequate funding for the conversion of this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby the following budget modifications;

<u>Department</u>	<u>Account</u>	<u>Increase/ (Decrease)</u>
General Fund 110 - Expense Adjustments		
12220	DPW Building & Grounds	
	570050 Interfund Transfers Capital	2,203,854
	<u>DPW Building & Grounds Total</u>	<u>2,203,854</u>
<hr/>		
	<u>Total General Fund 110 Expense Adjustments</u>	<u>2,203,854</u>
General Fund 110 - Revenue Adjustments		
14010	County-wide Acct Budget	
	402250 Gaming Facilities Aid	2,203,854
	<u>County-wide Acct Budget Total</u>	<u>2,203,854</u>
<hr/>		
	<u>Total General Fund 110 Revenue Adjustments</u>	<u>2,203,854</u>
<hr/>		
	<u>Net General Fund 110 Adjustments</u>	<u>0</u>

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)

HOWARD J. JOHNSON, JR.
CHAIR

Item 45 – MS. CHIMERA presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 98

June 16, 2022	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 11E-7 (2022)
COUNTY EXECUTIVE

WHEREAS, the Alzheimer’s Association of Western New York Chapter (Association) estimates that there are close to 20,000 Erie County residents suffering from Alzheimer’s Disease, and over 54,000 family caregivers striving to meet their needs; and

WHEREAS, since 2016 the Department of Senior Services, in conjunction with the six other counties of Western NY, has, through the Association, received annual New York State Department of Health Alzheimer Disease Caregiver Support Initiative (ADCSI) grant funding to provide care consultations and respite services; and

WHEREAS, the Association has recently awarded the Department of Senior Services \$224,121 of ADCSI grant funds for period July 1, 2022 to June 30, 2023, which will be the first year of funding in a five-year grant award period; and

WHEREAS, no additional County funds are required, as the grant is 100% funded by the grantor; and

WHEREAS, the Department also desires to transfer Case Manager (Senior Services) position #870 from its 163III-E2022 grant to this new 163ADCSI2223 grant to have a position dedicated to perform ADCSI activities and also free up appropriations in the III-E grant to provide additional homecare services for eligible caregivers.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to contract with the Alzheimer’s Disease and Related Disorders Association, Inc. d/b/a Alzheimer’s Association Western New York Chapter, to accept the \$224,121 of ADCSI funding for the period July 1, 2022 to June 30, 2023; and be it further

RESOLVED, effective July 1, 2022 Case Manager (Senior Services) position #870 transfers from the 163III-E2022 grant to the new 163ADCSI2223 grant as per B100 #12973; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with the Alzheimer’s Association to effectuate changes to funding levels or grant period; and be it further

RESOLVED, that the budget for the 163ADCSI2223 grant, be established as follows:

REVENUES		BUDGET
Account	Description	
414000	Federal Revenue	\$224,121

APPROPRIATIONS		BUDGET
Account	Description	
500000	Full Time – Salaries	\$ 49,163
502000	Fringe Benefits	\$ 40,827
510000	Local Mileage Reimbursement	\$ 1,646
516020	Pro Ser Cnt and Fees	\$ 14,500
516023	Adult Day Care	\$ 17,385
516026	Home Care Services	\$ 69,375
530000	Other Expenses	\$ 800
916390	ID Senior Srvs Grant	<u>\$ 30,425</u>

TOTAL APPROPRIATIONS \$224,121

and be it further

RESOLVED, that the budget for the 163III-E2022 grant be amended as follows:

		INITIAL		AMENDED
		BUDGET	CHANGE	BUDGET
APPROPRIATIONS				
500000	Full Time - Salaries	\$214,448	(23,516)	\$190,932
502000	Fringe Benefits	\$131,000	(18,241)	\$112,759
516026	Home Care Services	\$100,000	+41,757	\$141,757
	TOTAL	\$445,448	-0-	\$445,448

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the budget as required to comply with the Alzheimer’s Association approved funding levels; and be it further

