

ERIE COUNTY LEGISLATURE
MEETING NO. 12
JUNE 10, 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.

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 2021. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. HARDWICK presented a Memorial Resolution Remembering James Arthur Moll, Past Post Commander of American Legion Post 264.

Item 6 – MS. VINAL presented a proclamation Congratulating and Honoring Joan Fishburn as the Spark Awards "Unsung Hero" Honoree.

Item 7 – MR. JOHNSON presented a proclamation Honoring National Lupus Awareness Month.

Item 8 – MR. JOHNSON presented a proclamation Recognizing Military Appreciation Month 2021.

Item 9 – MR. JOHNSON presented a proclamation Honoring and Recognizing NaTania B. Parker on the Launch of the NaTania B. Parker Foundation.

Item 10 – MS. CHIMERA presented a proclamation Honoring Gateway Longview in Recognition of National Foster Care Awareness Month.

Item 11 – CHAIR BASKIN presented a Memorial Resolution Remembering Neal Dobbins, Buffalo's MVP.

Item 12 – MS. CHIMERA presented a Memorial Resolution Remembering Ronald H. Moline.

Item 13 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Recognizing the 100th Anniversary of the Tulsa Massacre & Honoring Black Wall Street Week, May 31st - June 7th.

Item 14 – MR. GREENE presented a proclamation Honoring and Congratulating Captain Stephen McGonagle on His Retirement.

Item 15 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Celebrating National Dairy Month in Erie County.

Item 16 – MR. GREENE presented a Memorial Resolution Commemorating the Life and Return of Fallen Korean War Hero Paul Wilkins.

Item 17 – MR. MILLS presented a proclamation Honoring Matthew McGarrity on the Occasion of His Retirement.

Item 18 – MR. MILLS presented a proclamation Honoring Gary Balone as the Eden Chamber of Commerce 2020 Citizen of the Year.

Item 19 – MR. MILLS presented a proclamation Honoring Eric Gawron and the Eden Dairy Queen as the Eden Chamber of Commerce 2020 Business of the Year.

Item 20 – MR. MILLS presented a proclamation Honoring Eden Emergency & Rescue Squad.

Item 21 – MR. LORIGO presented a proclamation Honoring John Hasselback III for Releasing His First Album.

Item 22 – MR. LORIGO presented a proclamation Honoring Timothy Aguglia for Buffalo Schools Award.

Item 23 – MR. GREENE presented a proclamation Honoring Assistant Chief Michael Camilleri on the Occasion of His Promotion to Assistant Chief of Police.

Item 24 – MR. GREENE presented a proclamation Honoring White Birch and Burlap.

Item 25 – MR. TODARO presented a proclamation Recognizing and Honoring Josie's on Central for Being a Valued and Trusted Small Business.

Item 26 – MR. TODARO presented a Memorial Resolution Remembering David L. Ventura.

Item 27 – MR. TODARO presented a Memorial Resolution Remembering Stanislaw "Stanley" Markut.

Item 28 – MR. TODARO presented a proclamation Congratulating Mr. and Mrs. Koczaja on the Occasion of Their 50th Wedding Anniversary.

Item 29 – MR. LORIGO presented a proclamation Recognizing and Honoring Eclectic Energy Wellness Institute as a New Business in East Aurora.

MR. MEYERS moved for consideration of the above twenty-five items. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

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

LOCAL LAWS

Item 30 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 31 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the SMALL BUSINESS COMMITTEE.

GRANTED.

Item 32 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 33 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 34 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2021 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 35 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

June 3, 2021	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 10
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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. 11E-15 (2021)
COUNTY EXECUTIVE: "ECSD No. 2 - Engineering Term Contract Agreement"
(Chair's Ruling)
 - b. COMM. 11E-16 (2021)
COUNTY EXECUTIVE: "ECSD No. 3 - Engineering Term Contract Agreement"
(Chair's Ruling)
 - c. COMM. 11M-5 (2021)
NYSDEC: "Sixth Annual NYS Redevelopment Summit"
(Chair's Ruling)

2. COMM. 8E-23 (2021)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 56 at 10:00 a.m. on May 5, 2021:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 56	Concrete Applied Technologies Corp. dba CATCO 1266 Townline Road Alden, NY 14004	\$158,500.00

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 that 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; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 4 Capital Bond Account C.17401.

NOW, THEREFORE, BE IT

RESOLVED, that the Borden Road Forcemain Test Pit and Spot Repair Project Erie County Sewer District No. 4, Contract No. 56 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 56	Concrete Applied Technologies Corp. dba CATCO 1266 Townline Road Alden, NY 14004	\$158,500.00

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 County Comptroller is authorized and directed to allocate \$158,500.00 from Erie County Sewer District No. 4, Capital Bond Account C.17401 for Contract No. 56; 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, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

3. COMM. 11E-14 (2021)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry is responsible for identifying and funding necessary capital projects at Chestnut Ridge Park; and

WHEREAS, the Chestnut Ridge Conservancy (CRC), a 501 c 3 corporation, wishes to contribute to the success of Chestnut Ridge Park; and

WHEREAS, the Department of Parks, Recreation & Forestry and the CRC have agreed on a scope for the involvement of the CRC at Chestnut Ridge Park; and

WHEREAS, the taxpayers of Erie County will have a direct benefit of any help that the CRC can supply to Chestnut Ridge Park.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement (attached) with the Chestnut Ridge Conservancy; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Erie County Executive's Office, The Department of Parks, Recreation & Forestry and the Erie County Division of Law.

(6-0)

TIMOTHY J. MEYERS
CHAIR

Item 36 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

June 3, 2021	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 11M-8 (2021)
VISIT BUFFALO NIAGARA: "First Quarter Reports 2021"
(Chair's Ruling)
2. COMM. 11E-17 (2021)
COUNTY EXECUTIVE
WHEREAS, wind events have damaged portions of the Old County Hall clock tower and slate roof; and

WHEREAS, repairs are needed to prevent further deterioration and keep the building weathertight; and

WHEREAS, the County of Erie received bids for the Old County Hall – Clock Tower and Roof Repairs project on May 4, 2021; and

WHEREAS, the lowest responsible bidder is Weaver metal Roofing, Inc.; and

WHEREAS, the Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Old County Hall – Clock Tower and Roof Repairs project for an amount not to exceed as follows:

<u>General Contracting Work</u>	
Weaver Metal Roofing, Inc.	Base Bid: \$ 83,000
Total Award of Construction Contract:	\$ 83,000

and be it further

RESOLVED, that the sum of \$ 17,000 be allocated to a Construction Contingency Fund with authorization for the County Executive 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 2018 and 2020 Capital Budgets, Fund 410, Funds Center 122, as follows:

A.18005-2018 Countywide Roof Replacement	\$ 83,334.76
<u>A.20002-2020 Roof Replacement and Exterior Waterproofing</u>	<u>\$ 16,665.24</u>
Total Payment Not to Exceed:	\$ 100,000.00

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.

