

ERIE COUNTY LEGISLATURE  
MEETING NO. 24  
DECEMBER 2, 2021

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Ms. Chimera, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Vinal.

**TABLED ITEMS**

Item 1 – MR. MEYERS moved to take the balance of REPORT No. 1 – FINANCE & MANAGEMENT/BUDGET COMMITTEE from the table. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

November 4, 2021, following recess, reconvened on November 30, 2021.	FINANCE & MANAGEMENT/BUDGET COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 19E-7 (2021)  
COMPTROLLER: “Information Regarding 2022 Revenue Projections”  
(Chair’s Ruling)
  - b. COMM. 20D-2 (2021)  
DIRECTOR OF BUDGET & MANAGEMENT: “2021 Budget Documents for 2022 Budget Process”  
(Chair’s Ruling)
  - c. COMM. 21E-2 (2021)  
DISTRICT ATTORNEY: “Request for Amendment to District Attorney Budget in the 2022 EC Budget”  
(Chair’s Ruling)
2. COMM. 22E-3 (2021)  
COUNTY EXECUTIVE AS AMENDED

a. MAJORITY CAUCUS

RESOLVED, that the Erie County Legislature hereby approves the County Executive's 2022 Tentative Budget with the amendments attached hereto.

(5-3) Legislators Greene, Lorigo and Mills voted in the negative.

b. MINORITY CAUCUS

RESOLVED, amendments to the Majority Caucus amendments were offered to the County Executive's 2022 Tentative Budget, and approved or defeated by a majority vote.

(3-5) Chair Baskin, Legislators Gilmour, Hardwick, Johnson and Meyers voted in the negative.

**TIMOTHY J. MEYERS  
CHAIR**

MR. MEYERS moved to approve the balance of the report. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 2 - MR. MEYERS moved to take COMM. 22E-3 (2021) as Amended, the Tentative 2022 Erie County Budget as Amended, from the table. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

**Amendment to Comm. 22E-3  
2022 Erie County Budget  
Finance and Management/Budget Committee  
November 30, 2021**

**2022 Erie County Budget  
Book A Amendments  
Proposed by the Majority Caucus**

**2022 Book A Budget Amendments  
Majority Caucus**

BOOK A PAGE #	TYPE OF ACTION	FUND CENTER	ACCOUNT #	DEPARTMENT	DESCRIPTION / NAME	JOB GROUP	# RECOMMENDED POSITIONS	PROPOSED 2022 BUDGET	# POSITIONS ALLOCATED LEGISLATURE	2022 LEGISLATURE ALLOCATED	ERIE COUNTY SHARE	AMOUNT CHANGED (DECREASED) OR INCREASE
280	Decrease	1333020	518004	Cultural Agencies	African American Cultural Center			\$250,000		\$200,000	100%	(\$50,000)
279	New	1332010		Community/Neighborhood Development	Erie Regional Housing Development Corp (Belle Center)			\$0		\$68,000	100%	\$68,000
280	Increase	1333020	518096	Cultural Agencies	Explore & More Children's Museum			\$53,000		\$78,000	100%	\$25,000
281	Increase	1333020	518200	Cultural Agencies	Michigan Street African Amer Heritage			\$7,500		\$32,500	100%	\$25,000
277	New	1332010	518511	Community/Neighborhood Development	Cheektowaga Youth Center			\$0		\$37,500	100%	\$37,500
278	New	1332010	518636	Community/Neighborhood Development	Cheektowaga Senior Center			\$0		\$32,500	100%	\$32,500
280	Increase	1333020	517125	Cultural Agencies	Enlightenment Literary Arts Center (Dog Ears Bookstore)			\$10,000		\$55,000	100%	\$45,000
279	New	1332010	518685	Community/Neighborhood Development	Village of Sloan			\$0		\$15,000	100%	\$15,000
279	New	1332010		Community/Neighborhood Development	Resurrection Life Food Pantry			\$0		\$10,000	100%	\$10,000
277	New	1332010	518509	Community/Neighborhood Development	Cazenovia Neighborhood Library			\$0		\$10,000	100%	\$10,000
278	New	1332010	518599	Community/Neighborhood Development	Parker Academy			\$0		\$5,000	100%	\$5,000
278	New	1332010	518604	Community/Neighborhood Development	South Buffalo Community Association (South Buffalo Senior Center)			\$0		\$5,000	100%	\$5,000
278	New	1332010	518587	Community/Neighborhood Development	Kaisertown Friends Association			\$0		\$5,000	100%	\$5,000
281	Increase	1333020	518226	Cultural Agencies	Cheektowaga Historical Association			\$1,100		\$6,100	100%	\$5,000
277	New	1332010	518523	Community/Neighborhood Development	Friends of Reinstein Woods			\$0		\$5,000	100%	\$5,000
281	New	1333020	518233	Cultural Agencies	Centro Culturale Italiano di Buffalo			\$0		\$15,000	100%	\$15,000
278	New	1332010	518631	Community/Neighborhood Development	Black Rock Riverside Alliance			\$0		\$7,000	100%	\$7,000
277	New	1332010	518532	Community/Neighborhood Development	Ken-Ton Meals on Wheels			\$0		\$6,000	100%	\$6,000
277	New	1332010	518531	Community/Neighborhood Development	Ken-Ton Closet			\$0		\$20,000	100%	\$20,000
277	New	1332010	518125	Community/Neighborhood Development	Ken-Ton Chamber of Commerce			\$0		\$6,000	100%	\$6,000
277	New	1332010	517737	Community/Neighborhood Development	Northwest Buffalo Community Center			\$0		\$15,000	100%	\$15,000
279	New	1332010	517733	Community/Neighborhood Development	North Buffalo Community Center			\$0		\$10,000	100%	\$10,000
278	New	1332010	518603	Community/Neighborhood Development	Hertel - North Park Little League (Shoshone)			\$0		\$10,000	100%	\$10,000
278	New	1332010	518601	Community/Neighborhood Development	Black Rock Riverside Football Little League & Cheer			\$0		\$10,000	100%	\$10,000
279	New	1332010		Community/Neighborhood Development	Town of Tonawanda Aquettes			\$0		\$5,000	100%	\$5,000
279	New	1332010		Community/Neighborhood Development	Project Flight			\$0		\$5,000	100%	\$5,000
278	New	1332010	518611	Community/Neighborhood Development	The Tool Library			\$0		\$10,000	100%	\$10,000
279	New	1332010	518683	Community/Neighborhood Development	University Heights Collaborative			\$0		\$10,000	100%	\$10,000
279	New	1332010		Community/Neighborhood Development	Literacy Buffalo Niagara			\$0		\$5,000	100%	\$5,000
277	New	1332010	518572	Community/Neighborhood Development	Boys & Girls Club of the Northtowns			\$0		\$25,000	100%	\$25,000
279	New	1332010	518669	Community/Neighborhood Development	Parkside Community Association			\$0		\$5,000	100%	\$5,000
278	New	1332010	518641	Community/Neighborhood Development	Dress For Success			\$0		\$5,000	100%	\$5,000
278	New	1332010	518655	Community/Neighborhood Development	Hertel Business Association			\$0		\$5,000	100%	\$5,000
278	New	1332010	518652	Community/Neighborhood Development	Grant-Amherst Business Association			\$0		\$5,000	100%	\$5,000
279	New	1332010		Community/Neighborhood Development	Kenmore Business Association			\$0		\$5,000	100%	\$5,000
279	New	1332010	518671	Community/Neighborhood Development	Riverside Business Association			\$0		\$5,000	100%	\$5,000
281	Increase	1333020	518216	Cultural Agencies	Black Rock Historical Society			\$5,000		\$10,000	100%	\$5,000
277	New	1332010	518530	Community/Neighborhood Development	Juneteenth Festival			\$0		\$5,000	100%	\$5,000
281	New	1333020	518622	Cultural Agencies	African American Veterans Monument			\$0		\$10,000	100%	\$10,000
281	New	1333020	518596	Cultural Agencies	Net Positive			\$0		\$5,000	100%	\$5,000
280	Increase	1333020	518074	Cultural Agencies	Colored Musicians Club			\$5,000		\$12,500	100%	\$7,500
280	Increase	1333020	518025	Cultural Agencies	Assembly House 150			\$1,500		\$6,500	100%	\$5,000
277	New	1332010	518098	Community/Neighborhood Development	Fillmore Forward			\$0		\$2,000	100%	\$2,000
279	New	1332010	518699	Community/Neighborhood Development	Black Achievers, Inc.			\$0		\$5,000	100%	\$5,000
280	New	1333020	518078	Cultural Agencies	Concordia Foundation Inc.			\$0		\$1,000	100%	\$1,000
281	Increase	1333020	518211	Cultural Agencies	Hispanic Heritage Council of WNY			\$12,500		\$24,500	100%	\$12,000
279	New	1332010	518665	Community/Neighborhood Development	None Like You/We Care Outreach			\$0		\$1,500	100%	\$1,500
278	New	1332010	518658	Community/Neighborhood Development	Los Tainos Senior Center			\$0		\$1,000	100%	\$1,000
279	New	1332010		Community/Neighborhood Development	Peaceprints of WNY			\$0		\$20,000	100%	\$20,000
280	Increase	1333020	518173	Cultural Agencies	Tom Space Theater			\$19,500		\$29,500	100%	\$10,000
279	New	1332010		Community/Neighborhood Development	Greater East Side Fields of Dreams Block Club Association Inc			\$0		\$2,000	100%	\$2,000
279	New	1332010		Community/Neighborhood Development	Bible Presbyterian Church (Grand Island)			\$0		\$5,000	100%	\$5,000
279	New	1332010		Community/Neighborhood Development	Academy for Human Rights			\$0		\$5,000	100%	\$5,000
278	New	1332010	518653	Community/Neighborhood Development	Hamburg Hawks Hockey Association			\$0		\$10,000	100%	\$10,000
278	New	1332010	518592	Community/Neighborhood Development	Lackawanna Yemen Soccer Club			\$0		\$15,000	100%	\$15,000

**2022 Book A Budget Amendments  
Majority Caucus**

277 New	1332010	517005 Community/Neighborhood Development	Access of WNY	\$0	\$15,000	100%	\$15,000
279 New	1332010	518881 Community/Neighborhood Development	Town of Hamburg	\$0	\$25,000	100%	\$25,000
277 New	1332010	518580 Community/Neighborhood Development	Village of Hamburg	\$0	\$40,000	100%	\$40,000
281 New	1333020	518549 Cultural Agencies	South Buffalo Irish Feis	\$0	\$15,000	100%	\$15,000
278 New	1332010	518649 Community/Neighborhood Development	Grand Island Farms	\$0	\$2,000	100%	\$2,000
277 New	1332010	518570 Community/Neighborhood Development	American Legion Post 264	\$0	\$15,000	100%	\$15,000
278 New	1332010	518632 Community/Neighborhood Development	Boy Scout Troop 600	\$0	\$1,000	100%	\$1,000
277 New	1332010	518512 Community/Neighborhood Development	Citizens Science Community Resources	\$0	\$15,000	100%	\$15,000
279 New	1332010	518695 Community/Neighborhood Development	Young Life Buffalo North	\$0	\$10,000	100%	\$10,000
280 Increase	1333020	518016 Cultural Agencies	American Legion Band of the Tonawandas	\$10,000	\$45,000	100%	\$35,000
279 New	1332010	518675 Community/Neighborhood Development	St. Francis Early Childhood Center - Tonawanda	\$0	\$10,000	100%	\$10,000
279 New	1332010	Community/Neighborhood Development	Tonawanda VFW Post 7545	\$0	\$11,000	100%	\$11,000
280 Increase	1333020	518017 Cultural Agencies	Amherst Symphony Orchestra	\$19,740	\$28,740	100%	\$9,000
280 Increase	1333020	518119 Cultural Agencies	Jewish Community Center Cultural	\$6,000	\$13,500	100%	\$7,500
280 Increase	1333020	518140 Cultural Agencies	Musicalfare Theatre	\$57,000	\$66,000	100%	\$9,000
281 Increase	1333020	518213 Cultural Agencies	O'Connell & Company Productions	\$12,500	\$31,500	100%	\$19,000
280 Increase	1333020	518148 Cultural Agencies	Road Less Traveled Productions	\$58,500	\$67,000	100%	\$8,500
281 Increase	1333020	518196 Cultural Agencies	Buffalo Niagara Heritage Village	\$16,500	\$24,500	100%	\$8,000
281 Increase	1333020	518219 Cultural Agencies	Amherst Male Glee Club dba Red Blazer Chorus	\$5,000	\$6,000	100%	\$1,000
281 Increase	1333020	518687 Cultural Agencies	Western New York Railway Historical Society	\$1,500	\$2,500	100%	\$1,000
281 Increase	1333020	518201 Cultural Agencies	General Pulaski Association	\$11,000	\$12,500	100%	\$1,500
280 New	1333020	518105 Cultural Agencies	German-American Musicians Assoc	\$0	\$1,000	100%	\$1,000
280 Increase	1333020	518031 Cultural Agencies	Big Easy In Buffalo	\$2,500	\$3,500	100%	\$1,000
279 New	1332010	Community/Neighborhood Development	St. John Maron Maronite Church	\$0	\$1,000	100%	\$1,000
279 New	1332010	518691 Community/Neighborhood Development	Willow Ridge Civic Association	\$0	\$5,000	100%	\$5,000
278 New	1332010	518626 Community/Neighborhood Development	Amherst Chamber of Commerce	\$0	\$2,500	100%	\$2,500
278 New	1332010	518643 Community/Neighborhood Development	Ellicott Creek Volunteer Fire Company	\$0	\$1,500	100%	\$1,500
278 New	1332010	518642 Community/Neighborhood Development	Eggertsville Hose Co	\$0	\$1,500	100%	\$1,500
278 New	1332010	518647 Community/Neighborhood Development	Getzville Fire Company	\$0	\$1,500	100%	\$1,500
279 New	1332010	518666 Community/Neighborhood Development	North Bailey Fire Co.	\$0	\$1,500	100%	\$1,500
279 New	1332010	518688 Community/Neighborhood Development	Williamsville Fire Department	\$0	\$1,500	100%	\$1,500
279 New	1332010	518674 Community/Neighborhood Development	Snyder Fire Department	\$0	\$1,500	100%	\$1,500
278 New	1332010	518661 Community/Neighborhood Development	Main Transit Fire Department	\$0	\$1,500	100%	\$1,500
279 New	1332010	518678 Community/Neighborhood Development	Tiger's Den Food Pantry (St. Paul's Lutheran Church)	\$0	\$1,000	100%	\$1,000
278 New	1332010	518645 Community/Neighborhood Development	Friends of Ellicott Inc.	\$0	\$1,000	100%	\$1,000
278 New	1332010	518623 Community/Neighborhood Development	Alzheimer's Association of WNY	\$0	\$1,000	100%	\$1,000
279 New	1332010	518670 Community/Neighborhood Development	Professional Nurses Assn of WNY	\$0	\$1,500	100%	\$1,500
277 New	1332010	517633 Community/Neighborhood Development	Hearts and Hands Faith in Action	\$0	\$6,000	100%	\$6,000
277 New	1332010	518237 Community/Neighborhood Development	Bornhava	\$0	\$9,000	100%	\$9,000
278 New	1332010	518662 Community/Neighborhood Development	Make Lemon Aide Foundation	\$0	\$1,500	100%	\$1,500
278 New	1332010	518635 Community/Neighborhood Development	Council of Heritage and Arts of India	\$0	\$1,000	100%	\$1,000
278 New	1332010	518640 Community/Neighborhood Development	D Company Gordon Highlanders Buffalo City Guard	\$0	\$1,000	100%	\$1,000
279 New	1332010	518672 Community/Neighborhood Development	Sierra Club Niagara Group	\$0	\$3,000	100%	\$3,000
279 New	1332010	518686 Community/Neighborhood Development	Western New York Chinese Chamber of Commerce	\$0	\$2,000	100%	\$2,000
279 New	1332010	Community/Neighborhood Development	Leadership Buffalo	\$0	\$7,500	100%	\$7,500
279 New	1332010	Community/Neighborhood Development	Erie Community College	\$0	\$2,500	100%	\$2,500
279 New	1332010	Community/Neighborhood Development	Junior Achievement	\$0	\$2,500	100%	\$2,500
279 New	1332010	518673 Community/Neighborhood Development	SIKH Cultural and Education Society of WNY	\$0	\$1,000	100%	\$1,000
279 New	1332010	518627 Community/Neighborhood Development	Amherst Gaelic League	\$0	\$1,000	100%	\$1,000
279 New	1332010	518644 Community/Neighborhood Development	Federation of Italian American Societies of WNY	\$0	\$1,000	100%	\$1,000
279 New	1332010	Community/Neighborhood Development	Annunciation Greek Orthodox Church	\$0	\$1,000	100%	\$1,000
279 New	1332010	Community/Neighborhood Development	Islamic Society of Niagara Frontier	\$0	\$1,000	100%	\$1,000
279 New	1332010	Community/Neighborhood Development	Williamsville Business Association	\$0	\$1,000	100%	\$1,000
279 New	1332010	Community/Neighborhood Development	The University at Buffalo Foundation	\$0	\$5,000	100%	\$5,000
279 New	1332010	Community/Neighborhood Development	Village of Williamsville	\$0	\$30,000	100%	\$30,000
277 New	1332010	518522 Community/Neighborhood Development	For Our Daughters, Inc	\$0	\$10,000	100%	\$10,000
278 New	1332010	518591 Community/Neighborhood Development	Kyle's Gifts from Heaven	\$0	\$5,000	100%	\$5,000
277 New	1332010	518143 Community/Neighborhood Development	People United for Sustainable Housing	\$0	\$20,000	100%	\$20,000
277 New	1332010	518542 Community/Neighborhood Development	Ramp Global Missions (Project Mona's House)	\$0	\$10,000	100%	\$10,000

**2022 Book A Budget Amendments  
Majority Caucus**

277 New	1332010	518544 Community/Neighborhood Development	S&J Foundation	\$0	\$10,000	100%	\$10,000
277 New	1332010	518555 Community/Neighborhood Development	University District Community Development Corp	\$0	\$30,000	100%	\$30,000
278 New	1332010	518654 Community/Neighborhood Development	Helping Ensure Africa Looms International	\$0	\$10,000	100%	\$10,000
280 Increase	1333020	518040 Cultural Agencies	Buffalo Arts Studio	\$43,000	\$53,000	100%	\$10,000
281 New	1333020	518694 Cultural Agencies	WNY Urban Arts Collective	\$0	\$10,000	100%	\$10,000
277 New	1332010	518507 Community/Neighborhood Development	Boys and Girls Club of Buffalo	\$0	\$10,000	100%	\$10,000
281 Increase	1333020	518202 Cultural Agencies	Buffalo Opera Unlimited	\$5,000	\$10,000	100%	\$5,000
279 New	1332010	Community/Neighborhood Development	Confident Girl Mentoring	\$0	\$5,000	100%	\$5,000
279 New	1332010	Community/Neighborhood Development	Slow Roll Buffalo	\$0	\$5,000	100%	\$5,000
							<b>\$1,060,000</b>

BOOK A PAGE #	TYPE OF ACTION	FUND CENTER	ACCOUNT #	DEPARTMENT	DESCRIPTION / NAME	JOB GROUP	# RECOMMENDED POSITIONS	PROPOSED 2022 BUDGET	# POSITIONS ALLOCATED LEGISLATURE	2022 LEGISLATURE ALLOCATED	ERIE COUNTY SHARE	AMOUNT CHANGED (DECREASED) OR INCREASE
330 New		1332010	518546	Community/Neighborhood Development	Say Yes Buffalo (Summer Camp Initiative)			\$0		\$10,000	100%	\$10,000
331 New		1332010	518615	Community/Neighborhood Development	Urban Initiatives - Cities of Buffalo, Lackawanna and Tonawanda			\$0		\$2,400,000	100%	\$2,400,000
331 New		1332010		Community/Neighborhood Development	Research Foundation of SUNY (Amherst Summer 2022 Math Camp)			\$0		\$50,000	100%	\$50,000
83 Increase		105	561410	Division of Information and Support Services	Lab and Technical Equipment (for blind spot cameras in the Holding Center)			\$101,000		\$601,000	100%	\$500,000
												<b>\$2,960,000</b>

**2022 Book A Budget Amendments  
Majority Caucus**

BOOK A PAGE #	TYPE OF ACTION	FUND CENTER	ACCOUNT #	DEPARTMENT	DESCRIPTION / NAME	JOB GROUP	# RECOMMENDED POSITIONS	PROPOSED 2022 BUDGET	# POSITIONS ALLOCATED LEGISLATURE	2022 LEGISLATURE ALLOCATED	ERIE COUNTY SHARE	AMOUNT CHANGED (DECREASED) OR INCREASE
237	New	16500	1650010	Central Police Services	Community Coordinator		0	\$0	1	\$60,102	100%	\$60,102
238	Increase	16500	500000	Central Police Services	Full Time - Salaries			\$1,121,703		\$1,181,805	100%	
238	Increase	16500	502000	Central Police Services	Fringe Benefits			\$594,200		\$630,261	100%	\$38,061
209	Delete	11400	1140030	District Attorney	Paralegal		5	\$183,645	4	\$146,916	100%	(\$36,729)
208	Delete	11400	1140010	District Attorney	Principal Clerk		6	\$39,233	0	\$0	100%	(\$39,233)
208	New	11400	1140010	District Attorney	Administrative Coordinator		9	\$0	1	\$65,067	100%	\$65,067
211	Decrease	11400	500000	District Attorney	Full Time - Salaries			\$13,329,229		\$13,318,334	100%	
211	Decrease	11400	502000	District Attorney	Fringe Benefits			\$7,408,973		\$7,402,436	100%	(\$6,537)
20	Delete	11200	1120020	Comptroller	Supervising Data Processing Control Clerk		10	\$121,127	1	\$69,938	100%	(\$51,189)
20	New	11200	1120050	Comptroller	Billing Collections Specialist		10	\$0	1	\$51,189	100%	\$51,189
20	Delete	11200	1120010	Comptroller	Secretary, Comptroller		8	\$52,697	0	\$0	100%	(\$52,697)
20	New	11200	1120010	Comptroller	Secretary, Comptroller		12	\$0	1	\$75,159	100%	\$75,159
20	Delete	11200	1120020	Comptroller	Account Clerk-Typist		4	\$34,886	0	\$0	100%	(\$34,886)
20	New	11200	1120020	Comptroller	Confidential Investigator of Accounts PT		16	\$0	1	\$41,868	100%	\$41,868
21	Decrease	11200	500000	Comptroller	Full Time - Salaries			\$2,504,333		\$2,491,909	100%	
21	New	11200	500010	Comptroller	Part Time - Wages			\$0		\$41,868	100%	
21	Decrease	11200	502000	Comptroller	Fringe Benefits			\$1,377,383		\$1,356,451	100%	(\$20,932)
4	Delete	100	1003030	Legislature	Executive Assistant (Legislature) II		14	\$81,282	0	\$0	100%	(\$81,282)
4	New	100	1003030	Legislature	Executive Assistant (Legislature) II		15	\$0	1	\$96,724	100%	\$96,724
4	Delete	100	1003030	Legislature	Executive Assistant (Legislature) I		13	\$78,339	0	\$0	100%	(\$78,339)
4	Delete	100	1003030	Legislature	First Administrative Assistant Leg		9	\$169,895	0	\$0	100%	(\$169,895)
4	New	100	1003030	Legislature	First Administrative Assistant Leg		10	\$0	3	\$181,467	100%	\$181,467
4	New	100	1003030	Legislature	Special Assistant to the Chairperson		9	\$0	1	\$46,565	100%	\$46,565
6	Increase	100	500000	Legislature	Full Time - Salaries			\$2,189,934		\$2,189,020	100%	
<b>new appropriations:</b>												<b>\$4,102,483</b>

BOOK A PAGE #	TYPE OF ACTION	FUND CENTER	ACCOUNT #	DEPARTMENT	DESCRIPTION / NAME	JOB GROUP	# RECOMMENDED POSITIONS	PROPOSED 2022 BUDGET	# POSITIONS ALLOCATED LEGISLATURE	2022 LEGISLATURE ALLOCATED	ERIE COUNTY SHARE	AMOUNT CHANGED (DECREASED) OR INCREASE
226	Decrease	116	502000	Jail Management Division	Fringe Benefits			\$29,928,066		\$29,324,500	100%	(\$603,566)
122	Decrease	120	525000	Social Services	MMIS-Medicaid Local Share			\$196,016,900		\$191,029,437	100%	(\$4,987,463)
<b>reduced appropriations:</b>												<b>(\$5,591,029)</b>
<b>DIFFERENCE BETWEEN APPROP AND CUTS</b>												<b>(\$1,488,546)</b>
(property tax levy cut)												



**2022 Erie County Budget  
Book B Amendments  
Proposed by the Majority Caucus**

AMEND Budget Resolution #93 as follows:

DELETE the second Resolve clause and REPLACE with the following:

RESOLVED, that subject to prior Legislature approval in 2022, the County Executive is hereby authorized to enter into contracts and amendments to contracts not to exceed \$20,000 to facilitate the Storefront Revitalization Program from January 1, 2022 to December 31, 2022; and be it further

AMEND Budget Resolution #95 as follows:

DELETE the second Resolve clause and REPLACE with the following:

RESOLVED, that subject to prior Legislature approval in 2022 and 2023, the County Executive is hereby authorized to enter into contracts and amendments to contracts to facilitate the Workforce Development Action Fund Pilot Program from January 1, 2022 to December 31, 2023; and be it further

MR. MEYERS moved to approve COMM. 22E-3 (2021) as Amended. MR. JOHNSON seconded.

\*\*\*\*\*CHAIR BASKIN directed that the Legislature enter into recess at 12:18 p.m.

\*\*\*\*\*CHAIR BASKIN reconvened the Legislature at 12:25 p.m.

All members present.

CHAIR BASKIN moved the previous question and directed that a roll-call vote be taken.

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

CARRIED.

Item 3 – No items for reconsideration from previous meeting.

Item 4 – MR. MEYERS moved for the approval of the minutes for Meetings Number 21 and Number 22 from 2021. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 5 – No Public Hearings.

### **MISCELLANEOUS RESOLUTIONS**

Item 6 – MR. GREENE presented a proclamation Honoring and Celebrating Dr. Adel Chouchani Upon the Occasion of His Retirement.

Item 7 – CHAIR BASKIN presented a Memorial Resolution Remembering Evelyn Patterson Merriweather.

Item 8 – MR. LORIGO presented a proclamation Honoring Jen LeRoy as Aktion Club Member of the Month.

Item 9 – MR. TODARO presented a proclamation Honoring Lancaster Public Library Upon the Occasion of Its 200th Anniversary.

Item 10 – CHAIR BASKIN presented a proclamation Recognizing Lloyd Wayne Whyte for His Military Service and Phenomenal Career in Social Work.

Item 11 – MR. LORIGO presented a proclamation Honoring the Lothlorien Therapeutic Riding Center.

Item 12 – MS. VINAL & CHAIR BASKIN presented a proclamation Celebrating and Recognizing the Official Grand Opening of NTimacy Beauty Salon & Spa.

Item 13 – MR. TODARO presented a proclamation Honoring Marty Peters as a Prominent Musician in Buffalo.

Item 14 – MR. LORIGO presented a proclamation Honoring South Towns Needle Nuts Group for a Decade of Craftwork.

Item 15 – MR. GREENE presented a proclamation Welcoming Katie Wagner and Wagner Carpet Cleaning to Erie County.

MR. MEYERS moved for consideration of the above ten items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above ten items as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 16 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 17 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2021 remain on the table and in the ECONOMIC & DEVELOPMENT and MINORITY & WOMEN OWNED BUSINESS COMMITTEES.

GRANTED.

Item 20 – MR. MEYERS moved to take Local Law No. 3 (Print #1) 2021 from the table. MR. JOHNSON seconded.

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

AYES: MR. GREENE, MR. MILLS, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. LORIGO and MR. TODARO. (AYES: 9; NOES: 2)

CARRIED.

COUNTY OF ERIE  
LOCAL LAW INTRO. NO. 3-1-2021  
LOCAL LAW NO. \_\_\_\_\_-2021

### **THE ERIE COUNTY HEALTH EQUITY ACT OF 2021**

A Local Law establishing an Office of Health Equity in the Erie County Department of Health dedicated to supporting, educating, and planning for the provision of public health to persons from disadvantaged backgrounds, including, but not limited to, racial and ethnic minorities, as well as persons from rural areas.

#### **BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:**

#### **Section 1. Legislative Findings and Intent**

Erie County is ranked in the bottom 25% of counties in New York State for health outcomes. A county's health outcome ranking is determined by the average life expectancy of county residents, the self-reported health status of individuals, and the percentage of low-birth weight newborns.

Within Erie County, there is a significant disparity between the health outcomes of white residents and residents of color. More than 50% of the minority population in Erie County die prematurely, whereas only 35% of the white population in Erie County die prematurely.

The health disparities between races is further exemplified when accounting for the cause of death, as the racial disparities between disease-related deaths as compared to injury-related

deaths are significant, and persons of color die from disease-related factors at a much greater rate than corresponding white persons.

These disparities are just some of the factors that led the Center for Disease Control and Prevention (CDC) to declare racism a serious public health threat this year. Racism's impact on public health is not limited to discrimination based on the color of a person's skin, as it includes the structural barriers that have been constructed over years of segregation and inequitable investment of public dollars.

In addition to mortality and disease related data, there are also significant disparities in participation in public health programs and services. This is currently being seen in COVID-19 vaccination rates where vaccination rates for persons of color and positive COVID cases and COVID-related deaths appear to have correlations (i.e. persons of color have lower vaccination rates and COVID factors are disproportionately affecting persons of color).

In 2019, the New York State Department of Health reported that in the East Side of Buffalo and Western Cheektowaga, elevated numbers of colorectal, kidney, prostate, oral, esophageal and lung cancers were present among residents. A higher use of tobacco, as well as obesity, lack of physical activity and alcohol consumption, which are also more common in the area, may also have contributed to the cancer cluster.

Residents of rural areas also suffer from health inequities which contribute to premature death and poorer life outcomes. Factors contributing including lifestyle, as well as a shortage of health professionals and the effects of poverty.

LGBTQ (lesbian, gay, bisexual, transgender, queer/questioning, and intersex) persons experience health disparities, especially among youth. The effects of these disparities are seen in the areas of behavioral health, physical health, and access to care and are closely tied to sexual and social stigma.

According to CDC's 2017 Youth Risk Behavior Survey (YRBS), sexual minorities were more likely to report experiencing bullying, felt sad or hopeless, seriously considered suicide, used illicit substances, misused prescription drugs, and being forced to have sex (<https://www.cdc.gov/healthyyouth/disparities/health-disparities-among-lgbtq-youth.htm>). According to CDC, Gay men are at higher risk of HIV and other STIs, especially among communities of color, and are less likely to have health insurance than heterosexual or LGB individuals.

Transgender individuals have a high prevalence of HIV/STIs, victimization, mental health challenges, and suicide. Youth who identified as transgender in the CDC YRBS were more likely to report violence victimization, substance use, suicide risk, and sexual risk behaviors.

Although resources exist in Erie County to address health and social needs of some LGBTQ residents, a concerted effort to measure these health disparities in Erie County and collaboratively address these disparities and services gaps among Erie County agencies does not exist.

The University of Buffalo’s Community Health Equity Research Institute was established in 2019 “in response to the crisis of race-based health disparities, especially in African Americans who live on the city’s East Side. Remarkably, compared to White residents of Buffalo, life expectancy of African Americans is 12 years shorter, and serious, chronic, and often preventable diseases, like heart disease, diabetes, asthma and cancer are 300% greater. The primary reason for these disparities is the social determinants of health, which refer to the conditions in which people live, work, learn, play and worship.”

A partner organization, the Buffalo Center for Health Equity, was also created in 2019 to act on the pioneering work of the African American Health Equity Task Force. The Center for Health Equity’s mission is to “eliminate race, economic, and geographic-based health inequities in Western New York by changing the social and economic conditions that cause illness and shorten lives among the sickest of the region.”

It is the intent of this legislation to create an Office of Health Equity (“OHE”) within the Erie County Department of Health as well as to establish an Erie County Health Equity Advisory Board. This will establish a foundation for Erie County as a place where every resident has the opportunity to attain their full health potential and no one is disadvantaged in achieving this potential because of social position or any other socially defined circumstance.

The OHE will help ensure all minority and disadvantaged residents have equal access to preventive health care and to seek ways to promote health and prevent diseases and conditions that are prevalent among minority, marginalized, and disadvantaged populations. The OHE provides access to health care, health care education, and preventive care resources to underserved and marginalized communities and communities of color.

There is an urgent need to work to eliminate racial, economic, sexual/gender, and geographic-based health inequities that shorten or negatively-impact lives by changing the social and economic conditions that cause illness and shorten lives.

## **Section 2. Definitions**

1. Racial/Ethnic Minority or Person of Color: A person or persons who identify as a member of one of the following:
  - a. Black or African-American having origins in any of the Black African racial groups;
  - b. Hispanic/Latino persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American of either Indian, African or Hispanic origin;
  - c. Native American or Alaskan native persons having origins in any of the original peoples of North America;
  - d. Asian and Pacific Islander persons having origins in any of the Far East nations, South-East Asia or Pacific Islands.
  
2. Sexual/Gender Minority: A person or persons who identify as a member of one of the following:
  - a. LGBTQ: Individuals who identify as gay, lesbian, bisexual, transgender, or queer/questioning

b. Gay/bisexual: Persons who are attracted to or have sexual contact with someone of the same sex.

c. Transgender: Individuals whose current gender identity differs from the sex they were assigned at birth.

3. Disadvantaged or Marginalized Person or Community: A group whose members have been subjected to prejudice based on their race, ethnicity, gender, socio-economic, sexual orientation, gender expression and identity, or other prejudice because of their identity as members of the group without regard to their individual qualities.

4. Health Disparity: A preventable difference in the burden of disease, injury, violence, or opportunities to achieve optimal health that are experienced by disadvantaged persons or populations.

5. OHE: The Erie County Department of Health's Office of Health Equity.

### **Section 3. Amending Article 5 of the Erie County Administrative Code**

Erie County Local Law No. 1-1960, as amended, constituting the Erie County Administrative Code, is hereby amended at Article 5 to add a new Section 5.08 to read as follows:

Section 5.08 Office of Health Equity.

There shall be within the Erie County Department of Health's Division of Health an Office of Health Equity headed by a Director of Health Equity. The Director of Health Equity shall assist the Erie County Commissioner of Health in carrying out the following functions of the Office of Health Equity:

a. Analyze disparities in health, health care, and availability/accessibility to health care services among disadvantaged and marginalized Erie County populations.

b. Understand and connect factors that contribute to health outcomes including the physical environment, the social determinants of health, access to clinical care, and health behaviors;

c. Make recommendations for improving delivery and access to health services for disadvantaged and marginalized populations working within the Live Well Erie framework and supporting Live Well Erie objectives for improving the social determinants of health to relevant local health care agencies, and to the County Executive, County Legislature, and Commissioner of Health.

d. Pilot models and programs to improve health disparities

e. Promote public awareness and coordinate educational events in partnership with other health agencies with the goal of supporting healthy lifestyles in disadvantaged and marginalized communities and groups.



f. Publish an initial needs assessment report within 18 months of the effective date of this Local Law. Such report shall present baseline data describing health disparities among racial and sexual minority populations in Erie County. The report will highlight gaps in available data and services. On an annual basis thereafter, the Commissioner of Health shall deliver to the County Executive and County Legislature a report of OHE's achievements, including but not limited to programs and services provided to advance health equity, data on populations served via OHE's outreach, and the Office's goals for the upcoming year. This annual report shall include disaggregated data to account for identifiers, including but not limited to race and zip code. The report shall also identify outcomes achieved in the context of race and zip code.

g. Collaborate with the ECDOH Community Health Assessment (CHA) to develop a specific health disparities report as part of ECDOH's CHA prepared every three years as required by NYS and to monitor and incorporate other health disparity data already collected in the region by organizations including (but not limited to) the University at Buffalo and the Buffalo Center for Health Equity.

#### **Section 4. Vision Statement and Mission Statement**

Vision Statement:

The Office of Health Equity's vision is for all disadvantaged, marginalized, and diverse populations in Erie County, who presently experience higher rates of poor health outcomes, to achieve maximum health and wellness.

Mission Statement:

The Office of Health Equity's mission is to evaluate a wide variety of specific health outcomes among diverse populations to fully understand the depth of health disparities in Erie County and to partner with community members, healthcare providers, faith and philanthropic leaders, and organizations to enact programs that help disadvantaged, marginalized, and diverse populations in Erie County achieve maximum health and wellness.

#### **Section 5. Erie County Health Equity Advisory Board**

There shall cause to be created an Erie County Health Equity Advisory Board ("Board"). The seven (7) member Board shall serve as an advisory board to the OHE Director and the Erie County Commissioner of Health. The members of the Board shall advise Erie County in best practices on administering health care, fiscal allocations of health resources and health education to disadvantaged communities and communities of color.

Membership:

A. All appointees shall have worked in/on health issues for minorities or disadvantaged persons or have special knowledge or experience with minority or disadvantaged health issues. The Board members shall include at least one person with a medical degree or master's degree in public health.

B. The Board shall consist of seven (7) members to be appointed by the County Executive subject to confirmation by the County Legislature as follows:

1. Two (2) members to be recommended for appointment by the County Executive.
2. One (1) member to be recommended by each of the County Legislators whose legislative districts have the two highest rates of poverty according to the most recent US Bureau of the Census data.
3. One (1) member to be recommended for appointment by the Dean of the University of Buffalo's School of Public Health and Health Professions.
4. One (1) member to be recommended for appointment by the National Medical Association – Buffalo Chapter.
5. One (1) member to be recommended for appointment by a community organization in Erie County with a recognized public health focus in its mission. Such organization shall submit its recommendation by letter of consideration directed to the Erie County Legislature.

C. All members of the Board shall serve three-year terms.

D. Any vacancy on the Board shall be recommended for filling by the appropriate recommending authority within 30 days of the position becoming vacant. The County Executive must appoint and County Legislature must act on the appointment within 30 days of the County Executive receiving the recommendation to fill the vacancy.

### **Section 6. Effective Date**

This Local Law shall take effect upon filing with the New York State Secretary of State.

### **Section 7. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 law, or in its specific application.

### **Sponsors:**

April N.M. Baskin  
Timothy J. Meyers  
Jeanne Vinal  
Howard Johnson

MR. MEYERS moved to amend Local Law Intro. 3-1 (2021) to include Lisa M. Chimera as a co-sponsor. MR. JOHNSON seconded.

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

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved to approve Local Law Intro. 3-1 (2021) as amended. MR. JOHNSON seconded.

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

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

CARRIED.

Item 21 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2021 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR BASKIN directed that Local Law No. 2 (Print #2) 2021 be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

None.

### **LEGISLATOR RESOLUTIONS**

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

INTRO. 24-1 from LORIGO, GREENE, TODARO & MILLS. Request for the Revocation of the COVID-19 Emergency Orders & Associated Powers in EC in Accordance w/NYS Executive Law 24, Section 8

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

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

FAILED.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

Item 24 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24E-34 from BASKIN Re: Letter to Legislature Clerk Concerning Transition of Meetings on 12/9/2021 & 12/16/2021

Received, filed and printed.

November 30, 2021

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

Re: December 9<sup>th</sup> Committees and December 16<sup>th</sup> Work Session and Legislative Session will be Held Virtually due to the Coronavirus Pandemic

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, I am writing to advise you that pursuant to Section 2.03 of the Erie County Legislature's Rules of Order, I am shifting the Legislature's scheduled December 16<sup>th</sup> session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. In addition, the work session will also be held via Zoom at 10:00 am that day.

In addition, legislative committees for December 9<sup>th</sup> will also be held via Zoom videoconferencing.

Please notify all legislators, staff, the media, and the public of this change and the call-in details.

Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin  
Chair of the Legislature

Item 25 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24D-2 from CLERK OF LEGISLATURE Re: Notice Concerning Transition of Meetings on 12/9/2021 & 12/16/2021

Received, filed and printed.

November 30, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: DECEMBER 9TH COMMITTEES AND DECEMBER 16TH WORK SESSION AND LEGISLATIVE SESSION WILL BE HELD VIRTUALLY DUE TO THE CORONAVIRUS PANDEMIC

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter concerning COVID-19, the Erie County Legislature's scheduled December 16, 2021 legislative session and work session will be shifted from being held in the Chambers of the Legislature to a virtual hearing, to be held via Zoom.

In addition, legislative committees for December 9<sup>th</sup> will also be held via Zoom videoconferencing.

The Chairwoman's letter directing the changes is attached.

The Zoom details for December 9<sup>th</sup> and 16<sup>th</sup> are as follows:

December 9<sup>th</sup> Committees

Topic: Erie County Legislature Committee Meetings Starting at 9:30 am  
Time: Dec 9, 2021  
<https://us02web.zoom.us/j/88359244893?pwd=Qko5NERub2V0Z2pWK1VzNnVBa2JhUT09>  
Meeting ID: 883 5924 4893  
Passcode: 518947

December 16<sup>th</sup> Work Session and Legislative Session

Topic: Erie County Legislature Session #25 – Work Session at 10 am and Session at 12 pm  
Time: Dec 16, 2021  
<https://us02web.zoom.us/j/82438442659>  
Meeting ID: 824 3844 2659

Thank you.

Item 26 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24E-35 from BASKIN Re: Letter to Legislature Clerk Calling Public Hearing for LL Intro. 2-2 (2021)

Received, filed and printed.

November 30, 2021

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

Re: Public Notice Concerning Local Law Intro. 2-2, "The Erie County Minority and Women Business Enterprise Equality and Modernization Act of 2021"

Dear Clerk Graber:

Pursuant to Article 2, Sections 203 and 204 of the Erie County Charter, please take the necessary steps to provide proper public notice to members of the Legislature, the news media and the public announcing a public hearing concerning Local Law Intro. 2-2 (2021), "The Erie County Minority and Women Business Enterprise Equality and Modernization Act of 2021".

The hearing will be held on Thursday, December 9, 2021 at 6:00 pm on Zoom.

Thank you in advance for your assistance.

Sincerely yours,

April N.M. Baskin, Chair  
Erie County Legislature

Item 27 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24D-3 from CLERK OF LEGISLATURE Re: Notice Concerning Public Hearing for LL Intro. 2-2 (2021)

Received, filed and printed.

#### NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held via Zoom Videoconferencing, on the 9<sup>th</sup> day of December 2021, at 6:00 P.M., for the purpose of conducting a public hearing to hear public comment concerning Local Law Intro. 2-2 (2021), "The Erie County Minority and Women Business Enterprise Equality and Modernization Act of 2021".

A copy of the proposed Local Law may be seen at:

[https://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session\\_Folders/2021/24/LL%20Intro.%202-2%20%282021%29.pdf](https://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session_Folders/2021/24/LL%20Intro.%202-2%20%282021%29.pdf)

To sign-up to speak at the Zoom Public Hearing, follow this link to register:

<https://us02web.zoom.us/meeting/register/tZwufuyrj4pH9bR-GIsl8i7nIvX3VoKSXDD>

Persons who wish to watch the hearing, but not speak, may do so at:

<https://www.facebook.com/ECLegDemCaucus>

Buffalo, New York  
November 30, 2021

BY ORDER OF THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK

Robert M. Graber, Clerk  
Erie County Legislature

Item 28 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24D-4 from DEPARTMENT OF LAW Re: Opinion as to Form LL Intro. 3-1 (2021)

Received, filed and printed.

November 30, 2021

Via Email Only

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

Re: Opinion as to Form Local Law Intro No 3-1 2021

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 3-1-2021 (3-1).

#### Preemption

Under New York state law, preemption occurs when a local law directly conflicts with a state statute, or where a state statute expressly states that local laws on a given subject matter are preempted. Preemption can also occur where the State Legislature has assumed full regulatory responsibility in a field related to the proposed local law.

Here, New York State Municipal Home Rule Law Section (NYSMHRL) 33 provides specific authority which permits counties to enact and amend county administrative codes which shall set forth the details of administration of the county government in harmony with the provisions of the county charter. Since the State Legislature has granted counties specific authority to amend county administrative codes and the code amendments contemplated by 3-1 do not fall within the limitations to such authority delineated in NYSMHRL, there is no preemption issue of concern.

#### Grammar

The stated purpose of 3-1 is to amend the Erie County Administrative Code in order to create an Office of Health Equity within the Erie County Department of Health and to create an Erie County Health Equity Advisory Board for the purpose of providing advice to the Director of the newly created Office of Health Equity and the Erie County Commissioner of Health. We find the grammar and usage of 3-1 to be sufficient in order to achieve the stated purpose.



Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 3-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 3-1-2021 is sufficient as to form.

Very truly yours,

Gregory P Kammer  
Assistant Erie County Attorney

Item 29 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 24E-36 from LORIGO, GREENE, TODARO & MILLS Re: Request to ED Committee Chair for Discussion on ErieNet

Received and referred to the Economic Development Committee.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM CHAIR BASKIN**

Item 30 – (COMM. 24E-1) Updated 2021 Committee Assignments

Received, filed and printed.

**2021 Committee Assignments**

**Finance & Management**

**Chair:** Timothy Meyers  
**Chair of Legislature:** April Baskin  
**Vice Chair:** Howard Johnson  
**Members:** Kevin Hardwick  
Joseph Lorigo  
John Mills  
**Clerk:** John Davis

**Health & Human Services**

**Chair:** Lisa Chimera  
**Chair of Legislature:** April Baskin  
**Vice Chair:** John Gilmour  
**Members:** Jeanne Vinal  
Joseph Lorigo  
Frank Todaro  
**Clerk:** Rebecca Brooks

**Government Affairs**

**Chair:** John Gilmour  
Chair of Legislature: April Baskin  
Vice Chair: Lisa Chimera  
Members: Kevin Hardwick  
Joseph Lorigo  
Frank Todaro  
Clerk: Sean Mulligan

**Economic Development**

**Chair:** Howard Johnson  
Chair of Legislature: April Baskin  
Vice Chair: Timothy Meyers  
Members: John Gilmour  
Joseph Lorigo  
John Mills  
Clerk: Brendan O'Connor

**Energy & Environment**

**Chair:** Timothy Meyers  
Chair of Legislature: April Baskin  
Vice Chair: Jeanne Vinal  
Members: Kevin Hardwick  
John Mills  
Frank Todaro  
Clerk: Sean Mulligan

**Public Safety**

**Chair:** Howard Johnson  
Chair of Legislature: April Baskin  
Vice Chair: John Gilmour  
Members: Timothy Meyers  
Frank Todaro  
Christopher Greene  
Clerk: Louis Eve

**Community Enrichment**

**Chair:** Kevin Hardwick  
Chair of Legislature: April Baskin  
Vice Chair: Howard Johnson  
Members: Jeanne Vinal  
John Mills  
Christopher Greene  
Clerk: Jacob Wagner

**Minority & Women Business Enterprise**

**Chair:** Lisa Chimera  
Chair of Legislature: April Baskin  
Vice Chair: Jeanne Vinal  
Members: Kevin Hardwick  
John Mills  
Christopher Greene  
Clerk: Jessica Schuster

**Small Business Committee**

**Chair:** Jeanne Vinal  
Chair of Legislature: April Baskin  
Vice Chair: John Gilmour  
Members: Howard Johnson  
John Mills  
Frank Todaro  
Clerk: Jacob Wagner

FROM CHAIR BASKIN, LEGISLATORS CHIMERA,  
GILMOUR, HARDWICK, JOHNSON & VINAL

Item 31 – (COMM. 24E-2) Petition Designating Timothy J. Meyers Majority Leader

Received, filed and printed.

November 23, 2021

We, the undersigned, representing a majority of the members of the Majority Caucus in the Erie County Legislature do hereby designate Timothy J. Meyers as Majority Leader of the Erie County Legislature for 2021.

Howard J. Johnson, Jr.  
Legislator, District 1

April N.M. Baskin  
Legislator, District 2

Lisa M. Chimera  
Legislator, District 3

Kevin R. Hardwick  
Legislator, District 4

Jeanne M. Vinal  
Legislator, District 5

Timothy J. Meyers  
Legislator, District 7

John J. Gilmour  
Legislator, District 7

FROM THE COUNTY EXECUTIVE

Item 32 – (COMM. 24E-3) Notification of Appointment of Interim Commissioner of Senior Services

Received, filed and printed.

November 16, 2021

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

RE: Notification to the Legislature on the Appointment of Interim Commissioner of Senior Services

Dear Honorable Members,

Pursuant to Article 16, Section 1601 of the County's Charter, I hereby appoint Randall Hoak to the position of Interim Commissioner of Senior Services effective immediately. Randall Hoak

will be serving as Interim Commissioner until he leaves county service at the end of the year to take on his new role as Town of Hamburg Supervisor.

Should your Honorable Body Require further information, I encourage you to contact my Chief of Staff, Jennifer Hibit. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.  
Erie County Executive

**FROM THE COMPTROLLER**

Item 33 – (COMM. 24E-4) Sales Tax Receipt for 09/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR LORIGO**

Item 34 – (COMM. 24E-5) Minority Caucus Appointment to the Visit Buffalo Niagara Board of Directors

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM LEGISLATOR MILLS**

Item 35 – (COMM. 24E-6) Letter of Absence from Session 22 - November 23, 2021

Received, filed and printed.

November 22, 2021

Hon. Robert Graber  
Clerk, Erie County Legislature  
95 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Clerk Graber,

Please be advised that due to a pre-existing obligation to Chair a joint session of the Soil and Water Conservation District Boards for Erie and Wyoming Counties, I will be unable to attend the November 22<sup>nd</sup> Special Session of the Erie County Legislature.

Please enter the aforementioned in the Legislature's official record.

Sincerely,

John J. Mills  
Erie County Legislator

FROM THE COUNTY EXECUTIVE

Item 36 – (COMM. 24E-7) Re-Appointment to the Buffalo & Erie County Public Library Board of Directors

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 37 – (COMM. 24E-8) Authorization to Accept Funding & Contract w/NYSDoH

Item 38 – (COMM. 24E-9) Authorization to Accept Funding & Contract w/NYS Public Health Corps

Item 39 – (COMM. 24E-10) Personnel Modification - ECDoH

The above three items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 40 – (COMM. 24E-11) Site Design Engineering & Construction Oversight Services - Trailblazing Women Monuments

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (COMM. 24E-12) Community Climate Action Plan & Professional Services Term Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 – (COMM. 24E-13) Authorization to Accept Funding & Contract for Extension of Youth Engagement Hours

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 43 – (COMM. 24E-14) Authorization of Establishment of ErieNet Local Development Corporation

Item 44 – (COMM. 24E-15) PILOT Agreement - Solar Energy Systems, Buffalo

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

Item 45 – (COMM. 24E-16) Notice of Adoption of 2021 Assessment Rolls

Item 46 – (COMM. 24E-17) ECSD No. 6 - Engineering Term Contract Agreement - Work Order: AECOM-4

Item 47 – (COMM. 24E-18) ECSD No. 6 - Engineering Term Contract Agreement - Work Order: GP-2

Item 48 – (COMM. 24E-19) ECSD No. 3 - Bid Opening

Item 49 – (COMM. 24E-20) ECSD No. 3 - Engineer Term Contract Agreement

Item 50 – (COMM. 24E-21) ECSD No. 4 - Contract Close Out

Item 51 – (COMM. 24E-22) ECSD - Low Income Household Water Assistance Program

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

Item 52 – (COMM. 24E-23) Authorization of Establishment of 2020-2022 Disability Awareness Grant Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 53 – (COMM. 24E-24) Ellicott Street Building Clay Tile Roof Reconstruction - SUNY Erie City Campus

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 54 – (COMM. 24E-25) Dept. of Homeland Sec. & Emergency Services Consulting Contract

Item 55 – (COMM. 24E-26) Authorization to Accept FY 21 State Homeland Security Grant

Item 56 – (COMM. 24E-27) Authorization to Contract for Emergency Pop-Up Shelters

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

Item 57 – (COMM. 24E-28) Authorization to Accept Donated Gift Card

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 58 – (COMM. 24E-29) Authorization to Transfer Funds to Acquire New Explosives Detection K9

Item 59 – (COMM. 24E-30) Variable Minimum for Undersheriff

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

**FROM THE COUNTY EXECUTIVE**

Item 60 – (COMM. 24E-31) Appointments to Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 61 – (COMM. 24E-32) Appointments to the Mental Hygiene Community Services Board

Item 62 – (COMM. 24E-33) Additional Funding for EC Healthcare Careers Program

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DEPARTMENT OF LAW**

Item 63 – (COMM. 24D-1) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM KRISTA HARRISON**

Item 64 – (COMM. 24M-1) Letter Concerning State of Emergency in EC

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**ANNOUNCEMENTS**

Item 65 – Chair Baskin announced that this evening at 6 p.m., the Legislature will conduct a Public Hearing regarding Local Law Intro. 4-1 (2021), concerning the Reapportionment of County Legislative Districts in Erie County. The hearing will be held here in the Chambers of the Legislature.

Also, this Monday, Tuesday, and Wednesday, also at 6:00 p.m., the Legislature will conduct Public Hearings regarding the Buffalo Bills stadium and the potential construction and location of a

new stadium. The hearings will be conducted on Zoom, and details have been sent out and are listed on our website.

Further, the Legislature will also conduct a Public Hearing regarding Local Law Intro. 2-2 (2021), concerning the Erie County MWBE Equality and Modernization Act of 2021. The hearing will be held on Thursday, December 9, 2021 at 6 p.m., via Zoom. Details have been sent out and are listed on our website.

Finally, Chair Baskin announced that the Legislature will be moving to Zoom for the remainder of 2021, including next week's committee meetings, and our final scheduled session on December 16, 2021, due to the Covid emergency.

### **MEMORIAL RESOLUTIONS**

Item 66 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Gary J. Pantling.

Item 67 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Catherine Jastry.

Item 68 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Allen Cowart, Sr.

### **ADJOURNMENT**

Item 69 - 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, December 16, 2021 at 12:00 p.m. Eastern Standard Time. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, December 16, 2021 at 12:00 p.m. Eastern Standard Time.

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