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

(6-0)

2. COMM. 11E-8 (2022)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County; and

WHEREAS, the Erie County Department of Mental Health’s Forensic Mental Health Division is responsible for the provision of behavioral health services to the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, as part of the ongoing process to increase efficiency for delivery of Forensic Mental Health services in both the Erie County Holding Center and Erie County Correctional Facility improvements are both necessary and appropriate; and

WHEREAS, additional IT-related purchases are therefore required to obtain maximum technological efficiency for current staff in its efforts to achieve better consumer outcomes as well as to help them meet time-sensitive deadlines to remain DOJ compliant; and

WHEREAS, an amount not to exceed \$35,000 in funding will be required and is available through a combination of various budget transfers and less-than-anticipated Fringe Benefits costs within the Forensic Mental Health Division.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Mental Health:

Mental Health Department 2022 Budget
Forensic Mental Health Division - Fund Center 12420

Expense		Increase/(Decrease)
510000	Local Mileage Reimb (12420)	\$ (3,125)
510100	Out of Area Travel (12420)	\$ (3,793)
510200	Training and Education (12420)	\$ (4,100)
561420	Office Furn & Fixt (12420)	\$ (5,920)
502000	Fringe Benefits (12420)	\$ (18,062)
561410	Lab & Tech Equip (12420)	\$ 35,000
	Total Expense	\$ 0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, and to Mark O’Brien, Commissioner of Mental Health.

(6-0)

3. COMM. 11E-14 (2022)
COUNTY EXECUTIVE

WHEREAS, ECDOH does not currently have adequate funds to purchase additional testing and medical supplies to address futures waves of the COVID-19 pandemic; and

WHEREAS, Erie County has set aside funds it received from the American Rescue Plan to help our community address the pandemic; and

WHEREAS, in order to spend the set-aside COVID funds on testing supplies, they must be transferred to the appropriate Fund Center; and

WHEREAS, is requesting authorization to transfer \$3 million between accounts within Fund 253, Fund Center 12700; and

WHEREAS, this transfer of funds will be used to buy testing and medical supplies, including the 50,000 Rapid Tests and 50,000 PCR Tests.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers are authorized in Fund 253, Fund Center 12700:

Mental Health Department 2022 Budget
Forensic Mental Health Division - Fund Center 12420

ACCOUNT	DESCRPITION	INCREASE/(DECREASE)
516044	COVID 19 Mitigation-American Rescue	(\$ 3,000,000)
505800	Medical and Health Supplies	\$3,000,000

RESOLVED, that 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, and Dr. Gale Burstein, the Commissioner of Health.

(6-0)

LISA M. CHIMERA
CHAIR

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 99

RE: Establishing a Standard Work
Day for Elected Officials
(INTRO. 12-1)

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

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's Time Keeping System</u>	<u>Days/ Month (Based on Record of Activities)</u>
County Comptroller	Kevin R. Hardwick	7	01/01/2022 - 12/31/2025	N	24.97
Legislator	Howard J. Johnson, Jr.	6	01/01/2022 - 12/31/2023	N	27.72
Legislator	April N.M. Baskin	6	01/01/2022 - 12/31/2023	N	24.14
Legislator	John A. Bargnesi, Jr.	6	01/01/2022 - 12/31/2023	N	22.45
Legislator	Jeanne M. Vinal	6	01/01/2022 - 12/31/2023	N	25.82
Legislator	Christopher D. Greene	6	01/01/2022 - 12/31/2023	N	22.64
Legislator	Frank J. Todaro	6	01/01/2022 - 12/31/2023	N	23.60
Legislator	John J. Gilmour	6	01/01/2022 - 12/31/2023	N	23.17
Legislator	Joseph C. Lorigo	6	01/01/2022 - 12/31/2023	N	23.62
Legislator	John J. Mills	6	01/01/2022 - 12/31/2023	N	27.88

and be it further

RESOLVED, that a certified copy of this resolution shall be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the New York State Comptroller, Erie County Commissioner of Personnel and to Laurie Haug, Senior Payroll and Roster Clerk – Erie County Department of Personnel.