(5-0)

3. COMM. 11E-18 (2021)
COUNTY EXECUTIVE

WHEREAS, on behalf of the Federal Bureau of Investigation (FBI), the Erie County Sheriff’s Office has requested assistance from the Department of Public Works (DPW) to install a new asphalt driveway including drainage improvements at the Erie County Firing Range to improve maintenance and prevent further deterioration of the existing gravel drive; and

WHEREAS, the FBI has offered to reimburse Erie County for the costs of materials required to construct the asphalt drive and a portion of the drainage improvements; and

WHEREAS, the DPW Highways staff will provide the labor to construct the asphalt drive and associated drainage improvements; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to accept the reimbursement from the FBI in an amount not to exceed \$73,675.74 and be added to the budget in Capital Project A.19006 – 2019 Preservation of County Buildings and Facilities, Funds Center 122, Fund 410, GL Account 4140100 – Federal Aid-Other.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute any and all agreements to accept the reimbursement from the FBI for the cost of materials required to construct the new asphalt driveway and associated drainage improvements in an amount not to exceed \$73,675.74; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller's Office to accept the reimbursement and increase the budget in Capital Project A.19006 – 2019 Preservation of County Buildings and Facilities, Funds Center 122, Fund 410, GL Account 4140100 – Federal Aid-Other; and be it further

RESOLVED, the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with County funding requirements; 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, the Office of the Comptroller, the Erie County Sheriff's Office, and the Federal Bureau of Investigation.

(5-0)

4. COMM. 11E-19 (2021)
COUNTY EXECUTIVE

WHEREAS, the Bridge Replacement of Four Rod Road (CR 356) over Little Buffalo Creek, BIN 3328050, Town of Marilla, PIN 5763.37 (the "Project") is eligible for funding under CFR Title 23 U.S. Code, as amended, that calls for the appropriation of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the bridge needs to be replaced due to structural deficiencies; and

WHEREAS, the County of Erie desires to advance the Project by entering into an agreement with NYSDOT and making a financial commitment to advance 80% of the reimbursable Federal share and payment of the 20% Non-Federal share of the costs of the design engineering (Scoping & Design phases I-VI); and

WHEREAS, the total cost of the Design Engineering, is \$315,000, the required 20% local share is \$75,000, including contingency, and the 80% federal share is \$240,000, available in Capital Project B.21153, 2021 Federal Aid Bridge Preservation Design – Four Rod Road over Little Buffalo Creek, Fund 420, Funds Center 123; and

WHEREAS, using the Federal Aid RFQ process, the firm of Greenman-Pedersen, Inc., was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the replacement of the above noted bridge.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves participation in the Bridge Replacement of Four Rod Road (CR 356) over Little Buffalo Creek, BIN 3328050, PIN 5763.37 (the "Project"); and be it further

RESOLVED, that the County Executive be authorized to execute the Agreement with the NYSDOT, and an agreement between the County of Erie and the selected Project Design Engineers, Greenman-Pedersen, Inc. for engineering design services in an amount not to exceed \$315,000; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Engineering Design (Scoping and Design I-VI) phases of the Project or portions thereof in the amount of \$315,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the federal revenue that is available as administered by the New York State Department of Transportation (NYSDOT); and be it further

RESOLVED, that Capital Project B.21153 - 2021 Federal Aid Bridge Preservation Design -- Four Rod Road over Little Buffalo Creek, Fund 420, Funds Center 123, be adjusted as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	(DECREASE)	BUDGET
414000	Federal Aid	\$250,000	(\$10,000)	\$240,000
486000	Interfund Rev Subsidy	<u>\$75,000</u>	<u>\$0</u>	<u>\$75,000</u>
TOTAL REVENUES		<u>\$325,000</u>	<u>(\$10,000)</u>	<u>\$315,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$75,000	\$240,000	\$315,000
UNALLOCATED	Unallocated Capital	<u>\$250,000</u>	<u>(\$250,000)</u>	<u>\$0</u>
TOTAL APPROPRIATIONS		<u>\$325,000</u>	<u>(\$10,000)</u>	<u>\$315,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$315,000 for Design Engineering is hereby appropriated from B.21153 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Design Engineering (Scoping & Design I-VI) phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that should the Agreement receive additional federal or non-federal reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of the additional funds; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal, NYS Marchiselli aid and any other funding source on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local agreement; and providing for the administration of the Project and the County's first instance funding of Project costs and all local share costs of Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

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

(5-0)

5. COMM. 11E-20 (2021)
COUNTY EXECUTIVE

WHEREAS, bids were received and opened on May 6, 2021, for the Reconstruction of Alden-Crittenden Road (CR 1) and Rehabilitation of Bullis Road (CR 330) Project, ECDPW Project No. CAP-001.330-21 (the "Project"); in the Village of Alden and the Town of Marilla; and

WHEREAS, the bids are still being evaluated in accordance with the applicable local laws; and

WHEREAS, the Project requires that Bullis Road be completed this construction season; and

WHEREAS, due to the time required for Legislative approval, contract execution, and the anticipated lead time on necessary materials, it is desired to obtain Legislative approval as soon as possible to permit contract award and completion of Bullis Road this construction season; and

WHEREAS, a contract remains to be negotiated with CPL Architects, Engineers, DPC for construction inspection and engineering services during construction; and

WHEREAS, it will be necessary to establish a Construction and Construction Engineering Contingency in the amount of 10% of the lowest responsible bid with authorization for the County Executive to execute related Change Orders, Amendments and/or Agreements; and

WHEREAS, funding is available for the project from Fund 420, Funds Center 123 as follows:

Project B.20003 – 2020 Alden Crittenden - \$3,380,000
Project B.21154 – 2021 Pres of Roads – Alden-Crittenden - \$3,500,000
for a total of \$6,880,000.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby approves the subject project; and be it further

RESOLVED, that the County Executive is authorized to award and execute a construction contract for the project with the lowest responsible bidder; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for construction inspection and engineering services during construction to be negotiated with CPL Architects, Engineers, DPC, the Project consultants; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute Project related change orders, amendments and agreements, as necessary, for an amount not to exceed 10% of the lowest responsible bid; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection, engineering services during construction and the Project contingency shall not exceed \$6,880,000; and be it further

RESOLVED, the Project budget, in the amount of \$6,880,000, be made available for the Project in Fund 420, Funds Center 123 as follows:

B.20003 – 2020 Alden Crittenden -	\$3,380,000
<u>B.21154 – 2021 Pres of Roads–Alden-Crittenden -</u>	<u>\$3,500,000</u>
Total not to exceed	\$6,880,000

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

6. COMM. 11E-21 (2021)
COUNTY EXECUTIVE

WHEREAS, it is recognized that access to high speed internet service is a necessity for creating economic growth, equity and prosperity for the region; and

WHEREAS, Erie County has received additional federal American Recovery Plan funding to potentially assist with securing a business plan and design to implement broadband service throughout Erie County; and

WHEREAS, Erie County's Initiatives for a Smart Economy Erie identifies broadband service as a priority within Erie County, and the County has committed to the goal of increasing broadband access for citizens; and

WHEREAS, Erie County has solicited proposals from qualified technology firms for proposals to Provide a Broadband Utility Business Plan and Design in Erie County; and

WHEREAS, Erie County has conducted a review and selection process of the proposals that have been received to Provide a Broadband Utility Business Plan and Design in Erie County; and

WHEREAS, the results of the selection process are included as an attachment to this resolution as outlined in the Erie County Administrative Code Section 19.08; and

WHEREAS, Erie County desires to work with ECC Technologies to Provide a broadband Utility Business Plan and Design in Erie County; and

WHEREAS, this Broadband Utility Business Plan and Design in Erie County will research, plan and design a system that benefits tens of thousands of Erie County residents with have limited or no access to high speed internet service.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie and the County Executive, is authorized to enter into agreements with ECC Technology and other entities as appropriate, in amounts not to exceed \$204,984 to Provide a Broadband Utility Business Plan and Design in Erie County; and be it further

RESOLVED, that funds for this business plan and design are available in Fund 110, Fund Center 14010, Account #409050 – State Aid Revenue Offset; and be it further

RESOLVED, that this Resolution takes effect from and after its date of adoption; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Director of the Division of Budget and Management; the Comptroller's Office; the Commissioner of the Department of Environment and Planning, and the County Attorney.

(5-0)

7. COMM. 11E-17 (2021)
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the reappointment of Terri Flaherty of 2393 Main Street, Buffalo, NY 14214, as a member of the Erie County Fair Housing Board for a term that ends May 31, 2024.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 37 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106

June 3, 2021	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 9D-2 (2021)
DEPARTMENT OF LAW: “Designation in Event of Vacancy, Absence or Inability”
(Chair’s Ruling)

TO: Hon. Mark C. Poloncarz, Erie County Executive
Hon. Michael P. Kearns, Erie County Clerk
Hon. Robert Graber, Clerk of The Erie County Legislature

FROM: Michael A. Siragusa, Erie County Attorney

DATE: April 13, 2021

RE: Designation in the Event of a Vacancy, Absence or Inability

Michael A. Siragusa, Erie County Attorney, hereby designates the following Assistant County Attorneys to exercise the powers and duties of this office in the event of a vacancy in this office, or my absence or inability to perform the duties of my office, in the following order:

1. Jeremy C. Toth, First Assistant County Attorney
2. Kristen M. Walder, Seconder Assistant County Attorney
3. Amy M. McCabe, Lead Family Court Attorney

Michael A. Siragusa
Erie County Attorney

Sworn to before me this 13th
Day of April, 2021.

Danette L. Drennen
Notary Public

2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9E-23 (2021)
COMPTROLLER: “Letter to Commissioner of Personnel Regarding Facebook Posts”
(Chair’s Ruling)
 - b. COMM. 9D-9 (2021)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
 - c. COMM. 10E-2 (2021)
COMPTROLLER: “Letter to County Attorney Concerning County Liabilities”
(Chair’s Ruling)
 - d. COMM. 10D-9 (2021)
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”
(Chair’s Ruling)
 - e. COMM. 10M-9 (2021)
EC BOARD OF ETHICS: “Annual Report of Activities for 2020”
(Chair’s Ruling)
 - f. COMM. 11M-6 (2021)
FRANK BOGULSKI: “Letter in Support of the Erie County Fair”
(Chair’s Ruling)

3. COMM. 10E-13 (2021)
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the reappointments of the following individuals to the Commission on the Status of Women:

Ms. Judith Olin
59 Saybrook Pl
Buffalo, NY 14209
Term Ending: 12/30/2023

Ms. Heidi Romer
130 Stillwell Ave, LWR
Kenmore, NY 14217
Term Ending: 12/30/2023

Ms. Tamara Z. Lewis
40 Bame Ave
Buffalo, NY 14215
Term Ending: 12/30/2023

Ms. Gamileh Jamil

Ms. Diana Cihak

54 Meadowbrook Drive
Lackawanna, NY 14218
Term Ending: 12/30/2022

22 Elmview Pl
Buffalo, NY 14207
Term Ending: 12/30/2022

(5-0)

4. INTRO. 11-2 (2021)

LORIGO, GREENE, TODARO & MILLS

WHEREAS, in March 2020 all non-essential traffic between the United States and Canada was shut off to prevent the spread of COVID-19; and

WHEREAS, every thirty days that closure has been extended for over a year, with only limited travel exceptions available for purposes deemed essential by the federal government; and

WHEREAS, the health threat caused by COVID-19 currently remains, vaccination efforts in both countries are accelerating with the intended objective of having at least one vaccine dose available for all adults in both countries by summer. Currently, the U.S. has over 130 million residents fully vaccinated; and

WHEREAS, the border closure continues to have an incredible social and economic impact on the communities that are located along it like Erie County, including spouses, children and other loved ones who remain separated from each other; and

WHEREAS, the US and Canada share the longest undefended border in the world and we are one of their largest trade partners. Allowing the resumption of the unfettered movement of goods and people across our joint border is in the best interests of residents both here in the U.S. and in Canada; and

WHEREAS, President Biden has signed an executive order directing the U.S. work alongside the Canadian and Mexican governments to plan for the eventual withdrawal of existing land border restrictions, and

WHEREAS, Erie County's closest Canadian municipality, Fort Erie Ontario, recently passed a similar resolution asking for the U.S. and Canadian federal governments to work together to provide a plan for reopening the border. This honorable body wishes to echo that sentiment by calling on U.S. officials to engage their Canadian counterparts to allow for a swift reopening of the US-Canada border.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests that Canadian and US officials work together to formulate whatever plan is necessary to permit the safe full reopening of the US-Canada border to all traffic; and, be it further

RESOLVED, that this honorable body further requests that the US government provide transparency on the steps and metrics necessary to reopen the border and whether any phasing is necessary; and, be it further

RESOLVED, if the US and Canadian governments are unable to safely reopen our border swiftly, both governments should make an effort to facilitate the cross-border vaccination of Canadian residents using excess U.S. supply; and, be it further

RESOLVED, that a certified copy of this resolution be sent to President Biden, the United States Secretary of Homeland Security Alejandro Mayorkas, Representatives Brian Higgins and Chris Jacobs, Senators Chuck Schumer and Kristen Gillibrand, Prime Minister Justin Trudeau, the Fort Erie Council, and any other party deemed necessary and proper.

(5-0)

5. COMM. 11E-11 (2021)
COUNTY CLERK

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County Clerk shall act as an agent of the Commissioner of the Department of motor Vehicles and in such capacity the Erie County Clerk operates the Erie County Auto Bureau; and

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County of Erie retains approximately 12.7% of all fees generated at Erie County Auto Bureau locations; and

WHEREAS, the Erie County Auto Bureau handles approximately 1600 commercial dealership transactions on a weekly basis; and

WHEREAS, additional space for the Erie county Auto Bureau to segregate commercial dealer transactions from ordinary customer transactions will reduce customer volume in existing facilities and enhance social distancing at the Auto Bureaus; and

WHEREAS, pursuant to New York State Penal Law §400.00(5) the County Clerk is responsible for the filing of pistol permit applications; and

WHEREAS, the Erie County Clerk's Office pistol permit mobile unit at the Elma Town Hall was closed due to COVID-19; and

WHEREAS, over the past year, the County Clerk's Office's Pistol Permit Department has nearly tripled the amount of pistol permit transactions conducted by the Office; and

WHEREAS, the current location of the Erie County Pistol Permit Office provides inadequate area for its customers to maintain social distancing protocols; and

WHEREAS, the Erie County Clerk's Office is requesting authorization to amend its lease agreement with Southgate Associates, LLC (19-380-CC) for the purpose of adding an additional 2,290 square feet of customer service and office space adjacent to the existing lease premises utilized as the Southtowns Auto Bureau at the Southgate Plaza and an 1,890 square foot parking garage for indoor covered parking for county vehicles on the south end of the property; and

WHEREAS, the Erie County Division of Budget and Management has approved construction build-out costs for the expansion of leased space contemplated herein to be funded by CARES Act funding; and

WHEREAS, funds for the amendment of the lease are available in the 2021 County Clerk Budget – Fund Center 11320 – Auto Bureau Division.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is hereby authorized to amend its Lease Agreement with Southgate Associates, LLC (19-380-CC) to add an additional 4,180 square feet of customer service and office space, as well as a parking garage for indoor covered parking for county vehicles; and be it further

RESOLVED, that said lease shall be amended for a term of sixty (60) months commencing on September 1, 2021 and include a total of 12,660 of square feet with rental payments as follows: Year 1: \$15.49 per square foot; Year 2: \$15.80 per square foot; Year 3: \$16.12 per square foot; Year 4: \$16.44 per square foot; Year 5: % 16.77 per square foot; including options to extend the lease, at the Tenant’s sole discretion upon written notice to the Landlord, for two (2) consecutive five (5) year terms with 2% annual increases; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the Budget Director to make the following adjustments and changes to the Erie County Clerk’s 2021 Budget, as follows:

DECREASE: \$17,604.57
Fund Center 11320 – Auto Bureau Division

516020	Professional Services Contracts & Fees	\$17,604.57
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Appropriate that as follows:

INCREASE: \$17,604.57
Fund Center 11320 – Auto Bureau Division

545000	Rental Charges	\$17,604.57
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and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the Budget Director and Comptroller make any and all changes necessary to effectuate the implementation of this resolution; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive, the Erie County Attorney, the Director of the Division of Budget and Management, and the Erie County Clerk.

(5-0)

JOHN J. GILMOUR
CHAIR

Item 38 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

June 3, 2021	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9D-1 (2021)
COMPTROLLER'S OFFICE: "Report on Managerial Confidential Overtime for First Quarter of 2021"
(Chair's Ruling)
 - b. COMM. 10D-4 (2021)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending March 2021"
(Chair's Ruling)
 - c. COMM. 10D-7 (2021)
DEPUTY COMPTROLLER: "Law Department Spending - 03/2021"
(Chair's Ruling)
 - d. COMM. 10M-6 (2021)
LEGAL AID BUREAU: "Minutes of Board of Directors Meetings & Financial Statements"
(Chair's Ruling)
 - e. COMM. 10M-7 (2021)
ASSIGNED COUNSEL PROGRAM: "Quarterly Report for the First Quarter of 2021"
(Chair's Ruling)
 - f. COMM. 11E-13 (2021)
DISTRICT ATTORNEY: "Notice of Decrease of Authorized Balance of Petty Cash Account"
(Chair's Ruling)
 - g. COMM. 11E-23 (2021)
COMPTROLLER: "Interim Financial Report of EC for the First Quarter of 2021"
(Chair's Ruling)

- h. COMM. 11D-4 (2021)
DEPUTY COMPTROLLER: “Receipt of COVID-19 Funds through the American Rescue Plan Act 2021”
(Chair’s Ruling)
- i. COMM. 11M-3 (2021)
NYS DEPT. OF TAXATION & FINANCE: “State Equalization Rates of Municipalities for the 2021 Assessment Rolls”
(Chair’s Ruling)
- j. COMM. 11M-4 (2021)
NYS DEPT. OF TAXATION & FINANCE: “Additional Information Regarding State Equalization Rates of Municipalities for the 2021 Assessment Rolls”
(Chair’s Ruling)
- k. COMM. 11M-7 (2021)
LEGAL AID BUREAU: “Minutes of Board of Directors Meetings & Financial Statements”
(Chair’s Ruling)

2. COMM. 2D-8 (2021)
DIRECTOR OF REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 230125 through 230131, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2019	Petition No.	230,125.00
	ASSESSOR	Refund	\$467.83
S-B-L	80.18-13-11	114 Birkdale Rd 143089	CHEEKTOWAGA
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$467.83 Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA		\$467.83
	Relevy School		\$467.83 143003 CHEEK. UNION #3

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Norman & Pauline Fears

Charge To :	Acct. No. 132	\$1,031.36	Town/SpecialDist/School
	145289 LANCASTER		\$1,031.36
	Relevy School	\$1,031.36	145201 LANCASTER

CENTRAL

RPTL 550(2): Exemption amount wasn't updated after change in assessment
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,130.00

ASSESSOR Cancel \$788.67
S-B-L 93.05-2-9 5169 Genesee St 145289 LANCASTER

Charge To :	Acct. No. 112	\$330.81	County
	Acct. No. 132	\$457.86	Town/SpecialDist/School
	145289 LANCASTER		\$457.86

RPTL 550(2): Exemption amount wasn't updated after change in assessment
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 230,131.00

ASSESSOR Refund \$175.12
S-B-L 269.00-6-19.2 Rear Thiel Rd 145889 NORTH COLLINS

Charge To :	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$175.12	Town/SpecialDist/School
	145889 NORTH COLLINS		\$175.12

RPTL 550(2): Applied garbage in error
Refund to be issued to Charles Puntillo

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(5-0)

TIMOTHY J. MEYERS
CHAIR

LEGISLATOR RESOLUTIONS

Item 39 – MR. MEYERS presented the following resolution and moved for immediate

consideration. MR. JOHNSON seconded.

MR. LORIGO moved to send the resolution to committee for further consideration. MR. TODARO seconded.

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.

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.

RESOLUTION NO. 108

RE: Support for Sequential Mapping Project to Identify Community Stakeholders and Non-Profit Organizations that Can Assist the County with CARES Act Funds and Future Needs
(INTRO. 12-1)

**A RESOLUTION TO BE SUBMITTED BY
CHAIR BASKIN & LEGISLATOR JOHNSON**

WHEREAS, the Erie County Department of Social Services (DSS) provides critical human and social services public assistance to hundreds of thousands of residents in Erie County ranging from Medicaid, supplemental nutrition assistance, temporary assistance to needy families, child support, adoption and foster care, child protective services, rental assistance and many others; and

WHEREAS, many local non-profit agencies serve as valued contractors and subcontractors providing or facilitating the provision of these services to the residents of Erie County; and

WHEREAS, the COVID pandemic and economic crisis has revealed inequities and gaps in the health, human and social services network in our community, and demonstrated some difficulties and issues associated with service delivery to the neediest in our community; and

WHEREAS, during the COVID emergency, the County has received federal CARES Act funding to provide important services and programs ranging from Back 2 Business to support small

businesses, to rental assistance for renters to avert evictions and housing problems, to child care subsidies and programs to help parents work when their children are at home and not in school; and

WHEREAS, the County's provision of these CARES Act-funded programs, while laudable, has revealed some difficulties with quickly identifying local community non-profit partner agencies with adequate capacity and capabilities to respond to County requests for proposals to provide services; and

WHEREAS, the Erie County Department of Mental Health created a sequential mapping initiative in 2021 to identify the wide range of community agencies that provide mental health services and support and to share that data with all stakeholders so that all agencies are aware of the entities that exist and the services they provide and their capacity; and

WHEREAS, DSS, the Erie County Legislature and the public could benefit from such a process being conducted by DSS to proactively conduct a sequential mapping project of all agencies that exist and the services they provide, and to publish and share that information with the Legislature, the public, and the agencies themselves; and

WHEREAS, such an initiative could help lead to a situation that when federal or other funding is made available to the County, such as during the COVID emergency, requests for proposals can be quickly issued and responses from capable agencies with capacity to perform needed services can be received and evaluated by DSS and contract awards proposed to assist the needy; and

WHEREAS, as a corollary, the pandemic has revealed gaps in the community's knowledge of vulnerable populations and people, and steps could be taken to help evaluate the community and our residents' needs and risks, particularly as DSS knows the identities and contact details for their clients; and

WHEREAS, community needs and risks are identified and formalized into solutions to address the inequities exacerbated by COVID, it is vital that an adequate portion of the remaining CARES Act COVID funds are assigned to implement the appropriate plans and programs to reverse these disparities; and

WHEREAS, to help with that process, DSS could convene stakeholder summits or meetings with community groups, clergy and advocacy groups to help identify both the populace at risk, as well as their needs and the groups that have capacity and the skills to assist those persons.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby requests that the Erie County Department of Social Services conduct a sequential mapping project to identify all community agencies and non-profit groups that have the proper capacity to provide health, human and social service programs; and be it further

RESOLVED, that this Honorable Body requests that the Department of Social Services convene stakeholder summits or meetings with community groups, clergy and advocacy groups to

help identify both the populace at risk, as well as their needs and the groups that have capacity and the skills to assist those persons; and be it further

RESOLVED, that this Honorable Body recommends that the County Administration appropriate remaining available CARES Act funding in 2021 for impoverished communities affected by COVID after the sequential mapping project is completed and community agencies are identified; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive and the Commissioner of Social Services.

MR. MEYERS moved to amend the resolution by adding MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. MEYERS and MS. VINAL as co-sponsors. 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 the resolution as amended. MS. CHIMERA seconded.

MR. LORIGO requested the separation of the Third Resolve Clause.

GRANTED.

CHAIR BASKIN moved the previous question (balance of the resolution).

CARRIED UNANIMOUSLY.

CHAIR BASKIN moved the adoption of the Third Resolve Clause, 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 40 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded MS. VINAL voted in the negative..

CARRIED. (10-1)

RESOLUTION NO. 109

RE: Calling on the Chair of the

Legislature to Call a Public
Hearing on LL Intro. 1-1 (2021)
(INTRO. 12-2)

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

WHEREAS, the 2021 New York State Budget contained changes to New York State's hunting and conservation laws that would allow counties the choice to allow residents, aged 12-13, the opportunity to hunt deer under appropriate supervision; and

WHEREAS, Local Law 1-1 (2021) would opt Erie County in to New York State's pilot program for 12 and 13-year-old residents; and

WHEREAS, the law requires children to learn with adult hunters who are older than 21 years of age, have three years of hunting experience, are properly licensed by the state, and if they are not the legal guardian of the youth they must receive written parental permission to take the youth hunting; and

WHEREAS, 46 states currently allow 12- and 13-year-old residents to hunt big game under appropriate supervision. Further, New York already allows 12- and 13-year-old residents to hunt deer with a bow and arrow; and

WHEREAS, hunting is a great attraction for Erie County residents with tens of thousands of permits being provided to residents each year; and

WHEREAS, under the Governor's social gathering restrictions the mental health of New York's youth has suffered. Hunting is an opportunity for parents to bond with their child and in doing so helps promote mental health and social well-being for our regional youth; and

WHEREAS, further teaching children how to hunt and how to properly handle firearms early increases life-long hunting safety and promotes conservation at a younger age when children are more likely to learn; and

WHEREAS, the rules of the Erie County Legislature provide the Chair with the sole authority to call a public hearing and New York State law requires at least one public hearing be held before the passage of a law on the local municipal level.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby respectfully requests that the Chair of the Legislature call a public hearing on Local Law 1-1 (2021) to be held before our next regularly scheduled session of the Erie County Legislature.

Item 41 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110

RE: Emergency Orders and Financial
Authority Related to the COVID-
19 Emergency Response
(INTRO. 12-3)

**A RESOLUTION TO BE SUBMITTED BY
CHAIR BASKIN, LEGISLATORS MEYERS, HARDWICK,
JOHNSON, CHIMERA, GILMOUR & VINAL**

WHEREAS, in March 2020, due to COVID-19, Erie County Executive Mark C. Poloncarz declared a State of Emergency in Erie County under Section 24 of the New York State Executive Law; and

WHEREAS, on March 19, 2020, the Erie County Legislature unanimously approved Comm. 6E-22 (2020) concerning COVID-19 Emergency Funding, giving the County Executive and Director of Budget and Management certain powers and authority, including:

- Adjusting the 2019 and 2020 Budgets in order to facilitate the allocation of emergency funding to respond to the novel coronavirus public health emergency;
- Establishing the new Fund 252 COVID-19 Response to be used for the purposes of responding to the COVID-19 public health emergency;
- Transferring up to \$5 million in County funds into the newly established appropriation Account 570035 (Inter-fund Transfer-COVID-19 Response Fund);
- Authorizing the waiver of the RFP process set forth in Section 19.08 of the Erie County Administrative Code is hereby waived for all actions taken in response to the COVID-19 public health emergency;
- Authorizing the waiver of formal purchase policies and procedures which may hinder the immediate response to the COVID-19 public health emergency;
- Authorizing the County Executive to enter into contracts, make purchases, and hire additional personnel for the purposes of responding to COVID-19 public health emergency;
- Directing the Division of Budget and Management to submit a detailed report to the Legislature detailing all costs associated with the crisis and response (including personnel expense and overtime costs), all vendor payments and new jobs/positions created by the administration to address the Coronavirus crisis;

and

WHEREAS, Erie County has taken a lead role in responding to the COVID crisis and pandemic, working with our state and local partners and healthcare providers and first responders; and

WHEREAS, in the Legislature's budget resolutions and amendments to the 2021 Erie County Budget, the Legislature amended Budget Resolutions 99, 100 and 101 to require disclosures of certain financial actions to the Legislature, as well as to limit the County Executive and Budget

Director's authority to conduct COVID financial actions without Legislature approval to item of only less than \$250,000; and

WHEREAS, as vaccinations have been developed and administered and many Erie County residents have been vaccinated against the virus, there is a need to reevaluate the status of the emergency powers and budgetary authority granted to the County Executive and County Administration; and

WHEREAS, the Erie County Legislature notes that under Section 24(1)(g) of the New York State Executive Law, this body does not have the legal authority to terminate the County Executive's Emergency Order 1.9 (2020), but notes that such a termination is not functionally necessary, as the actions contemplated and conducted via that emergency order have already been completed or are being conducted in 2021 with formal legislative approval; and

WHEREAS, at a discussion concerning this matter at the Legislature's Finance and Management Committee on June 3, 2021, the County Administration agreed with changes to the financial authority granted them in Comm. 6E-22 and the 2021 Budget, noting that given the progress made on addressing the pandemic, they are able and willing to relinquish certain financial authority granted to them by the Legislature.

NOW, THEREFORE, BE IT

RESOLVED, given the ending of the 2020 fiscal year, the Erie County Legislature hereby terminates the budgetary and fiscal authority granted to the County Executive and Director of Budget and Management for the 2020 fiscal year in Comm. 6E-22 (2020); and be it further

RESOLVED, that the Erie County Legislature hereby terminates the authority granted to the County Executive and Director of Budget and Management in 2021 Budget Resolutions number 100 and number 101, and resumes the standard process by which any financial actions over \$10,000 require Legislature approval forthwith; and be it further

RESOLVED, that this Honorable Body directs the Director of Budget and Management to continue to provide regular reports to the Legislature concerning spending associated with Fund 252 and Fund 253; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Director of Budget and Management, County Attorney and the County Comptroller.

MR. MEYERS moved to amend the resolution by including Et Al Sponsorship. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 42 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

RE: Urging the County
Administration to Conduct a
Request for Proposals on COVID
Vaccination and Education
(INTRO. 12-4)

**A RESOLUTION TO BE SUBMITTED BY
CHAIR BASKIN & LEGISLATOR JOHNSON**

WHEREAS, despite aggressive outreach efforts, such as offering adults the opportunity to receive free beer from local breweries at po-up vaccination clinics and free \$5 Dunkin gift cards, the COVID vaccination rate in Erie County is still worrying low, at only 55.6% of residents having received at least one dose; and

WHEREAS, many persons who have not yet received vaccinations are residents who are not aware of the benefits and advantages to their personal health and life, as well as to the community at-large of receiving a COVID vaccine; and

WHEREAS, many persons who are not yet vaccinated have concerns about the safety and efficacy of the COVID vaccines, and have not yet been convinced on the need for the vaccinations; and

WHEREAS, the County has access to CARES Act funding from 2020 which can be used to conduct outreach and educational programs to affected residents who have not yet received a COVID vaccine; and

WHEREAS, the County and our residents whom we wish to help protect, can benefit from a new COVID vaccination outreach and education program that targets key neighborhoods and zip codes where vaccination rates are low and poverty rates are high, such as rural areas and many sections in the City of Buffalo; and

WHEREAS, the County has the financial ability, using federal funds, to conduct such a campaign.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recommends and requests that the County Department of Health conduct a public COVID vaccination education outreach program that can include door-to-door canvassing to explain the importance and benefits of the vaccine to residents; and be it further

RESOLVED, that additional outreach and COVID vaccine clinics are recommended to be held in micro-neighborhood settings as well as using community-based organizations and faith-based institutions, peers and local civic leaders as exemplars to help educate residents of zip codes with low vaccination rates about the safety and need for the COVID vaccine; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Commissioner of Health, Commissioner of Social Services, the African American Health Equity Task Force, the African American Health Disparities Task Force, the Community Health Center of Buffalo, and the Rural Outreach Center.

MR. MEYERS moved to amend the resolution. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Add the following co-sponsors: HARDWICK, CHIMERA, MEYERS, VINAL and GILMOUR.

Add the following Resolve clause:

RESOLVED, that this Honorable Body hereby directs the County Administration to conduct and issue a request for proposals for conducting a COVID education and vaccination program to help encourage and provide more COVID vaccinations to residents; and be it further

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

RE: Opposing New York State's
Intercept of Sales Tax Revenues
to Fund the State's Cuts to the
"Aid and Incentives to
Municipalities" Program
(INTRO. 12-5)

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

WHEREAS, New York State government has a history and pattern of imposing new mandates on local governments and new costs and financial burdens against the wishes of, or without consulting the localities; and

WHEREAS, as the New York State Association of Counties stated in December 2020, during the last two state budgets, the Governor and State Legislature diverted \$500 million in local sales tax revenues to state-defined projects and programs; and

WHEREAS, for several years, some elements of New York State government have been reducing and attempting to eliminate the State's Aid and Incentives to Municipalities ("AIM") Program which currently provides state financial assistance to all of New York's cities and 137 villages and towns; and

WHEREAS, the 2019-20 Enacted State Budget reduced AIM funding by \$59 million, eliminating aid for 1,325 towns and villages determined to be less reliant on AIM; and

WHEREAS, the Office of the New York State Comptroller was required by Chapter 59 of the Laws of 2019 to withhold certain county sales tax revenues and make payments to the impacted towns and villages in the amounts that they had previously received through AIM in State Fiscal Year 2018-2019 in December and May each year; and

WHEREAS, the 2020-21 Enacted State Budget allowed the New York State Director of the Division of Budget to reduce State funding for local assistance, including AIM, at certain points in the State's fiscal year; and

WHEREAS, as part of that process, the State withheld AIM payments in 2020 during the COVID pandemic; and

WHEREAS, the 2020-21 Enacted State Budget established in law a process for making AIM-Related payments to towns and villages in Erie County under which the Erie County Fiscal Stability Authority and the Buffalo Fiscal Stability Authority are required by Chapter 55 of the Laws of 2020 to return to the State Comptroller's Office the amount of sales tax distribution needed to make AIM-Related payments to towns and villages in Erie County each May and December; and

WHEREAS, in 2021, the State created a mechanism under which the county and local sales tax revenues which are collected by the State and remitted to the localities are held back by the State and used to provide alternative funding to cities, villages and towns in lieu of AIM funding; and

WHEREAS, the effect of that State change is to reduce and withhold local sales tax revenues to local governments, such as Erie County, and to create a new negative financial burden on local governments that budget and rely on sales tax revenue to sustain programs and operations; and

WHEREAS, the New York State Association of Counties has noted that the State is taking the local share of sales tax collections and shifting them to fill its own budget holes and pay for state programs; and

WHEREAS, in Erie County, the State action reduces the amount of County share and local sales tax revenue available to be shared under the County's sales tax sharing agreement with the cities, towns, villages and school districts, and creates new financial burdens on all of these local governments; and

WHEREAS, in the State's 2020 and 2021 fiscal years, the amount of AIM-Related withholding in Erie County was \$4,445,183 each year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its opposition to New York State's changes in legislation, policy and practice concerning Aid and Incentives to Municipalities programmatic funding and sales tax intercepted revenue which penalizes local governments and counties; and be it further

RESOLVED, that this Honorable Body urges the Governor and the State Legislature to reverse the changes to the AIM program and to end the State intercept of local sales tax revenue associated with the AIM program and to fully remit local sales tax revenues; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor, the Speaker of the New York State Assembly, the Temporary President of the New York State Senate, the State Comptroller, the Erie County State Legislature delegation, and the New York State Association of Counties.

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

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

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

CARRIED.

RESOLUTION NO. 113

RE: Support for Establishing the
Crime of Aggravated Offering of
a False Accusation Against a
Police Officer
(INTRO. 12-6)

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

WHEREAS, members of law enforcement put their lives on the line every day. During the course of performing their duty, they are often forced to deal with residents and criminals who would seek to intentionally harm the reputation of the police officer as either retribution or to change the outcome of their own legal proceedings; and

WHEREAS, one of the methods used is to make accusations of misconduct against the arresting officer, which are typically difficult to defend; and

WHEREAS, Senate Bill S3465 (2021) seeks to make it a crime to knowingly make a false accusation of misconduct against a police officer; and

WHEREAS, this honorable body should show its support for law enforcement in our community and take a stand against individuals raising demonstrably false claims of misconduct against them.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the New York State Senate Bill S3465 (2021); and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the New York State Senate and Assembly, the majority and minority leaders in the New York State Senate and Assembly, Governor Andrew Cuomo, and any other party deemed necessary and proper.

MR. MEYERS moved to amend the resolution to add MR. GILMOUR as a co-sponsor. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

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

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

CARRIED.

Item 45 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. MILLS seconded.

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

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

CARRIED.

RESOLUTION NO. 114

RE: Support for An Increase in
Penalties for Assaulting First
Responders
(INTRO. 12-7)

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

WHEREAS, first responders like police, firefighters, peace officers and EMS personnel are called first responders because they are typically the first people to run toward a crisis. Many of these men and women do this no matter how dangerous that situation may be to their personal well-being; and

WHEREAS, the immeasurable good first responders do for our community cannot be overstated and should be commended; and

WHEREAS, due to the reliance we all have on the bravery and selflessness of first responders in emergency situations and the danger many of them face on a daily basis, we should strive to protect them and show our support whenever possible; and

WHEREAS, New York State Senate Bill S2561 (2021) would increase the criminal penalties associated with assault in the second degree when committed against a first responder, assault on a police officer, and aggravated assault on a police officer or peace officer; and

WHEREAS, the bill would amend the penal code to make assault in the second degree, usually a class D felony, a Class C felony when committed against a police officer, peace officer, firefighter, or other first responder. Class C felonies carry potential jail time of up to fifteen (15) years; and

WHEREAS, the bill would also amend sections of the penal law to provide that assault on a police officer, firefighter, or EMS professional is a Class B felony, which provides for sentences of up to twenty-five (25) years in prison; and

WHEREAS, the bill would also amend the penal code to provide that aggravated assault on a police officer or peace officer is a Class A felony, which can carry a sentence of life in prison; and

WHEREAS, increasing the penalties for assaulting police officers and first responders will provide a needed level of protection and deter criminals from committing these crimes in the first place.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports first responders including police officers, firefighters, and EMS professionals and recognizes the dangerous work they do; and be it further

RESOLVED, that this honorable body further supports Senate Bill S2561 and the increase in penalties associated with assault of a first responder; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the New York State Senate and Assembly, the majority and minority leaders in the

New York State Senate and Assembly, Governor Andrew Cuomo, and any other party deemed necessary and proper.

MR. MEYERS moved to amend the resolution to add MR. GILMOUR as a co-sponsor. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to approve the resolution as amended. MR. GILMOUR seconded. CHAIR BASKIN, MR. JOHNSON and MS. VINAL voted in the negative

CARRIED. (8-3)

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

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

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

CARRIED.

RESOLUTION NO. 115

RE: Support for the Establishment of
the Crime of Aggravated
Harassment of a Police Officer
(INTRO. 12-8)

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

WHEREAS, under current NYS laws, corrections officers are protected from being attacked with handheld projectiles and bodily fluids while performing their job. That same basic protection is not afforded to a police officer performing his or her duty. In order for an attacker to be charged with a crime for assaulting a member of law enforcement the officer must be physically injured. Being coated in someone else's bodily fluids does; and

WHEREAS, New York State Senate Bill S3208 (2021) would establish the crime of aggravated harassment of a police officer where a person causes or attempts to cause the officer to come in contact with bottles, rocks, flammable liquids, hazardous or dangerous substances or objects, blood, seminal fluid, urine, feces, saliva or the contents of a toilet bowl; and

WHEREAS, reasonable people would agree that New York State should provide the same protections offered to NYS Corrections officers to the deputies in the street and that those deputies should not have to risk being doused with flammable liquids or bodily fluids with no recourse; and

WHEREAS, this resolution is intended to show the Erie County Legislature's support for laws protecting law enforcement officers from being attacked with hand held projectiles, dangerous combustibles, and human excrement.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby expresses its support for Senate Bill S3208 (2021) and the establishment of the crime of aggravated harassment of a police officer to prohibit the act of throwing projectiles and waste at members of law enforcement as they carry out their duty; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the New York State Senate and Assembly, the majority and minority leaders in the New York State Senate and Assembly, Governor Andrew Cuomo, and any other party deemed necessary and proper.

MR. MEYERS moved to amend the resolution to add MR. GILMOUR as a co-sponsor. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

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

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

CARRIED.

Item 47 – CHAIR BASKIN directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. MILLS seconded.

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.

INTRO. 12-9 from TODARO, LORIGO, GREENE & MILLS. Opposition to Establishment of a Nuisance Claim Against Gun Manufacturers.

Item 48 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

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

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

CARRIED.

RESOLUTION NO. 116

RE: Support for the Establishment of
the Crime of Doxing a Police or
Peace Officer
(INTRO. 12-10)

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

WHEREAS, New York State Senate Bill S3463 (2021) seeks to establish the crime of doxing a police officer or peace officer with the intent to use the information to threaten, intimidate or incite the commission of a crime against the police officer or peace officer or his or her immediate family; and

WHEREAS, Merriam-Webster’s Dictionary defines “doxing” as a slang word that means “to publicly identify or publish private information about (someone) especially as a form of punishment or revenge;” and

WHEREAS, in practice, “doxing” is used to publicly reveal private personal information about an individual or organization on the internet. Typically doxing is committed with malicious intent to threaten, embarrass, or expose the target to public ridicule; and

WHEREAS, the act of doxing someone often exposes the names of family members, employers, phone numbers and personal addresses with direct and/or indirect threats of violence against their target; and

WHEREAS, due to the nature of their job, police officers are often in conflict with the people they come in contact with. This scenario provides some individuals incentive to try and harm the officer by doxing them; and

WHEREAS, releasing such information can be exceptionally dangerous to law enforcement, potentially allowing for retribution from criminal organizations or unwarranted harassment from members of the community; and

WHEREAS, this honorable body should show their support for law enforcement and their valued contributions to our community by protecting them from unwarranted and dangerous online exposure.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby issues its support for Senate Bill S3463 and urges the New York State Legislature to act swiftly to pass it into law; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Delegation to the New York State Senate and Assembly, the majority and minority leaders of both the New York State Senate and Assembly, Governor Andrew Cuomo, and any other party deemed necessary and proper.

MR. MEYERS moved to amend the resolution to add MR. GILMOUR as a co-sponsor. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

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

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

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

CARRIED.

Item 49 – CHAIR BASKIN directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. MILLS seconded.

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.

INTRO. 12-11 from TODARO, GREENE & MILLS. Calling on NYS to Remove Mask Mandates in WNY Schools.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

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-20 from MEYERS Re: Majority Caucus Appointment of Non-Voting Representative to ECMCC Board of Directors

Received, filed and printed.

June 10, 2021

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

Re: Majority Caucus Non-Voting Representative to ECMCC

Pursuant to New York State Public Authorities Law, Section 3628, the Erie County Medical Center Corporation's ("ECMCC") Board of Directors shall have four non-voting representatives, including one selected by the majority leader of the Erie County Legislature, and one member selected by the minority leader of the Erie County Legislature. The terms are for five years.

The terms of the majority leader and minority leader's non-voting representatives to the ECMCC Board of Directors have expired. To that end, I desire to appoint a new non-voting member of the ECMCC Board of Directors to represent my caucus.

To that end, I hereby appoint Christian Johnson as the Majority Leader's appointment to the ECMCC Board of Directors, effective immediately. Ms. Johnson's resume is attached. Thank you in advance for your assistance and courtesies.

Sincerely,

Timothy J. Meyers
Majority Leader

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

GRANTED.

COMM. 12E-21 from LORIGO Re: Minority Caucus Appointment of Non-Voting Representative to ECMCC Board of Directors

Received, filed and printed.

November 24, 2014

Erie County Legislature
92 Franklin St. – 4th Floor
Buffalo, N.Y. 14203

To whom it may concern:

Pursuant to New York Public Authorities Law section 3628(2) I, as majority leader, appoint James L. Lawicki of 65 Norwood Lane, Orchard Park, NY 14127, to the open non-voting position of the Erie County Medical Corporation's board of directors. Mr. Lawicki will fill the remainder of the term vacated by Ronald Bennett, who has been moved to a voting position.

Attached is Mr. Lawicki's resume.

Sincerely,

Joseph C. Lorigo
Erie County Legislature – District 10

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 52 – (COMM. 12E-1) Authorization to Accept TANF Funds to Enhance Non-Residential Services to Victims of Domestic Violence

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 53 – (COMM. 12E-2) SUNY Erie New Purchase Order - City Campus 2017 Ellicott St. Building Skylight Reconstruction & Roof Repairs

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 54 – (COMM. 12E-3) ECSD Nos. 1, 4 & 5 - Construction Inspection Term Contract Agreement

Item 55 – (COMM. 12E-4) Retaining Professional Ecological Services - Treatment of Invasive Species, Buffalo River Area of Concern

Item 56 – (COMM. 12E-5) ECSD No. 5 - Transit Rd. Cured in Place Pipe Lining Project

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

Item 57 – (COMM. 12E-6) SUNY Erie 2021 - 2022 Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHAIR BASKIN

Item 58 – (COMM. 12E-7) Letter to Legislature Clerk Concerning Transition of Meetings on 6/10/2021

Received, filed and printed.

June 4, 2021

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

Re: June 10th Work Session and Legislative Session will be Held Virtually due to the Coronavirus Pandemic and the Legislative Session Time Will Be Changed

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 June 10, 2021 session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. In addition, the legislative session will be held at 11:00 am instead of 2:00 pm.

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 59 – (COMM. 12E-8) Resuming Normal Operations & In-Person Sessions & Committee Meetings

Received, filed and printed.

June 4, 2021

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

Re: Resuming Normal Operations and In-Person Sessions and Committee Meetings at the Legislature

Dear Legislators and Staff:

After a review of the COVID positivity rates and vaccination status update in Erie County, I am writing to inform you that effective Tuesday, July 6, 2021, the Legislature will resume normal operations.

The July 8, 2021 legislative session will be held in-person in the Chambers of the Legislature. That day's schedule will feature a work session at 10:00 am in the caucus room, followed by the session at 12:00 pm.

Effective on Tuesday, July 6th, all Legislature staff are asked to return to their work sites, including central staff and district office staff. Staff will no longer be approved or authorized to work from home.

While resuming normal operations at Old County Hall, we will maintain COVID safety protocols including social distancing and the use of masks in close quarters.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

April N.M. Baskin, Chair
Erie County Legislature

Item 60 – (COMM. 12E-9) Establishing Session Time Changes & Amended 2021 Schedule of Legislative Sessions

Received, filed and printed.

June 4, 2021

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

Re: Changing Session Times from 2 pm to 12 pm

Dear Clerk Graber:

As you know, we will be resuming in-person sessions and committee meetings starting with the legislative session on Thursday, July 8, 2021.

I am writing to inform you that effective with that legislative session and for all future sessions for 2021, the sessions will start at 12 pm, instead of 2 pm. Since the COVID pandemic began in 2020, we have held many sessions at 11 am (following the work session at 10 am) and that process has been well-received.

Please revise and re-issue the 2021 Schedule of Legislative Session to all legislators, administration representatives, media outlets and interested parties.

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

April N.M. Baskin, Chair
Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 61 – (COMM. 12E-10) IMA for Healthy Neighborhoods/Safe Routes to School II Project, Hamburg

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 62 – (COMM. 12E-11) ECSD No. 4 - Engineering Planning Grant

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 63 – (COMM. 12E-12) IMA for Baseline Rd. Sidewalk Project, Grand Island

Item 64 – (COMM. 12E-13) Contract for Capital Improvements at Kingsgate Park, Amherst

Item 65 – (COMM. 12E-14) Authorization to Accept Grant Funding for FY19 Critical Infrastructure Grant

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

Item 66 – (COMM. 12E-15) Authorization to Accept Grant Funding for FY19 Technical Rescue & Urban Search & Rescue Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 67 – (COMM. 12E-16) ECSD No. 3 - Engineering Term Contract Agreement, Work Order DA-5

Item 68 – (COMM. 12E-17) ECSD No. 3 - Engineering Term Contract Agreement, Work Order DA-4

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

Item 69 – (COMM. 12E-18) Authorization to Contract with Hear 2 Learn, PLLC

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 70 – (COMM. 12E-19) 2021-2022 Large Culvert & Pedestrian Bridge Condition Inspections Countywide

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 71 – (COMM. 12D-1) Notification of New COVID-19 Federal Aid

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 72 – (COMM. 12D-2) Letter to Legislature Concerning Transition of Meetings on 6/10/21

Received, filed and printed.

June 4, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: JUNE 10, 2021 WORK SESSION AND LEGISLATIVE SESSION WILL BE HELD VIRTUALLY DUE TO THE CORONAVIRUS PANDEMIC AND THE LEGISLATIVE SESSION TIME WILL BE CHANGED

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 June 10, 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, the legislative session will be held at 11:00 am, instead of 2:00 pm.

The Chairwoman's letter directing the changes is attached.

The Zoom details are as follows:

Erie County Legislature Work Session at 10:00 am and Legislative Session #12 (2021) at 11:00 am
<https://us02web.zoom.us/j/83955578509>

Meeting ID: 839 5557 8509

Or call 646-876-9923

Thank you.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 73 – (COMM. 12D-3) Budget Monitoring Report for Period Ending April 2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 74 – (COMM. 12D-4) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 75 – (COMM. 12D-5) Response to COMM. 10E-9 (2021)

Item 76 – (COMM. 12D-6) Child Protective Caseloads for 05/2021

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

FROM THE DEPARTMENT OF LAW

Item 77 – (COMM. 12D-7) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 78 – (COMM. 12D-8) Updated Nursing Home Outbreak Information - 05/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 79 – (COMM. 12M-1) Update on Status of Investigation and Cleanup Activities - Riverview Innovation & Technology Campus

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEPT. OF TAXATION & FINANCE

Item 80 – (COMM. 12M-2) Additional Information Regarding State Equalization Rates for the 2021 Assessment Rolls

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE PRESIDENT, EC BOARD OF HEALTH

Item 81 – (COMM. 12M-3) Board of Health Meeting Minutes and Agenda from Meeting Held on 1/14/2020

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE ECIDA

Item 82 – (COMM. 12M-4) ECIDA's 2020 Annual Audited Financial Statements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 83 – Chair Baskin announced that committee meetings will be held on Thursday, June 17, 2021. Chair Baskin further announced that the schedule for committee meetings to be held on Thursday, June 17, 2021, will be distributed. Chair Baskin further announced that all staff are to report in-person and return to normal operating schedule beginning July 6, 2021.

MEMORIAL RESOLUTIONS

Item 84 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Richard Greis and David L. Ventura

Item 85 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Timothy Smith and Marjorie Klinger.

ADJOURNMENT

Item 86 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. MEYERS moved that the Legislature adjourn until Thursday, June 24, 2021 at 2:00 p.m. Eastern Standard Time. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, June 24, 2021 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE