



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 16, 2021

Hon. Stefan I. Mychajliw
Erie County Comptroller
95 Franklin Street, Suite 1101
Buffalo, NY 14202

RE: Subverting Rath Building Security Measures & Endangering County Employees

Comptroller Mychajliw:

It has come to my attention that last week you played a significant role in the active subversion of Rath building security measures and that your actions led to a situation that could have endangered county employees. Specifically, on Friday July 9 at approximately 11:00 AM you escorted two unmasked individuals through the doors on the Pearl Street side of the Rath building, then proceeded with them to the elevators and ostensibly to your office. These individuals, who are not county employees, were then allowed to wander through the Rath building, trying different doors and eventually finding their way into a secure area. To purposefully put county employees at such risk is unconscionable, negligent and calls into question your willingness to protect Erie County employees and the public.

As you know, the doors on the Pearl Street side of the building are clearly marked "Employees Only" and have clear instructions that all others are to enter the building through the Franklin Street entrance. This security measure is designed to control access to the building and ensure that security, located on the Franklin Street side, is able to monitor who enters the premises. Visitors are also required to go through the metal detectors, another level of security. These measures apply to media, the public, and all non-employee visitors to our building and have been in place for quite a while; they are nothing new. When you grabbed that back door as an employee was leaving and then surreptitiously snuck your two friends into the elevator, you willfully subverted the security measures designed to keep us all safer.

When these individuals finished meeting with you they found their way, unescorted, to other floors in the building, trying security doors in the elevator vestibule areas until they found one that they could open. Imagine being the employee who, last Friday morning, suddenly looked up to see two males at her door, neither county employees nor wearing masks, despite her office being in a secure area. A quick-thinking colleague nearby heard the activity from his office and escorted these individuals to the elevator area, securing the vestibule door behind him. These individuals continued to try to open the secure doors and regain entry during the time it took building security to arrive and accompany them to

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the first-floor security station, the one you carefully avoided in the first place, where they were advised of building policies and underwent the same security screening as do all members of the public.

Employees who interacted with these individuals describe those interactions as "offputting," "intrusive," and "intentionally confrontational." Your enabling and encouragement of such behavior is troubling, as is thinking of the many ways that this situation could have had a much worse conclusion.

Finally, while you've largely been absent from the building you should know that the mask mandate also remains in effect in the Rath building's common areas, hallways, elevators and rest rooms. Judging from your malicious actions on Friday and the fact that neither you or your two visitors were masked, it's apparent that you're still willing to put your own interests ahead of public health and safety in regards to this measure. While this is not surprising, please be advised once again that being a public servant means putting the public's wellbeing first. COVID-19 is still a public health concern and you may be aware that variants of the virus are spreading in many parts of our country. Wear a mask.

Comptroller, it's incumbent on us as elected officials to protect and serve the people of Erie County as best we can. Intentionally undermining building security and public health as you've done here, and have done in the past, sends a signal that you don't care about the safety of the thousands of county employees who are doing the public's work and what's worse, you don't care what happens to them personally. This is not behavior fitting an elected official or any person with integrity and an understanding of their duties to the public. Please treat our employees, and the public who counts on them to do their jobs, with the respect they deserve.

Sincerely,



Mark C. Poloncarz
Erie County Executive

MCP/pja