Item 47 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

RE: Declaring May 14 Stand Against
White Nationalism Day in Erie
County
(INTRO. 12-2)

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

WHEREAS, on May 14, 2022 a White man, driven by racism and poisoned by online extremism infiltrated our city and massacred Black citizens in an attempt to terrorize the Black Community with a mass shooting at the Tops grocery store on Jefferson Avenue in Buffalo; and

WHEREAS, this white nationalist murdered ten people in cold blood and injured three; and

WHEREAS, the white nationalist chose the location because it was predominantly frequented by Black residents; and

WHEREAS, the mass shooter was influenced by the hateful and pernicious “Replacement Theory”; and

WHEREAS, “Replacement Theory” has been the cornerstone of racist and white nationalism ideology for more than a century; and

WHEREAS, the shooter frequented online forums and spaces that promoted hateful, racist doctrines; and

WHEREAS, in recent years there has been a systematic effort to conceal the history of white nationalism movements in America; and

WHEREAS, in recent years hate groups have increased by 30 percent in the past four year in the United States; and

WHEREAS, the Federal Bureau of Investigations reported 176 cases of hate crimes, reported in Buffalo in the past decade, and

WHEREAS, in 2020 a Lockport white nationalist said he defied Cheektowaga police after they charged him with littering for tossing Racial Nationalist Party of America literature onto lawns and driveways, and

WHEREAS, in 2016 the National Socialist Movement, a neo-Nazi organization, held a rally in South Buffalo Cazenovia Park, and

WHEREAS, Buffalo ranks as the sixth most racially and economically segregated metropolitan area in the country, and

WHEREAS, there is a long history in this country of white mobs terrorizing Black neighborhoods; and

WHEREAS, we owe it to those who were killed and their survivors to call out hatred and bigotry and to acknowledge that these shameful and harmful ideas continue to capture hearts and minds in the 21st century.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature declares that every May 14th in perpetuity will be “Stand Against White Supremacy Day”; and be it further

RESOLVED, the Legislature will work with community organizations and professionals whose focus is anti-racism to develop strategies to combat racism and white supremacy; and be it further

RESOLVED, copies of this resolution will be given to the Erie County Executive, the Erie County District Attorney, the Erie County Sheriff and the Erie County Clerk.

MR. MEYERS moved to amend the resolution by including MR. BARGNESI, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS, MS. VINAL, MR. GREENE and MR. TODARO as Co-Sponsors. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

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

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO, MR. BARGNESI, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 48 – MR. MEYERS moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 11E-3 (2022). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 101

RE: SUNY Erie Community College 2022-2023 Budget
(COMM. 11E-3, 2022)

RESOLVED, that the Erie County Legislature does hereby approve the 2022-2023 Budget of SUNY Erie Community College as adopted by the ECC Board of Trustees, and submitted to this Honorable Body by the County Executive on June 3, 2022, with no changes.

MR. MEYERS moved to approve the item. MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. GREENE, MR. BARGNESI, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 8; NOES: 3)

CARRIED.

Item 49 – MR. MEYERS moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 11E-20 (2022). MS. CHIMERA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102

RE: Department of Health – Personnel
Adjustment – Surveillance &
Epidemiology
(COMM. 11E-20, 2022)

WHEREAS, Erie County Department of Health (ECDOH) epidemiologists monitor the community for the presence of communicable diseases; provide information on communicable diseases, including preventative measures, to members of the medical community, the public, and individuals exposed to communicable diseases; and investigate outbreaks or unusual occurrences of disease, then instituting or recommending appropriate control measures; and

WHEREAS, one Epidemiologist (JG-15), one Associate Epidemiologist (JG-13), one Assistant Epidemiologist (JG-11), and two Epidemiologists (JG-9) are budgeted in the ECDOH Surveillance and Epidemiology Cost Center; and

WHEREAS, since the COVID-19 pandemic, the epidemiology work of ECDOH has changed dramatically; and

WHEREAS, ECDOH needs more epidemiologists able to perform job duties that are found in the more advanced titles in the epidemiologist job series; and

WHEREAS, the current allocation of job titles in the epidemiologist job series has too few on the higher end and too many on the lower end; and

WHEREAS, the Surveillance & Epidemiology Cost Center also has one vacant Senior Clerk-Typist; ECDOH would like to delete the vacant position to fund the change of one Junior Epidemiologist to an Assistant Epidemiologist.; and

WHEREAS, in addition to savings from fringe benefits, the salary for the one Assistant Epidemiologist position would be at least \$25,000 less than the Senior Clerk-Typist and Junior Epidemiologist positions.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby deletes the positions of Senior Clerk-Typists and Junior Epidemiologist and adds the position of Assistant Epidemiologist in Fund 110, Fund Center 12700, Cost Center 1271250 (B100 #13041); and be it further

RESOLVED, that 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, and Dr. Gale Burstein, the Commissioner of Health.

MR. MEYERS moved to amend the item. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Delete the first resolved clause and replace with the following:

RESOLVED, the Erie County Legislature hereby deletes the positions of Senior Clerk-Typist (JG-04) and Junior Epidemiologist (JG-09) and adds the position of Assistant Epidemiologist (JG-11) in Fund 110, Fund Center 12700, Cost Center 1271250 (B100 #13041); and be it further

MR. MEYERS moved to approve the item as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 50 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 12E-32 from BASKIN Re: Letter to County Commissioner of Central Police Services Concerning the County's E-911 Communication Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 51 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 12E-33 from COMPTROLLER Re: Letter Concerning Proposed CSEA Local 815 Erie Unit Collective Bargaining Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 52 – (COMM. 12E-1) Request for Information Regarding Managerial Confidential (MC) Overtime

Item 53 – (COMM. 12E-2) Department of Law Risk Retention Fund Spending - April 2022

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

FROM THE COUNTY CLERK

Item 54 – (COMM. 12E-3) Letter Regarding Proposal to Bring Guns into County Clerk and Auto Bureau Offices

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 55 – (COMM. 12E-4) Analysis of SUNY Erie Community College's 2022-2023 Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR GREENE

Item 56 – (COMM. 12E-5) Letter to Commissioner of Social Services Regarding Protocol for Burial of Unclaimed Persons

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 57 – (COMM. 12E-6) Letter Concerning the Implementation of COMM. 8E-33, a Resolution Imposing a Two Dollar Cap on the Collection of Sales Taxes on Motor Fuel

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATORS LORIGO, GREENE, TODARO & MILLS

Item 58 – (COMM. 12E-7) Letter to ECMC President Regarding a Constituent Concern

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 59 – (COMM. 12E-8) Air-1 Mechanic Contract for FAA Inspection and Repairs

Item 60 – (COMM. 12E-9) ECSO BTAT Positions

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 61 – (COMM. 12E-10) Isle View Park Enhancement Project - Authorization to Accept Grant Funding & Enter Into an Agreement for Design

Item 62 – (COMM. 12E-11) Authorization to Enter Into an Agreement with a Design, Engineering, and Construction Management Services Firm for the Development of a Middle Mile Fiber Optic Network

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

Item 63 – (COMM. 12E-12) Times Beach Debris Removal Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 64 – (COMM. 12E-13) PILOT Agreement for the Blocher Homes Housing Project - Town of Amherst

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 65 – (COMM. 12E-14) Environmental Management Council Editing Services Agreement

Item 66 – (COMM. 12E-15) Solid Waste Audit and Waste Analysis of Erie County Facilities and Sites

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

Item 67 – (COMM. 12E-16) Indigent Legal Services Grant - ILS Distribution #12

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 68 – (COMM. 12E-17) Contract for Engineering Design Services - Village of East Aurora

Item 69 – (COMM. 12E-18) Contract for Engineering Design Services - Town of Sardinia

Item 70 – (COMM. 12E-19) Contract for Engineering Design Services - Town of Holland

Item 71 – (COMM. 12E-20) Live Burn Training Building Repairs - Chestnut Ridge Park & Amherst Locations

Item 72 – (COMM. 12E-21) Erie County Rath Building Sub-Basement & Garage Rehab

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

Item 73 – (COMM. 12E-22) Authorization to Amend the Energy Performance Contract

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 74 – (COMM. 12E-23) Health Lab Building Programming & Design Amendment

Item 75 – (COMM. 12E-24) Rath Building Elevator Modernization Project - Electrical Contract REBID

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

Item 76 – (COMM. 12E-25) SUNY Erie City Campus Building Skylight Reconstruction & Roof Repairs

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 77 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 103

RE: RENEW Plan Contracts Authorizations
– Phase 4
(COMM. 12E-26)

WHEREAS, the American Rescue Plan was signed into law on March 11th 2021; and

WHEREAS, the American Rescue plan included State and Local Relief funding to be used to offset lost revenue, provide premium pay to essential workers, respond to COVID-19 and its economic effects, and invest in sewer, water and broadband infrastructure; and

WHEREAS, Erie County has received \$89,213,547 in State and Local Relief funding and will receive a second tranche of State and Local Relief Funding in May of 2022; and

WHEREAS, by receiving State and Local Relief Funding the State of New York has eliminated local aid withholding, benefiting Erie County and creating a significant positive budget variance; and

WHEREAS, facing a major possible deficit in 2020, Erie County took significant action through a deficit remediation plan which eliminated positions, cut other costs, and appropriated fund balance and Fiscal Year 2019 surplus funding; and

WHEREAS, Erie County made additional budget cuts in the Adopted 2021 Budget in face of uncertainty regarding Federal assistance and the future of the coronavirus pandemic and its associated economic impacts; and

WHEREAS, American Rescue Plan Funding is eligible to be encumbered through December 31st 2024 and spent through December 31st 2026 allowing for long-term infrastructure projects to be designed and built; and

WHEREAS, Erie County has also prepared numerous “shovel-ready” projects to begin stimulating the economy quickly; and

WHEREAS, funding for this resolution is available through the first tranche of the American Rescue Plan and the elimination of state-aid cuts related to the passage of the American Rescue Plan; and

WHEREAS funding for the projects in this resolution was originally allocated via Comm. 13E-15 on July 8th 2021; and

WHEREAS, the RENEW Plan Phase 2 resolution (COMM. 5E-10 (2022) passed on March 17, 2022 deleted the Cheektowaga Town Museum project as originally defined in the RENEW Plan as described in resolution Comm. 13E-15, on July 8, 2021; and

WHEREAS, funding from the aforementioned previously deleted project is being reallocated to the Erie County Fire Academy Training Facilities, Buffalo Irish Festival, and Bellevue Fire District #9- Brush Truck Apparatus Purchase.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive / Deputy County Executive be authorized to execute contracts with the following entities in the amounts indicated, from the capital accounts noted:

Project	Contract Authorized With:	Contract Amount Not to Exceed:	From the following capital account:
Buffalo Irish Festival	Irish Cultural and Folk-Art Association of WNY	\$50,000	A.21xxx

Brush Truck Apparatus Purchase	Bellevue Fire District #9	\$50,000	A.21xxx
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and be it further

RESOLVED, that funding in the amount of \$295,009.70 be utilized for the creation of a capital account in the Erie County Department of Homeland Security and Emergency Services to implement the Project; and be it further

RESOLVED, that the Erie County Legislature authorizes the Director of Budget and Management to make any necessary budgetary adjustments as needed to administer these projects; and be it further

RESOLVED, the Erie County Legislature authorizes the Department of Law and County Executive/ Deputy County Executive to execute easements and/or place additional requirements on the aforementioned contracting entities and associated real property (project location) as necessary to implement the projects; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Erie County Comptroller; the Director of Budget and Management; and Department of Environment and Planning.

Item 78 – (COMM. 12E-27) Department of Social Services - American Rescue Plan Omnibus Spending Package

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 79 – (COMM. 12E-28) Transfers for Security Camera Upgrades at the Erie County Holding Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 80 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

RE: CSEA Local 1000, AFSCME, AFL-CIO, 2022-2027 Collective Bargaining Agreement
(COMM. 12E-29)

WHEREAS, Erie County is a municipal corporation and is bound by the New York State Taylor Law to negotiate terms and conditions of employment with duly-elected employee organizations; and

WHEREAS, Erie County Community College, Erie County Medical Center, and the Buffalo and Erie County Public Libraries are similarly situated and required to negotiate terms and conditions of employment with duly-elected employee organizations; and

WHEREAS, the CSEA Local 1000, AFSCME, AFL-CIO (“CSEA” or “Unit”) represents the “White Collar” employees who are employed at Erie County, Erie County Community College, Erie County Medical Center, and the Buffalo and Erie County Public Libraries (collectively referred to as “Employer”); and

WHEREAS, the existing collective bargaining agreement between Employer and the Unit is set to expire on December 31, 2022; and

WHEREAS, Employer and the Unit negotiated a collective bargaining agreement, covering the period between July 1, 2022 and December 31, 2027; and

WHEREAS, Unit membership recently ratified the agreement.

NOW, THEREFORE, BE IT

RESOLVED, the agreement between Employer and the Unit for the period July 1, 2022-December 31, 2027, is hereby approved; and be it further

RESOLVED, all terms and conditions of the successor agreement shall be implemented in full; and be it further

RESOLVED, that authorization is provided to appropriate up to \$7,500,000 from Fund 110, Funds Center 14010, Account 402520 to cover the 2022 costs of the successor agreement; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments to properly fund the increased costs associated with the Unit agreement and the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the terms of the agreement for County employees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Division of Budget and Management, Department of Labor Relations, Department of Personnel, Erie County Community College (Office of the President), Erie County Medical Center (Department of Labor Relations), the Buffalo and Erie County Public Libraries, and the Erie County Fiscal Stability Authority.

Item 81 – (COMM. 12E-30) Rehabilitation of Chestnut Ridge Casino & Wendt Beach Parking Lots - Change Order

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIR BASKIN

Item 82 – (COMM. 12E-31) Letter to County Executive Regarding Disparity Study Workgroup Meetings

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

None.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEPARTMENT OF
TAXATION AND FINANCE

Item 83 – (COMM. 12M-1) List of Certified 2022 Class Equalization Rates

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYS DIVISION OF
LAND AND WATER RESOURCES

Item 84 – (COMM. 12M-2) Erie County Agricultural District No. 17 - Eight Year Review

Item 85 – (COMM. 12M-3) Erie County Agricultural District No. 16 - Eight Year Review

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

ANNOUNCEMENTS

Item 86 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, June 30, 2022, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, July 7, 2022. Finally, Chair Baskin announced that the Legislature will conduct mid-year budget hearings on July 11, 2022 and July 12, 2022.

MEMORIAL RESOLUTIONS

Item 87 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Victor A. Rice, and Salvatore H. Alfiero.

Item 88 – Legislator Johnson requested that when the Legislature adjourns, it do so in memory of Jammie Hill.

Item 89 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Carmen A. Vacco.

Item 90 – Legislator Chimera requested that when the Legislature adjourns, it do so in memory of Kenneth J. Feltges.

Item 91 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Winifred “Wyn” O’Shea.

Item 92 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Adam Blake.

Item 93 – Legislator Bargnesi requested that when the Legislature adjourns, it do so in memory of Ray Marelo.

ADJOURNMENT

Item 94 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. JOHNSON moved that the Legislature adjourn until Thursday, July 7, 2022 at 12:00 Noon Eastern Standard Time. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, July 7, 2022 at 12:00 Noon Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE