

ERIE COUNTY LEGISLATURE
MEETING NO. 9
APRIL 29, 2021

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Gilmour, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Chimera.

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 8 from 2021. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. VINAL presented a proclamation Congratulating and Honoring the Buffalo Philharmonic Orchestra and Chorus as the 2021 Grammy Award Winner for Best Choral Performance.

Item 6 – MR. HARDWICK presented a proclamation Congratulating and Honoring Sheriff's Deputy Bradley Girdler and K-9s Loki and Leiche for Their Dedicated and Conscientious Service.

Item 7 – MR. MEYERS presented a Memorial Resolution Remembering Diane K. Domzalski-Power.

Item 8 – MS. VINAL presented a Memorial Resolution Remembering Jack Krajewski.

Item 9 – MS. VINAL presented a Memorial Resolution Remembering Marianne C. Dieter.

Item 10 – MS. CHIMERA presented a proclamation Congratulating and Honoring Mary Jean Jakubowski, Director of the Buffalo and Erie County Public Library, on Her Retirement after 30 Years of Service.

Item 11 – MS. VINAL presented a proclamation Recognizing Mill Middle School as the Regional Winner of the Future City Competition.

Item 12 – MS. CHIMERA presented a proclamation Recognizing the Western New York Climate Council on Earth Day.

Item 13 – MS. CHIMERA presented a Memorial Resolution Remembering Amy J. Vilz.

Item 14 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Proclaiming May 2 through May 8, 2021 as National Correctional Officers' Week in Erie County.

Item 15 – MR. TODARO presented a proclamation Honoring Barkology Upon the Occasion of Its Grand Opening.

Item 16 – MR. TODARO presented a proclamation Honoring FOCUS, "For Our Community Unity & Support" Addiction Prevention Coalition.

Item 17 – MR. TODARO presented a proclamation Honoring Vito Fulciniti Upon the Occasion of His Retirement.

Item 18 – MR. TODARO presented a proclamation Recognizing and Honoring Christopher George for His Heroic Actions.

Item 19 – MR. GREENE presented a proclamation Recognizing May 22, 2021, as Old Scotland Road Distillery Day in Erie County.

Item 20 – MR. GREENE presented a proclamation Recognizing May 22, 2021, as Uncle Jumbo's American Vodka Day in Erie County.

Item 21 – CHAIR BASKIN presented a Memorial Resolution Remembering Elder Walter L. Freeman, Jr.

Item 22 – MS. VINAL presented a proclamation Recognizing and Congratulating Scott P. Chamberlain as the New Police Chief of the Town of Amherst.

Item 23 – MR. MEYERS & MS. VINAL presented a Memorial Resolution Remembering Timothy G. Gill.

Item 24 – MS. VINAL presented a Memorial Resolution Remembering Josephine P. Barges.

Item 25 – MR. LORIGO presented a proclamation Recognizing and Honoring the West Seneca Woman's Club Upon the Occasion of Their 50th Anniversary.

Item 26 – MR. LORIGO presented a proclamation Recognizing Troop 416 for Receiving the Pope Pius XII Award and for Their Involvement in the Community.

Item 27 – MR. LORIGO presented a proclamation Recognizing and Honoring Experience "Your" Chef for Their Creative and Unique Business Model.

Item 28 – MR. LORIGO presented a proclamation Recognizing and Celebrating Gabby Kleinman for Her Volunteer Work at the SPCA.

Item 29 – MR. LORIGO presented a proclamation Recognizing and Honoring Matt English for His Contributions to the Timon Tiger Hockey Program.

Item 30 – MR. LORIGO presented a proclamation Recognizing and Honoring Dennis Adams for the Publishing of His First Novel.

Item 31 – MR. MILLS presented a proclamation Honoring Rucker Lumber Inc. on Its 100th Year of Operation in the Town of Boston.

Item 32 – MR. MILLS presented a proclamation Honoring Nancy and John DiBlasi as They Celebrate the Twenty-Fifth Anniversary of the Cozy Corner Restaurant.

Item 33 – MR. MILLS presented a proclamation Honoring Howard "Hub" Frawley for a Lifetime of Community Service and Nearly Thirty Years of Public Service.

Item 34 – MR. MILLS & LORIGO presented a proclamation Honoring Daniel Walczak for His Courage and Lifesaving Actions.

Item 35 – MR. HARDWICK presented a proclamation Congratulating and Honoring Detective David Ljiljanich of the City of Tonawanda Police Department as the Citizen of the Month for April 2021.

MR. MEYERS moved for consideration of the above thirty-one items. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above thirty-one items by adding one for the ALL MEMBERS OF THE LEGISLATURE, and by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above thirty-two items as amended. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 36 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 37 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the SMALL BUSINESS COMMITTEE.

GRANTED.

Item 38 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 39 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 40 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2021 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

April 22, 2021	PUBLIC SAFETY COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 8E-4 (2021)
COUNTY EXECUTIVE: “Appointment to the EC Central Police Services Board of Trustees”
(Chair’s Ruling)

March 25, 2021

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Appointment to the Erie County Department Central Police Services Board of Trustees

Dear Honorable Members:

Pursuant to Section 15.03 of the Erie County Charter, I do hereby appoint the following individual to the Central Police Services Board of Trustees for a term expiring December 31, 2022.

Appointee
James P. Stauffiger
Chief of Police
Town of Tonawanda Police Department
1835 Sheridan Drive
Tonawanda, NY 14223

Should you have any questions regarding this appointment, please feel free to contact my office at (716) 858-8500.

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-20 (2021)
COUNTY EXECUTIVE: "Final Report & Recommendations Relating to the EC Sheriff's Office Police Services Division - 3/2/2021"
(Chair's Ruling)
 - b. COMM. 6E-7 (2021)
JOHNSON: "Letter Seeking Clarification on State-Ready Prisoners and Parolees' Status During COVID Pandemic"
(Chair's Ruling)
 - c. COMM. 6E-22 (2021)
LORIGO: "Board Appointment Recommendation for EC Bar Association Aid to Indigent Prisoners Society, Inc."
(Chair's Ruling)
 - d. COMM. 6M-2 (2021)

CIVIL RIGHTS & TRANSPARENCY CLINIC: “Public Comment in Response to Police Reform Citizen Task Force's Preliminary Report & Recommendations”
(Chair’s Ruling)

- e. COMM. 8M-8 (2021)
ECCSAB: “Letter to Sheriff Concerning Staff Changes in Correctional Health Division”
(Chair’s Ruling)
- f. COMM. 8M-12 (2021)
NYS CORRECTIONS & COMMUNITY SUPERVISION: “Letter to Chair of Public Safety Committee Responding to Inquiries Regarding Suspension of Intakes”
(Chair’s Ruling)

3. COMM. 8E-1 (2021)
SHERIFF
WHEREAS, the Erie County Sheriff’s Office (ECSO) recently trained and certified new explosives detection K9 for the Police Services Division; and

WHEREAS, Deputy Bradley Girdler is retiring from the Sheriff’s Office following more than twenty years of service to the citizens of Erie County; and

WHEREAS, since the handler/canine relationship is special and unique, it is appropriate to transfer ownership to the handler; and

WHEREAS, the Sheriff’s Office, the County, and the Legislature have granted K9 transfers in the past, allowing the dog to remain with the family it has lived with for many years.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff’s Office to enter into an agreement with Deputy Bradley Girdler for the consideration of one (1) U.S. Dollar for the transfer of ownership of Loki; and be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff’s Office to enter into an agreement with Deputy Bradley Girdler for the consideration of one (1) U.S. Dollar for the transfer of ownership of Leiche; and be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff’s Office to enter into an agreement with Sergeant Jordan Grabar for the consideration of one (1) U.S. Dollar for the transfer of ownership of Cort; and be it further

RESOLVED, the aforementioned Deputies shall assume full responsibility for the respective canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff’s Office harmless against any and all liability; and be it further

RESOLVED, Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, and the Sheriff's Administration Division for implementation.

(6-0)

4. COMM. 8E-25 (2021)
COUNTY EXECUTIVE

WHEREAS, the US Department of homeland Security through the New York State Department of Homeland Security & Emergency Services has agreed to provide funding to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract for five years (March 1, 2021-March 1, 2026) with I Am Responding to maintain the current paging system at an annual total cost of \$80,465.00 per year; and

WHEREAS, the contract will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract beginning March 1, 2021 with I Am Responding for the purpose of providing maintenance to the current paging system in the amount of \$80,465.00 per year; and be it further

RESOLVED, that the Department of Homeland Security & Emergency Services, Division of Budget & Management and Office of the Comptroller are hereby authorized to make all necessary budgetary and other entries to effectuate this action; and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Attorney, the Office of the Comptroller, and the Division of Budget and Management.

(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

April 22, 2021	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 5
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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. 6E-23 (2021)
COMPTROLLER: "Recommendation of Property Tax Rebate"
(Chair's Ruling)
 - b. COMM. 8E-9 (2021)
COMPTROLLER: "Report of Apportionment & Distribution of Net Collections from Sales Tax - 12/2020 - 02/2021"
(Chair's Ruling)
 - c. COMM. 8D-2 (2021)
DEPUTY COMPTROLLER: "Law Department Spending -01/2021 & 02/2021"
(Chair's Ruling)
 - d. COMM. 8D-4 (2021)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report 02/2021"
(Chair's Ruling)
 - e. COMM. 8D-8 (2021)
DIRECTOR OF BUDGET & MANAGEMENT: "Fund 252 Consumption Report"
(Chair's Ruling)
 - f. COMM. 8M-13 (2021)
EC TOBACCO ASSET SECURITIZATION CORPORATION: "Financial Statements & Supplemental Information for Year Ended 12/31/2020"
(Chair's Ruling)
 - g. COMM. 8M-15 (2021)
NYS DEPT. OF TAXATION & FINANCE: "State Equalization Rates for the 2021 Assessment Rolls"
(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 230104 through 230124, 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	2021	Petition No.	230,104.00
ASSESSOR	Cancel	\$1,197.96	
S-B-L	141.11-1-47.2	165 Steelawanna A 140900	LACKAWANNA
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,197.96	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$1,197.96	
Charge To :	140900 LACKAWANNA		\$0.00

RPTL 550(2): Incorrect sewer charge
Refund to be issued to Jeannine Halsey

FISCAL YEAR	2021	Petition No.	230,105.00
ASSESSOR	Cancel	\$4,973.06	
S-B-L	151.05-9-7.1	45 Myrtle Ave 140900	LACKAWANNA
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$4,973.06	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$4,973.06	
Charge To :	140900 LACKAWANNA		\$0.00

RPTL 550(2): Error in calculation of EC sewer.
New tax bill to be issued.

FISCAL YEAR	2020	Petition No.	230,106.00
ASSESSOR	Refund	\$2,746.68	
S-B-L	91.19-2-29	3244 Genesee St 143089	CHEEKTOWAGA
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,746.68	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$2,746.68	
	Relevy School	\$2,746.68	143002 CHEEK. UNION #2

RPTL 550(2): Incorrect assessment
Refund to be issued to 3244 Genesee St LLC

FISCAL YEAR	2021	Petition No.	230,107.00
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ASSESSOR Refund \$2,827.09
S-B-L 91.19-2-29 3244 Genesee St 143089 CHEEKTOWAGA

Acct. No. 112 \$767.40 County
Acct. No. 132 \$2,059.69 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$2,059.69

RPTL 550(2): Incorrect assessment
Refund to be issued to 3244 Genesee St LLC

FISCAL YEAR 2021 Petition No. 230,108.00

ASSESSOR Refund \$2,322.00
S-B-L 72.01-4-23.11 10324 Main St 143200 CLARENCE

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,322.00 Town/SpecialDist/School
32106 ECSD #5 USER CHARGE \$1,611.00
Charge To : 143200 CLARENCE \$711.00

RPTL 550(2): Applied EC sewers in error
Refund to be issued to Choice Employment Services LLC

FISCAL YEAR 2021 Petition No. 230,109.00

ASSESSOR Cancel \$187.63
S-B-L 245.00-3-1.2 Center St 143400 COLDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$187.63 Town/SpecialDist/School
Charge To : 143400 COLDEN \$187.63

RPTL 550(2): Applied refuse collection in error
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,110.00

ASSESSOR Refund \$590.34
S-B-L 214.00-2-29 9846 Blanchard 143400 COLDEN

Acct. No. 112 \$360.28 County
Acct. No. 132 \$230.06 Town/SpecialDist/School
34021 COLDEN FIRE DIST \$88.17
Charge To : 143400 COLDEN \$141.89

RPTL 550(2): Incorrect taxable
Refund to be issued to Andrew & Cathleen Giest

FISCAL YEAR	2021	Petition No.	230,111.00
	ASSESSOR	Cancel	\$1,306.61
S-B-L	24.20-5-14	Windham Ct 144600	GRAND ISLAND
	Acct. No. 112		\$417.52 County
	Acct. No. 132		\$889.09 Town/SpecialDist/School
Charge To :	144600 GRAND ISLAND		\$889.09

RPTL 550(2): Failed to apply wholly exempt
New tax bill to be issued.

FISCAL YEAR	2021	Petition No.	230,112.00
	ASSESSOR	Cancel	\$807.87
S-B-L	24.20-2-19	Ransom Rd 144600	GRAND ISLAND
	Acct. No. 112		\$258.15 County
	Acct. No. 132		\$549.72 Town/SpecialDist/School
Charge To :	144600 GRAND ISLAND		\$549.72

RPTL 550(2): Failed to apply wholly exempt
New tax bill to be issued.

FISCAL YEAR	2020	Petition No.	230,113.00
	ASSESSOR	Cancel	\$397.16
S-B-L	216.00-7-34.1	11377 Blanchard R 145000	HOLLAND
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$397.16 Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$397.16
	Relevy School		\$397.16 145001 HOLLAND

CENTRAL

RPTL 550(2): Incorrect assessment
New tax bill to be issued.

FISCAL YEAR	2019	Petition No.	230,114.00
	ASSESSOR	Cancel	\$377.07

S-B-L 216.00-7-34.1 11377 Blanchard R 145000 HOLLAND

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$377.07	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$377.07
	Relevy School	\$377.07	145001 HOLLAND

CENTRAL

RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2018 Petition No. 230,115.00

 ASSESSOR Cancel \$371.94
S-B-L 216.00-7-34.1 11377 Blanchard R 145000 HOLLAND

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$371.94	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$371.94
	Relevy School	\$371.94	145001 HOLLAND

CENTRAL

RPTL 550(2): Incorrect assessment
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,116.00

 ASSESSOR Cancel \$346.15
S-B-L 216.00-7-34.1 11377 Blanchard R 145000 HOLLAND

	Acct. No. 112	\$149.26	County
	Acct. No. 132	\$196.89	Town/SpecialDist/School
	50020 HOLLAND FIRE DIST #1	\$50.14	
Charge To :	145000 HOLLAND		\$146.75

FISCAL YEAR 2020 Petition No. 230,117.00

 ASSESSOR Cancel \$346.88
S-B-L 216.00-7-34.1 11377 Blanchard R 145000 HOLLAND

	Acct. No. 112	\$150.02	County
	Acct. No. 132	\$196.86	Town/SpecialDist/School
	50020 HOLLAND FIRE DIST #1	\$50.44	
Charge To :	145000 HOLLAND		\$146.42

RPTL 550(2): Incorrect assessment
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 230,118.00

 ASSESSOR Cancel \$338.72
S-B-L 216.00-7-34.1 11377 Blanchard R 145000 HOLLAND

 Acct. No. 112 \$145.50 County
 Acct. No. 132 \$193.22 Town/SpecialDist/School
50020 HOLLAND FIRE DIST #1 \$50.25
Charge To : 145000 HOLLAND \$142.97

RPTL 550(2): Incorrect assessment
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,119.00

 ASSESSOR Refund \$841.73
S-B-L 104.75-5-27.1 49 School St 145203 LANCASTER

 Acct. No. 112 \$460.59 County
 Acct. No. 132 \$381.14 Town/SpecialDist/School
Charge To : 145203 LANCASTER \$381.14

RPTL 550(3): Failed to lower assessment after house demolished
Refund to be issued to Peggy Ludwig

FISCAL YEAR 2020 Petition No. 230,120.00

 ASSESSOR Refund \$1,344.02
S-B-L 104.75-5-27.1 49 School St 145203 LANCASTER

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,344.02 Town/SpecialDist/School
Charge To : 145203 LANCASTER \$1,344.02
 Relevy School \$1,344.02 145201 LANCASTER

CENTRAL

RPTL 550(3): Failed to lower assessment after house demolished
Refund to be issued.

FISCAL YEAR 2021 Petition No. 230,121.00

 ASSESSOR Refund \$207.32
S-B-L 104.49-1-7 21 Harold Pl 145203 LANCASTER

	Acct. No. 112	\$113.44	County
	Acct. No. 132	\$93.88	Town/SpecialDist/School
Charge To :	145203 LANCASTER		\$93.88

RPTL 550(2): Incorrect assessment
Refund to be issued to Carl & Nicolette Nuwer

FISCAL YEAR 2021 Petition No. 230,122.00

	ASSESSOR	Refund	\$171.00
S-B-L	48.00-1-19.12	13871 Indian Falls	145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$171.00	Town/SpecialDist/School
Charge To :	145689 NEWSTEAD		\$171.00

RPTL 550(2): Applied refuse charge in error
Refund to be issued to Steven Laudico

FISCAL YEAR 2020 Petition No. 230,123.00

	ASSESSOR	Refund	\$171.01
S-B-L	48.00-1-19.12	13871 Indian Falls	145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$171.01	Town/SpecialDist/School
Charge To :	145689 NEWSTEAD		\$171.01

RPTL 550(2): Applied refuse charge in error
Refund to be issued to Steven Laudico

FISCAL YEAR 2020 Petition No. 230,124.00

	ASSESSOR	Refund	\$507.78
S-B-L	124.14-2-56	4 Brian Ln	146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$507.78	Town/SpecialDist/School
Charge To :	146800 WEST SENECA		\$507.78
	Relevy School	\$507.78	146801 WEST SENECA

CENT

RPTL 550(2): Failed to apply Basic STAR exemption

Refund to be issued to Robert & Cynthia Palaszewski

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

3. COMM. 8E-32 (2021)
COUNTY EXECUTIVE

WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law, Section 6-d; and

WHEREAS, the 2021 Adopted County Budget contains available funds from the collection of Real Estate Transfer Tax for repair of roads, bridges and equipment; and

WHEREAS, use of Road Repair Reserve funds is restricted to repair of roads and bridges in the County; and

WHEREAS, the Division of Budget and Management recommends the utilization of \$180,000 from the available balance in the Road Repair Reserve Fund to conduct important road work in 2021; and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following a public hearing; and

WHEREAS, a public hearing was held on April 7, 2021.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following 2021 budget amendments:

Fund 210 – Road Repair Reserve Fund Center 12330			
Revenue	Current Budget	Adjustment	Adjusted Budget
402190 Appropriated Fund Balance		\$180,000	\$180,000
402600 Transfer Tax	<u>\$13,800,000</u>		<u>\$13,800,000</u>
Total Revenue	\$13,800,000	\$180,000	\$13,980,000
Expense			
912300 ID Highway Services	<u>\$13,800,000</u>	<u>\$180,000</u>	<u>\$13,980,000</u>
Total Expense			

	\$13,800,000	\$180,000	\$13,980,000
Net Change Road Repair Reserve		\$0	

Fund 210 - Highways Fund Center 123

Expense	Current Budget	Adjustment	Adjusted Budget
570000 Interfund Trans-Subs	\$3,250,000	\$180,000	\$3,430,000
912300 ID Highway Services	<u>(\$13,826,100)</u>	<u>(\$180,000)</u>	<u>(\$14,006,100)</u>
Total Expense	(\$10,576,100)	\$0	(\$10,576,100)
Net Change Fund 210		\$0	

Fund 420 - Capital Project B.21150

Revenue	Current Budget	Adjustment	Adjusted Budget
486000 Interfund Revenue	\$3,000,000	\$180,000	\$3,180,000
Expense			
Capital Projects	\$3,000,000	\$180,000	\$3,180,000
Net Change Fund 420		\$0	

and be it further

RESOLVED, that the Clerk of the Legislature did publish a Notice of Public Hearing once in each of the official newspapers of the County, at least five days prior to the date of the Public Hearing and said hearing took place on April 7, 2021; and be it further

RESOLVED, that authorization is provided to appropriate \$180,000 of available prior- year Transfer Tax and Road Repair Reserve to conduct 2021 road projects; and be it further

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

(6-0)

TIMOTHY J. MEYERS
CHAIR

Item 43 – MR. JOHNSON presented the following report, moved to separate item Number 2, and approve the balance of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

April 22, 2021	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is received and filed:
 - a. COMM. 8M-2 (2021)
CITIZENS FOR REGIONAL TRANSIT: “Requests for Investments in Public Transit”
(Chair’s Ruling)

2. COMM. 8E-7 (2021)
COUNTY EXECUTIVE
WHEREAS, the Buffalo Niagara Convention Center 19-year old main lobby interior finishes are worn and outdated, and the lobby upgrades will be a cost-effective measure to maintain client engagement, stay competitive in the industry, and maintain its appeal to its customers; and

WHEREAS, the County of Erie received bids for the Buffalo Niagara Convention Center 2020 Lobby Upgrades project on March 11, 2021; and

WHEREAS, the 2022 facility event calendar does not allow the construction window needed to perform these renovations as the facility rebounds from the Covid-19 pandemic; and

WHEREAS, the Department of Public Works and Trautman Architects are recommending award of the contracts to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter in contracts with the lowest responsible bidders for the Buffalo Niagara Convention Center 2020 Lobby Renovations project for an amount not to exceed as follows:

General Construction Work
Willett Builders, Inc.

Base Bid:	\$ 840,000
Alternate No. G-1	\$ 47,000
Alternate No. G-2	\$ 20,000
Alternate No. G-3A	\$ 45,000

	Alternate No. G-4	\$ 7,000
<hr/>		
Total Award of General Construction Contract:		\$ 959,000
<u>Electrical Construction Work</u>		
Electrical Systems Service and Installation Inc.	Base Bid:	\$ 70,300
	Alternate No. E-1	\$ 8,270
	Alternate No. E-2	\$ 5,980
	Alternate No. E-4	\$ 5,950
<hr/>		
Total Award of Electrical Construction Contract:		\$ 90,500

and be it further

RESOLVED, that the sum of \$125,000 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 any allowance and contingency funds that remain unspent will be returned to the capital budget; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from the previously approved, as adopted capital projects in Fund 410, Funds Center 122 as follows:

A.17003 – 2017 Buffalo Niagara Convention Center Rehabilitation	\$ 155,525.61
A.18003 – 2018 Buffalo Niagara Convention Center Improvements	\$ 494,800.00
<u>A.19013 – 2019 Buffalo Niagara Convention Center Improvements</u>	<u>\$ 524,174.39</u>
Total not to exceed	\$1,174,500.00

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, and one copy to Buffalo Niagara Convention Center c/o Paul Murphy and Financial Officer.

(5-1) Legislator Lorigo voted in the negative.

3. COMM. 8E-14 (2021)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the existing structural members have deteriorated over time and are in need of repair; and

WHEREAS, the repairs to be made to the existing structural members within the Rath Building Parking Garage will not only correct previous deterioration but will also prevent future deterioration; and

WHEREAS, the County of Erie received bids for the Erie County Rath Building Garage Rehabilitation project on March 25, 2021; and

WHEREAS, the lowest responsible bidder is Highland Masonry and Restoration; 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 Erie County Rath Building Garage Rehabilitation project for an amount not to exceed as follows:

<u>General Contracting Work</u>		
Highland Masonry and Restoration	Base Bid:	\$ 390,732
	<u>Alternate GC-01:</u>	<u>\$ 65,766</u>
Total Award of Construction Contract:		\$ 456,498

and be it further

RESOLVED, that the sum of \$ 75,000 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 Capital Budget, Fund 410, Funds Center 122, as follows:

<u>A.19006 - Preservation of County Buildings and Facilities</u>	\$ 531,498
Total Payment Not to Exceed:	\$ 531,498

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.

(6-0)

4. COMM. 8E-15 (2021)
COUNTY EXECUTIVE

WHEREAS, the Bridge Replacements of North French Road (CR 299) over Gott Creek, BIN 3326760 and County Road (CR 282) over Beeman Creek, BIN 3326680, Towns of Amherst and Clarence, PIN 5763.34 (the "Project") are 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 two bridges need to be replaced due to structural deficiencies; and

WHEREAS, the County of Erie desires to advance the Project by making a 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 \$400,000, the required 20% local share, including a \$20,000 contingency, is \$96,000 and the 80% federal share is \$304,000, available in Capital Projects B.20057, 2020 Federal Aid Bridge Preservation Design – County Road over Beeman Creek and B.21152, 2021 Federal Aid Bridge Preservation Design – North French Road over Gott Creek, Fund 420, Funds Center 123; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has combined the two separate bridge projects into a single Project, PIN 5763.34 for the purposes of economy and efficiency; and

WHEREAS, the Department of Public Works, Division of Highways requests authorization to work with the Division of Budget and Management to transfer the Pay-As-You-Go (PAYGO)/Federal Aid total budget of \$300,000, including the \$60,000 interfund revenue transfer from Capital Project B.20057 into the \$325,000 PAYGO/Federal Aid Capital Project B.21152, Fund 420, Funds Center 123 for a total budget of \$625,000 to allow for budgeting flexibility for the two bridges and to help with claiming accuracy; and

WHEREAS, using the Federal Aid RFQ process, the firm of CHA Consultants, Inc., has been 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 two (2) bridges.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves participation in the Bridge Replacement of North French Road (CR 299) over Gott Creek, BIN 3326760 and County Road (CR 282) over Beeman Creek, BIN 3326680, PIN 5763.34 (the “Project”); and be it further

RESOLVED, that the County Executive be authorized to execute the Agreement with the NYSDOT, an agreement between the County of Erie and the selected Project Design Engineers, CHA Consultants, for engineering design services in an amount not to exceed \$400,000, and execute any necessary Change Orders; 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 \$400,000; 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 the Department of Public Works, Division of Highways and the Division of Budget and Management are hereby authorized to best effectuate the combination of funding for the Project by transferring the \$300,000 PAYGO/Federal Aid budget, including the \$60,000 interfund revenue subsidy transfer from Capital Project B.20057, 2020 Federal Aid Bridge Preservation Design, into the \$325,000 PAYGO/Federal Aid Capital Project B.21152, 2021 Federal Aid Bridge Preservation Design-PIN 5763.34, Fund 420, Funds Center 123 as follows:

B.20057 - 2020 Federal Aid Bridge Preservation Design

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
414000	Federal Aid	\$240,000	(\$240,000)	\$0
486000	Interfund Rev Subsidy	<u>\$60,000</u>	<u>(\$60,000)</u>	<u>\$0</u>
TOTAL REVENUES		<u>\$300,000</u>	<u>(\$300,000)</u>	<u>\$0</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$60,000	(\$60,000)	\$0
UNALLOCATED	Unallocated Capital	<u>\$240,000</u>	<u>(\$240,000)</u>	<u>\$0</u>
TOTAL APPROPRIATIONS		<u>\$300,000</u>	<u>\$(300,000)</u>	<u>\$0</u>

B.21152 - 2021 Federal Aid Bridge Preservation Design-PIN 5763.34

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
414000	Federal Aid	\$250,000	\$240,000	\$490,000
486000	Interfund Rev Subsidy	<u>\$75,000</u>	<u>\$60,000</u>	<u>\$135,000</u>
TOTAL REVENUES		<u>\$325,000</u>	<u>\$300,000</u>	<u>\$625,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$75,000	\$364,000	\$439,000
UNALLOCATED	Unallocated Capital	<u>\$250,000</u>	<u>(\$64,000)</u>	<u>\$186,000</u>
TOTAL APPROPRIATIONS		<u>\$325,000</u>	<u>\$300,000</u>	<u>\$625,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$400,000 for Design Engineering is hereby appropriated from B.21152 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.

(6-0)

5. COMM. 8E-16 (2021)
COUNTY EXECUTIVE

WHEREAS, the building envelope of the Fire Training Academy building has deteriorated and requires repairs and sealing to keep the building weather tight; and

WHEREAS, the existing roof system of the Fire Training Academy building is trapping moisture and requires rehabilitation; and

WHEREAS, the County of Erie received bids for the Fire Training Academy- Exterior Waterproofing and Roof Recoating project on February 11, 2021; and

WHEREAS, the lowest responsible bidder is Patterson Stevens, 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 Fire Training Academy – Exterior Waterproofing and Roof Recoating project for an amount not to exceed as follows:

<u>General Contracting Work</u>	
<u>Patterson Stevens, Inc.</u>	Base Bid: \$ 649,885

Total Award of Construction Contract: \$ 649,885

and be it further

RESOLVED, that the sum of \$ 100,000 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 2020 Capital Budget, Fund 410, Funds Center 122, as follows:

<u>A.20002-2020 Roof Replacement and Exterior</u>	\$ 749,885
Total Payment Not to Exceed:	\$ 749,885

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.

(6-0)

6. COMM. 8E-17 (2021)
COUNTY EXECUTIVE

WHEREAS, Exchange Street (CR 578) located in the Town of Marilla was previously redesigned and reconstructed by the State of New York; and

WHEREAS, the State of New York abandoned the underlying roadway, formerly known as the Alden-Cowlesville Road (State Highway 1537) in and around 1980 to the County; and

WHEREAS, after the realignment, the County continued to own a portion of the former right-of-way that is no longer needed, as it was never properly abandoned during the reconstruction project; and

WHEREAS, the former portion of the highway bisects the property owned by the homeowner located at 590 Exchange Street; and

WHEREAS, the homeowner of 590 Exchange Street is seeking to sell his property and is willing to take title to the former right-of-way in order to cure a title defect; and

WHEREAS, the County Land Advisory Review Committee (“ARC”) has recommended that the former right-of-way be abandoned pursuant to NYS Highway Law §118-a; and

WHEREAS, the Department of Public Works has recommended that this portion of the former highway be abandoned; and

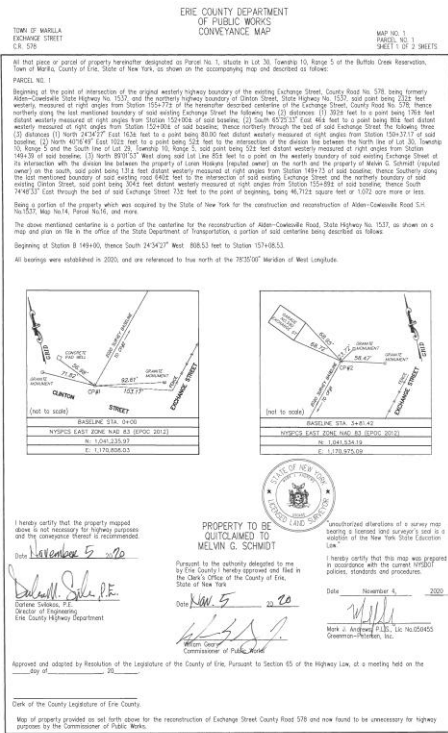
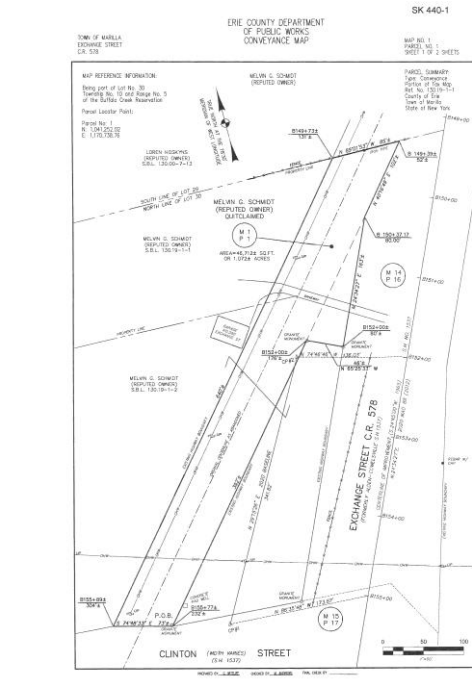
WHEREAS, those utilities presently residing within the boundaries of said parcel as denoted on attached SK 440-01 shall be granted permanent easements, as a condition of the land conveyance.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized and directed to execute a quit claim deed abandoning the former portion of County right-of-way used for Exchange Street located in the Town of Marilla to the adjacent property owner, a survey of which is attached hereto as Exhibit A; and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, the Office of the County Comptroller and the County Attorney.

ATTACHMENT A



(6-0)

7. COMM. 8E-33 (2021)
 COUNTY EXECUTIVE
 WHEREAS, the Rehabilitation of Borden Road Project (the Project) was approved by your Honorable Body via COMM 15E-12 (July 23, 2020); and

WHEREAS, a contract for design engineering services with the selected consultant, Bergmann Associates in the amount of \$545,519 was unable to be fully funded due to the financial constraints of 2020; and

WHEREAS, the required design engineering services were begun via an initial contract with Bergmann Associates in the amount of \$195,519; and

WHEREAS, it is now desired to fully fund the design services contract by executing an amendment in the amount of \$350,000; and

WHEREAS, this amount is available from the capital project identified below.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves amending the contract with Bergmann Associates in the amount of \$350,000 to fully fund the engineering design services contract for the subject Project; and be it further

RESOLVED, that the County Executive is hereby authorized to execute a contract amendment with Bergmann Associates for design engineering services for all phases of the Project in the amount of \$350,000 for a total contract amount of \$545,519; and be it further

RESOLVED, that funding for this Project is hereby appropriated from Fund 420, Funds Center 123, and made available for the project as follows:

B.20005	2020 Preservation of Roads Design	\$350,000
<hr/>		
Total		\$350,000

and be it further

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

(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

MR. JOHNSON moved to approve item Number 2. MR. GILMOUR seconded.

MR. LORIGO moved to send item Number 2 to committee for further consideration. MR. GREENE 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: MR. MILLS, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MR. LORIGO and MR. TODARO. (AYES: 8; NOES: 3)

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

April 22, 2021	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 7
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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. INTRO. 6-1 (2021)
CHIMERA, HARDWICK, BASKIN, MEYERS, GILMOUR, JOHNSON & VINAL:
“Support for Municipal Recycling Programs & Manufacturer Responsibility for Recycling”
(Chair’s Ruling)
 - b. COMM. 6M-6 (2021)
MICHELE M. IANNELLO-WARD: “Letter of Interest & Resume for Consideration for
Appointment to the Position of Commissioner of the ECWA”
(Chair’s Ruling)
 - c. COMM. 8E-20 (2021)
COUNTY EXECUTIVE: “ECSD No. 4 - Engineer Term Contract Agreement”
(Chair’s Ruling)
 - d. COMM. 8E-21 (2021)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Term Contract Agreement”
(Chair’s Ruling)

- e. COMM. 8M-3 (2021)
NYSDEC: “Invitation for Public Comment - Brownfield Cleanup Application at 255 Ship Canal Pkwy., Buffalo”
(Chair’s Ruling)
- f. COMM. 8M-4 (2021)
NYSDEC: “Invitation for Public Comment - Draft Plan to Investigate Contamination at 1095 Niagara St., Buffalo”
(Chair’s Ruling)
- g. COMM. 8M-9 (2021)
NYSDEC: “Invitation for Public Comment - Proposal to Address Contamination at 225 Louisiana St., Buffalo”
(Chair’s Ruling)
- h. COMM. 8M-10 (2021)
NYSDEC: “Invitation for Public Comment - Proposal to Address Contamination at Former Pilgrim Village Senior Apartments, Ellicott St., Buffalo”
(Chair’s Ruling)
- i. COMM. 8M-11 (2021)
NYSDEC: “Invitation for Public Comment - Proposal to Address Contamination at Former Pilgrim Village Senior Apartment, Michigan Ave., Buffalo”
(Chair’s Ruling)

2. COMM. 8E-18 (2021)
COUNTY EXECUTIVE

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

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

WHEREAS, the NYSDEC awarded Erie County a one-year recycling grant of \$86,978.00 for aMunicipal Waste Reduction and Recycling Coordination Program (MWRRP); and

WHEREAS, the acceptance of this funding necessitates the execution of a grant contract with the NYSDEC, as well as the creation of a grant budget and continuing a Senior Environmental Compliance Specialist (JG-12) position; and

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

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities to facilitate compliance with State environmental waste regulations and implementation of the approved Local Solid Waste Management Plan (LSWMP); and

WHEREAS, Erie County's two solid waste management boards have signed in the past, separate Memorandums of Understanding (MOU) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the LSWMP; and

WHEREAS, execution of the MOUs provides \$20,250 annually in local source funding from the two Solid Waste Management Boards; and

WHEREAS, an appropriate and efficient use of these funds made available through the MOUs through the one-year Waste Reduction and Recycling Coordination Grant budget established by this resolution has accounted for these funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant (contract number C01296GG) of \$86,978.00 from the NYSDEC for the purpose of continuing the County's MWRRP; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to sign Memorandum of Understandings with the Northwest Solid Waste Management Board, and the Northeast-Southtowns Solid Waste Management Board and accept payment for service rendered by Erie County to the Boards; and be it further

RESOLVED, that the County Executive or the Deputy County Executive execute a contract with grant sub-awardee, Recycle Coach, in the amount of \$19,900 to provide customized web interface to assist municipalities with recycling education and outreach; and be it further

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

New York State Department of Environmental Conservation Waste Reduction and Recycling
Coordination Grant (Grant Period: 1/1/2021 - 12/31/2021),
SAP Grant 162MWRRCG2021

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
402499	Other Local Source Revenue (Solid Waste Boards)	\$20,250.00
409000	State Aid Revenue	\$86,978.00

559000	County Share Grants	\$66,728.00
TOTAL REVENUE		\$173,956.00

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Regular Full Time Wages	\$72,105 .00
502000	Fringe Benefits	\$43,551.00
510100	Out of Area Travel	\$ 1,000.00
516020	Professional Services	\$33,900.00
530000	Other (Promotional)	\$18,000.00
54500	Rental	\$ 6,400.00
TOTAL APPROPRIATIONS		\$173,956.00

and be it further

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

Senior Environmental Compliance Specialist (JG-12)
B-100 No. 11961
Budgeted Annual Salary: \$72,105

and be it further

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

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

(6-0)

3. COMM. 8E-19 (2021)
COUNTY EXECUTIVE

WHEREAS, Erie County wants to develop effective outreach programs to institutions about food waste reduction, diversion, donation, composting, and disposal in accordance with the New York State (NYS) Food Donation and Food Scraps Recycling Law; and

WHEREAS, Erie County applied to New York State Department of Environmental Conservation (NYSDEC) for a grant to implement the Erie County Food Waste Reduction Program

to develop needed experience and data during the implementation of the Food Donation and Food Scraps Recycling Law, with enforcement scheduled to begin in February 2022; and

WHEREAS, Erie County received a NYSDEC award for \$200,000 in funding to conduct such a project; and

WHEREAS, to best complete the work outlined in the Erie County Food Waste Reduction Program a revision of resolution COMM 19E-14(2020) to create a part-time Junior Environmental Compliance Specialist (JG 7) position is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget and project period for the “Erie County Food Waste Reduction Program” Comm. 19E-14 (2020) is hereby revised to include the part-time Junior Environmental Specialist position in the Department of Environment and Planning, Business Area 162, as follows:

Erie County Food Waste Reduction Program
SAP Grant Account 162ECFWRP1923
October 1, 2019 – September 30, 2023

REVENUE:

<u>Account</u>	<u>Description</u>	Current Budget	Revision	Revised Budget
409000	State Aid	\$200,000	\$0	\$200,000
TOTAL REVENUE				\$200,000

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	Current Budget	Revision	Revised Budget
916290	ID Env & Planning Grants	\$24,246	(\$24,246)	\$0
500010	Part-Time Wages	\$0	\$18,000	\$18,000
502000	Fringe Benefits	\$0	\$ 6,246	\$ 6,246
516020	Professional Services	\$70,000	\$0	\$70,000
545000	Rental Charges	\$99,150	\$0	\$99,150
510100	Travel	\$ 4,000	\$0	\$4,000

530000	Other (promotional materials)	\$ 2,604	\$0	\$2,604
TOTAL APPROPRIATIONS:		\$200,000	\$0	\$200,000

and be it further

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

Part-time Junior Environmental Compliance Specialist (JG-7)
B-100 No. 12238
Budgeted Annual Salary: \$18,000

and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.
(6-0)

4. COMM. 8E-24 (2021)
COUNTY EXECUTIVE

WHEREAS, the storm surge and seiche that occurred on October 31, 2019 was declared a Federal disaster and designated by the Federal Emergency Management Agency (FEMA) as DR 4472; and

WHEREAS, DR 4472 damaged facilities under the jurisdiction of Erie County Department of Parks, Recreation and Forestry (Parks) at Times Beach Nature Preserve and Isle View Park; and

WHEREAS, FEMA has approved a project cost of \$100,179 to reconstruct the dock at Isle View Park that was destroyed by high water as PW 205, while approval of the project related to Times Beach Nature Preserve is still forthcoming; and

WHEREAS, restoration work approved by FEMA is eligible for Federal reimbursement of 75% of the FEMA approved project cost; and

WHEREAS, New York State Emergency Management Office (SEMO) has agreed to reimburse the County for 50% of the non-federal share for the Isle View project; and

WHEREAS, Erie County will be responsible for the 50% of the non-federal share of approved project cost and 100% of any overruns; and

WHEREAS, it is desired to accept Federal and State reimbursement funds as they become available for FEMA approved projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept \$75,134.47 in FEMA and \$12,522.41 in SEMO aid, as well as any additional aid from FEMA or SEMO specific to the Disaster Relief DR 4472 Isle View Park project PW 205 as it is made available; and be it further

RESOLVED, that excess revenue in Fund 110, Funds Center 14010, Account 400010 – Exemption Removal be made available as Interfund Revenue Subsidy to cover the \$12,522.41 County share of DR 4472, PW 205 project; and be it further

RESOLVED, that authorization is hereby given to create a new capital project in Fund 410, Funds Center 164 for the DR 4472, PW 205 project as follows:

Project A.211XX – DR4472 Isle View Dock Reconstruction
Fund 410, Funds Center 164

REVENUES

412540 FEMA	\$(75,134.47)
405150 State Emergency Mgmt Office (SEMO)	(12,522.41)
486000 Interfund Revenue Subsidy	<u>(12,522.41)</u>
TOTAL	<u>\$(100,179.29)</u>

APPROPRIATIONS

Capital Project Expense	\$100,179.29
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and be it further

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

RESOLVED, that the County Executive is hereby authorized to execute agreements for design and construction of FEMA authorized projects within the project amounts so authorized; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Parks, Recreation & Forestry, the Department of Public Works, Division of Highways, the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, the Office of the Comptroller, and the Department of Environment and Planning.

(6-0)

TIMOTHY J. MEYERS
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

April 22, 2021	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 8E-3 (2021)
COUNTY EXECUTIVE: “Appointment to EC Arts & Cultural Advisory Board”
(Chair’s Ruling)

March 25, 2021

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Re: Appointments to Erie County Arts and Cultural Advisory Board

Dear Honorable Members:

Please be advised that, pursuant to Article 22, Section 2205 of the County charter, I hereby appoint the following individual to the Erie County Arts and Cultural Advisory Board. His term will expire December 31, 2023.

Appointee:
Broderick Cason
42 Warwick Avenue
Buffalo, New York 1215

Replacing:
Boukou Karchefsky, MBA, CICA
230 Fruitwood Terrace
Williamsville, New York 14221

Should you have any questions regarding these appointments please feel free to contact my office at (716) 858-8500.

Sincerely yours,

Mark C. Poloncarz
Erie County Executive

2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-7 (2021)
BASKIN: “SUNY Erie Presidential Search Confidentiality Agreement and Committee Expectations”
(Chair’s Ruling)
 - b. COMM. 6M-3 (2021)
BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES: “Minutes for Meeting Held on 02/18/21””
(Chair’s Ruling)
 - c. COMM. 6M-4 (2021)
BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES: “Proposed Agenda for Meeting to be Held 03/18/21”
(Chair’s Ruling)
 - d. COMM. 8M-1 (2021)
WNY LAW CENTER: “Letter to Chair of Legislature Regarding New Resources for Under-Resourced Communities in EC”
(Chair’s Ruling)
3. COMM. 8E-26 (2021)
COUNTY EXECUTIVE

WHEREAS, the college has programs with various accreditation requirements including the Clinical Laboratory Technician AAS degree program which is accredited by the international accreditation agency National Accrediting Agency for Clinical Laboratory Sciences (NAACLS); and

WHEREAS, the loss of accreditation could lead to loss of enrollment and decreased value of the degree to its graduates; and

WHEREAS, the Clinical Laboratory Technician program enrolled 42 students in spring 2020 and 29 students in spring 2021; and

WHEREAS, without a Program Director that meets NAACLS requirements, the program will lose NAACLS accreditation; and

WHEREAS, the program’s Professor/Department Head Marcia Bermel, D.M. who was the recognized NAACLS Program Director, retired in January 2020 and current staff at the college do not meet the accreditation requirements needed to handle Program Director duties; and

WHEREAS, a Services Agreement was entered into with Dr. Bermel for the period October 26, 2020 through January 15, 2021 for under \$30,000; and

WHEREAS, that the original Services Agreement be amended to extend the term of employment, and that Dr. Bermel should continue through August 27, 2021, earning an additional \$47,224 at a rate of \$59.03 per hour for 25 hours per week for 32 weeks; and

WHEREAS, it is anticipated that a new instructor meeting the NAACLS program requirements will be hired to fill the Program Director role and will begin in the Fall 2021 semester; and

WHEREAS, that the SUNY Erie Community College Board of Trustees did approve a resolution to pursue Erie County Legislature approval of the Amendment's increased expenditure at its January 28, 2021 meeting.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby approves this resolution for the extension of the term appointment of the Program Director in the associate in applied science (AAS) academic program of Clinical Laboratory Technician through August 27, 2021; and be it further

RESOLVED, that the SUNY Erie Community College President is, therefore, approved to fully execute the Amendment to the Services Agreement between SUNY Erie Community College and Dr. Bermel; and be it further

RESOLVED, that copies of this resolution will be forwarded the Erie County Executive, Interim President of SUNY Erie Community College, and the Chairwomen of the SUNY Erie Community College Board of Trustees.

(6-0)

KEVIN R. HARDWICK
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 78

April 22, 2021	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 2
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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. 15E-21 (2020)

HARDWICK: “WROTB Receipt of Paycheck Protection Program Funds & Furloughs”
(Chair’s Ruling)

b. COMM. 8E-5 (2021)

COUNTY CLERK: “2020 Annual Report of County Clerk’s Office”
(Chair’s Ruling)

2. COMM. 8E-29 (2021)

COUNTY CLERK

WHEREAS, the County Clerk is an independently elected official responsible for recording, filing and maintaining a central repository of legal documents and records affecting property titles, including land and real estate transactions; and

WHEREAS, the County Clerk, as an agent of the State, collects mortgage and real estate transfer taxes that are then apportioned between the State, State agencies, the County, and cities, towns and villages located within Erie County; and

WHEREAS, a “Zombie Property” is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner; and

WHEREAS, upon vacating the properties, the structures experience: damage from weather, scavenging, squatters, and criminal activity and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties; and

WHEREAS, further, the prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect; and

WHEREAS, the Erie County Clerk recognizes that grappling with the blight of Zombie Properties transcends all communities and impacts all County taxpayers, regardless of the property location and believes this initiative will fill the much-needed gap caused by exclusions under State funding; and

WHEREAS, the intended effect of combating Zombie Properties is to put them in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues, as well as securing value in the County’s tax base; and

WHEREAS, the Erie County Clerk issued RFP #1919VF seeking proposers for Zombie Property Outreach Services, and the Legislature awarded a contract (19-396-CC) to the Western New York Law Center (the “WNYLC”) (see COMM.7E-29 (2019)); and

WHEREAS, the Erie County Legislature extended the contract (19-396-CC (Amend. 1)) with the WNYLC through February 11, 2021 (see COMM 12E-15 (2020), as amended); and

WHEREAS, the extension term with the WNYLC expired on February 11, 2021 and it continues to monitor over thirty (30) properties, approximately seventeen (17) have pending New York State Department of Financial Services investigations; and

WHEREAS, the WNYLC through the Zombie Property Outreach Services Program has coordinated litigation with the Town of Clarence, utilizing the newly enacted Real Property Actions and Proceedings Law Section 1308 to impose a civil penalty upon a mortgage servicer for its failure to properly maintain a zombie property; and

WHEREAS, a longstanding vacant and abandoned zombie house was demolished in the Village of Kenmore at the cost of the mortgage servicers through the efforts of the Zombie Property Outreach Services Program; and

WHEREAS, the Erie County Clerk's Office has upgraded its Registrar indexing software so notices may be sent to individuals when certain documents bearing their name are recorded in the Clerk's Office, specifically lis pendens and deeds; and

WHEREAS, the Western New York Law Center may leverage this technology and provide services to individuals receiving such notices to initiate loss mitigation measures and prevent foreclosures from descending into zombie property status; and

WHEREAS, it is important that these services be restored and enhanced with this vendor to ensure continuity and preserve the best value for County funds; and

WHEREAS, the funds necessary to cover the costs of this contract are available in the Registrar-Professional Services line (Fund Center 11310 – Account Number 516020) of the Erie County Clerk's 2021 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk is hereby authorized to amend its contract (19-396-CC (Amend. 1) with Western New York Law Center, Inc., for zombie property outreach services for a further extension of services to be provided from May 1, 2021 to December 31, 2021 in exchange for the payment in the amount of \$125,000.00; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; the County Attorney and the Erie County Clerk.
(6-0)

JOHN J. GILMOUR
CHAIR

Item 47 – MS. CHIMERA presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

April 22, 2021	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 5
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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. INTRO. 6-4 (2021)
GREENE: "Calling for the ECDoH to Reduce the Six Foot Distancing Guidelines to Help Get Students Back in School"
(Chair's Ruling)
 - b. COMM. 6M-7 (2021)
WORLD HEALTH ORGANIZATION: "A How-To-Guide for Physical Distancing"
(Chair's Ruling)
 - c. COMM. 6M-8 (2021)
INFECTIOUS DISEASES SOCIETY OF AMERICA: "Information Regarding Metrics of Physical Distancing"
(Chair's Ruling)
 - d. INTRO. 8-5 (2021)
GILMOUR: "Expressing Support for the Re-Examination of Social Distancing Guidelines in Schools by NYS"
(Chair's Ruling)
 - e. COMM. 8E-12 (2021)
COMPTROLLER: "Letter to Commissioner of Social Services Regarding COMM. 3E-9 (2021)"
(Chair's Ruling)
 - f. COMM. 8D-1 (2021)
COMMISSIONER OF HEALTH: "Updated Nursing Home Outbreak Information - 3/20/2021"
(Chair's Ruling)
 - g. COMM. 8D-3 (2021)
DIRECTOR OF BUDGET & MANAGEMENT: "Notification of New COVID-19 Related Contracts"
(Chair's Ruling)
 - h. COMM. 8D-5 (2021)
COMMISSIONER OF SOCIAL SERVICES: "Child Protective Caseloads for 02/2021"
(Chair's Ruling)

- i. COMM. 8D-6 (2021)
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information - 3/27/2021”
(Chair’s Ruling)
- j. COMM. 8D-7 (2021)
DIRECTOR OF BUDGET & MANAGEMENT: “Notification of New COVID-19 Related Contracts”
(Chair’s Ruling)
- k. COMM. 8D-9 (2021)
DEPARTMENT OF LAW: “Local Emergency Order Extensions”
(Chair’s Ruling)
- l. COMM. 8M-5 (2021)
ECCSAB: “Letter to Governor Urging Prioritization of Incarcerated People for COVID-19 Vaccine Distribution”
(Chair’s Ruling)
- m. COMM. 8M-6 (2021)
NYS ATTORNEY GENERAL'S OFFICE: “Report Titled, "Nursing Home Response to COVID-19 Pandemic"”
(Chair’s Ruling)
- n. COMM. 8M-14 (2021)
ECMCC: “2020 Annual Report of ECMCC”
(Chair’s Ruling)
- 2. COMM. 8E-34 (2021)
COUNTY EXECUTIVE
WHEREAS, the Department of Senior Services continually looks to enhance services to help seniors remain in their homes longer; and

WHEREAS, the Department wishes to reduce long-term care costs by providing services to reduce or delay long-term admissions to facilities; and

WHEREAS, providing Home Care is a cost-effective manner to provide service; and

WHEREAS, the Department desires to continue to offer Home Care Services to eligible residents in Erie County; and

WHEREAS, the Department, through an RFP process, selected Ciambella Home Care Inc, d/b/a First Light Home Care, and JTT Business Solutions, d/b/a Happier at Home to provide services to the clients of the Department; and

WHEREAS, the Department now desires to extend contracts with Ciambella Home Care Inc, d/b/a First Light Home Care, and JTT Business Solutions, d/b/a Happier at Home for a one-year

period of April 1, 2021 to March 31, 2022, which at the sole discretion of the County may be extended beyond the initial term for up to two one-year periods; and

WHEREAS, no additional County funds are required as budgetary appropriations for aggregate home care expenditures are available in the Department's Home Care Services account (#516026) in the 163EISEP2122, 163III-E2021, 163ADCSI2021 and 163UNMETNEED2122 Grants.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to extend contracts with Ciambella Home Care Inc, d/b/a First Light Home Care, and JTT Business Solutions, d/b/a Happier at Home to provide Home Care Services for the Department of Senior Services during the April 1, 2021 to March 31, 2022 period, which at the sole discretion of the County may be extended beyond the initial term for up to two, one-year periods; and be it further

RESOLVED, that existing aggregate Home Care Services account (#516026) appropriations in the 163EISEP2122, 163III-E2021, 163ADCSI2021 and 163UNMETNEED2122 grants be utilized to pay for the Home Care Services; and be it further

RESOLVED, and if necessary the County Executive is hereby authorized to execute amendments to the contract to effectuate adjusted funding levels; and be it further

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

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

LISA M. CHIMERA
CHAIR

LEGISLATOR RESOLUTIONS

Item 48 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 9-1 from VINAL. Waiving Property Tax Interest & Penalties for Asian Center Mall LLC Parcel - Town of Amherst.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 49 – MR. MEYERS moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 8E-2 (2021). MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 80

RE: 2020 Year-End Budget Balancing
Amendments & Designations
(COMM. 8E-2, 2021)

WHEREAS, year-end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2020 fiscal year; and

WHEREAS, amendments were identified in cooperation with the Erie County Comptroller's Office and in consultation with departmental accountants based on year-end financial reports; and

WHEREAS, existing 2020 funding within the Department of Central Police Services, the Department of Health-Health Division, Department of Health-Emergency Medical Services Division, Department of Law-Division of Risk Retention, Department of Mental Health-Forensic Division, Department of Probation, the Department of Senior Services, the District Attorney, the Department of Social Services, Community/Neighborhood Development, Cultural Resources, Office of the Sheriff, Division of Highways, and the Buffalo and Erie County Public Library, is established as fund reservations and designated for re-appropriation into 2021 with no additional transfer required.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2020 Budget in order to facilitate the completion of 2020 financial statements, based on the following schedule:

2020 Year-End Budget Balancing Amendments

The following list of accounts is balanced by fund and indicates where adjustments are needed to match year-end spending.

Department	Account	Increase/ (Decrease)
General Fund 110 - Expense Adjustments		
10210	Division of Budget & Management	
	502000 Fringe Benefits	39,823
	504990 Reductions Per Srv	34,125
	<u>Budget & Management Total</u>	<u>73,948</u>
10310	Labor Relations	
	502000 Fringe Benefits	2,106

	<hr/> Labor Relations Total	2,106
11320	Auto Bureau Division	
	502000 Fringe Benefits	32,768
	<hr/> Auto Bureau Division Total	32,768
12210	DPW Commissioner's Office	
	500000 Full Time - Salaries	110,561
	502000 Fringe Benefits	139,876
	<hr/> DPW Commissioner's Office Total	250,437
12410	MH - Program Admin.	
	517581 Court Ordered-MH Srv	1,364,364
	<hr/> MH - Program Admin. Total	1,364,364
12610	Probation	
	502000 Fringe Benefits	433,681
	504990 Reductions Per Srv	177,766
	<hr/> Probation Total	611,447
1273030	Environmental Health	
	500000 Full Time - Salaries	222,718
	502000 Fringe Benefits	343,618
	510000 Local Mileage Reimb	19,053
	516050 Dept Payments to ECMCC	799,981
	<hr/> Environmental Health Total	1,385,370
12740	Medical Examiner's Division	
	502000 Fringe Benefits	155,625
	516050 Dept Payments to ECMCC	275,491
	<hr/> Medical Examiner's Total	431,116
1335010	Aid to Local Governments	
	516060 Sales Tax Loc Gov 3 %	50,651,442
	<hr/> Aid to Local Governments Total	50,651,442
14010	County-wide Acct Budget	
	504990 Reductions Per Srv	1,800,000
	<hr/> County-wide Acct Budget Total	1,800,000
14030	Community College	

	520020 Co Res Enrl Comm Col	483,275
	<u>Community College Total</u>	<u>483,275</u>
16010	Law Division	
	500000 Full Time - Salaries	222,663
	502000 Fringe Benefits	196,469
	<u>Law Division Total</u>	<u>419,132</u>
16200	Env. & Planning Division	
	500000 Full Time - Salaries	109,000
	502000 Fringe Benefits	109,606
	504990 Reductions Per Srv	40,193
	<u>Env. & Planning Total</u>	<u>258,799</u>
16410	Parks Department	
	502000 Fringe Benefits	165,049
	<u>Parks Total</u>	<u>165,049</u>
16500	Central Police Services	
	502000 Fringe Benefits	91,477
	<u>Central Police Services Total</u>	<u>91,477</u>
16700	Homeland Security & Emergency Services	
	500010 Part Time - Wages	14,349
	502000 Fringe Benefits	203,022
	<u>Homeland Security & Emergency Services Total</u>	<u>217,371</u>
17000	Countywide Accounts Comptroller	
	516020 Professional Svcs Contracts & Fees	337,876
	<u>Countywide Accounts Comptroller Total</u>	<u>337,876</u>
500	ECMC	
	502050 Workers' Compensation	154,938
	502100 Retirement	11,093
	<u>ECMC Total</u>	<u>166,031</u>
510	EC Home	
	502050 Workers' Compensation	260,729
	<u>EC Home Total</u>	<u>260,729</u>
	<u>Total General Fund 110 Expense Adjustments</u>	<u>59,002,737</u>

General Fund 110 - Revenue Adjustments

14010	County-wide Acct Budget		
	402000	Sales Tax EC Purp	12,815,672
	402100	1% Sales Tax-EC Purp	11,853,526
	402120	.25% Sales Tax	2,962,375
	402130	.5% Sales Tax	5,924,751
	402140	Sales Tax to Local Gov	50,651,442
	409050	State Aid Revenue Offset	(25,542,905)
	<u>County-wide Acct Budget Total</u>		<u>58,664,861</u>
17000	Countywide Accounts Comptroller		
	466310	Premium on Obligations - RAN	337,876
	<u>Countywide Accounts Comptroller Total</u>		<u>337,876</u>
<u>Total General Fund 110 Revenue Adjustments</u>			<u>59,002,737</u>
<u>Net General Fund 110 Adjustments</u>			<u>0</u>

E-911 Fund 230 -Expense Adjustments

12720	Emergency Medical Services		
	501000	Overtime	39,327
	<u>Emergency Medical Services Total</u>		<u>39,327</u>
<u>Total E-911 Fund 230 Expense Adjustments</u>			<u>39,327</u>

E-911 Fund 230 - Revenue Adjustments

12720	Emergency Medical Services		
	405540	State Aid - Art VI/Public Hlth Work	2
	486000	Interfund Revenue-Subsidy	39,325
	<u>Emergency Medical Services Total</u>		<u>39,327</u>
<u>Total E-911 Fund 230 Revenue Adjustments</u>			<u>39,327</u>
<u>Net E-911 Fund Adjustments</u>			<u>0</u>

Debt Service Fund 310 - Expense Adjustments

17200	General Debt Expense		
	550000	Principal - Bonds	(10,405)
	550010	Principal - Long Term Loan	3,260,000
	550110	Bond Issue Costs	207,482
	550120	Pay Refund Bond Escr	12,359,603
	550800	Interest - Bonds	(61,680)
	550810	Interest - Long Term Loan	7,025,300
	<u>General Debt Expense Total</u>		<u>22,780,300</u>
	Revenue		
	445180	Interest - Long Term Loan	5,107,190
	466350	Principal - Long Term Loan	5,178,110
	475030	Bond Proceeds For Advance Refunding	12,495,000
	<u>General Debt Revenue Total</u>		<u>22,780,300</u>
	<u>Net General Debt Adjustments</u>		<u>0</u>
17600	Debt Svc - SD 6 Expense		
	550110	Bond Issue Costs	1,081
	<u>Debt Service SD 6 Expense Total</u>		<u>1,081</u>
	Revenue		
	486000	Interfund Revenue-Subsidy	1,081
	<u>Debt Service SD 6 Revenue Total</u>		<u>1,081</u>
	<u>Net Debt Service SD 6 Adjustments</u>		<u>0</u>

and be it further

RESOLVED, that authorization is provided to re-appropriate available 2020 funding established as fund reservations into 2021 for the following items, no transfer is required.

- District Attorney
\$ 228,032 to fund shortages in 2021 Grants
- Sheriff- Division of Police Services
\$ 27,910 to fund shortages in 2021 Grants
- Department of Central Police Services
\$ 65,806 to fund shortages in 2021 Grants

- Department of Probation
\$ 70,964 to fund shortages in 2021 Grants
- Department of Senior Services
\$ 579,324 to fund shortages in 2021 Grants
- Department of Health-Health Division
\$ 657,685 to fund shortages in 2021 Grants
- Department of Health-Emergency Medical Services Division
\$ 41,408 to fund shortages in 2021 Grants
- Department of Mental Health-Forensic Division
\$ 1,000,000 to fund 2021 Suboxone Initiative for Jail Management Division
- Department of Law-Risk Retention Division
\$ 432,518 to fund 2021 Risk Retention needs
- Department of Social Services
\$ 210,350 to fund various 2021 Preventive and Protective Services contracts
- Cultural Resource/Community Neighborhood Development
\$ 500,000 for Poverty Initiatives
\$ 57,000 for final payments from 2019 and 2020 to community and neighborhood agencies
\$ 38,131 for final payments from 2019 and 2020 to cultural agencies
- Division of Highways
\$ 3,500,000 for Rehabilitation of Alden Crittenden and Bullis Roads
- Library
\$ 379,321 for Library books, materials, other expense, and equipment

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required 2020 and 2021 budgetary adjustments to implement these budgetary amendments and re-appropriations authorized in this resolution; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any further 2020 Budget adjustments that may be required based on inter-departmental budget balancing or adjusting entries identified by the Erie County Comptroller or the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller and the Director of Budget and Management.

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

CARRIED UNANIMOUSLY.

Item 50 – MR. MEYERS moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 21E-5 (2020). 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. 81

RE: Increase TASER Deployment & Expand
De-Escalation Training
(COMM. 21E-5, 2020)

WHEREAS, the Erie County Sheriff's Office has deployed the TASER for several years; and

WHEREAS, the agency sees the benefit of equipping Deputies with less than lethal tools to end tense situations safely; and

WHEREAS, the TASER platform has proven to be a safe and effective tool when deployed;
and

WHEREAS, the Sheriff's Office is utilizing crisis intervention training and de-escalation techniques with TASER deployments; and

WHEREAS, Deputies will have access to additional training to help deal with certain situations to help resolve and incident peacefully and safely; and

WHEREAS, the quarterly training for all Deputies certified to carry a TASER is required, and the training modules include:

- Hearing-impaired;
- Autism;
- Schizophrenia;
- Suicidal ideation;
- Alzheimer's/Dementia;
- Peer intervention;
- Post-Traumatic Stress Injury (PTSD);

and

WHEREAS, this resolution seeks authorization to enter into a 5-year agreement with Axon Enterprises, Inc. to purchase 100 TASERs; and

WHEREAS, the agreement includes holsters, training cartridges, docking stations, annual certification supplies, warranty, and de-escalation training; and

WHEREAS, the resolution seeks authorization to waive Section 19.08 of the Erie County Administrative Code because Axon is the sole manufacturer and distributor of all TASER brand products in New York; and

WHEREAS, funds for the purchase are encumbered and will not affect the budget.

NOW, THEREFORE, BE IT

RESOLVED, Axon is the sole manufacturer and distributor of all TASER brand products in New York, and the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of acquiring TASERs; and be it further

RESOLVED, the Legislature authorizes the County Executive and the Erie County Sheriff's Office to enter into a five (5) year agreement with Axon Enterprises, Inc., 17800 N 85th Street, Scottsdale, Arizona 85255, to purchase 100 TASERs and accompanying equipment and supplies for the Erie County Sheriff's Office; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, the Clerk of the Legislature shall send certified copies of the approved resolution to the County Executive, the County Attorney's Office, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

MR. MEYERS moved to approve the item. 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 51 – MR. MEYERS moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 8E-13 (2021). MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82

RE: Transfer of Seized Asset Funds – Narco
& Rope Rescue Team Vehicles
(COMM. 8E-13, 2021)

WHEREAS, the Erie County Sheriff's Narcotics Unit will purchase a new vehicle to assist with investigations and seizure of dangerous narcotics and weapons; and

WHEREAS, this vehicle will be utilized to maintain the chain of custody for seized evidence; and

WHEREAS, the vehicle will also eliminate transportation of deadly narcotics, such as fentanyl, in the vehicle's cabin; and

WHEREAS, a component of the SWAT Team is the Rope Rescue unit, and

WHEREAS, the Rope Rescue Team performs dangerous rescues and extractions in Zoar Valley and Chestnut Ridge; and

WHEREAS, equipment and supplies are stored within multiple vehicles; and

WHEREAS, team members respond from across the county and arrive with needed equipment at various times; and

WHEREAS, time is of the essence when dealing with injuries, weather conditions, and daylight; and

WHEREAS, a dedicated vehicle with all the necessary supplies and equipment will allow for quicker action at the scene; and

WHEREAS, the Sheriff's Office seeks to purchase a vehicle that would be dedicated to the Rope Rescue Team and carry all the needed equipment and supplies to a rescue scene; and

WHEREAS, the Sheriff's Office is seeking to acquire an unmanned aerial unit; and

WHEREAS, the drone would enhance search and rescue operations because the unmanned unit can operate without access to internet or Wi-Fi connections; and

WHEREAS, the unmanned unit can also operate without satellite communications, allowing for confined space search and rescue efforts, especially effective in adverse weather conditions; and

WHEREAS, the Sheriff's Office will work with the Purchasing Department to ensure the County adheres to proper bidding and purchasing procedures; and

WHEREAS, the Asset Forfeiture Trust Account balance as of March 31, 2021, is \$536,660.00; and

WHEREAS, this acquisition will not have any fiscal impact on the 2021 County Budget; and

WHEREAS, the items requested meet the U.S Justice and Treasury department's guidelines outlined in the July 2018 Guide to Equitable Sharing. Each year, the Erie County Sheriff's Office recertifies with the departments to maintain its program eligibility.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and Division of Budget and Management to transfer \$215,979.00 from the Asset Forfeiture Trust Account #421550 to accounts #561440 – Motor Vehicles, #561410 – Lab and Tech:

ERIE COUNTY SHERIFF'S OFFICE
Fund Center 11510

Sheriff – SAFS Funded Program

REVENUE

421550 Forfeiture Crime Proceeds

DECREASE

\$215,979.00

APPROPRIATION

561440 Motor Vehicles

561410 Lab & Tech

Total Revenue

INCREASE

\$134,579.00

\$81,400.00

\$215,979.00

and be it further

RESOLVED, the designated seized asset fund expenditures meet the U.S Justice and Treasury department's guidelines outlined in the July 2018 Guide to Equitable Sharing; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this acquisition should there be any unforeseen issues; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funding either remain in the designated account or returned to the Asset Forfeiture Trust Account; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make any payments necessary to complete the acquisition of the vehicle following the bidding process; and be it further

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATORS LORIGO, TODARO, GREENE & MILLS

Item 52 – (COMM. 9E-1) Letter to Commissioner of Social Services Regarding Outstanding FOIL Request

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 53 – (COMM. 9E-2) Acceptance of 2019 Bomb Squad Grant for FY19

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR MEYERS

Item 54 – (COMM. 9E-3) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

April 12, 2021

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

Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5 (c), and to the best of my knowledge, I am providing a list of my family members employed by any government organization in any capacity. They include:

- Valerie Meyers (spouse), Erie County Board of Elections
- Joan Meyers (mother), Town of Cheektowaga

Thank you in advance for your courtesies.

Sincerely,

Timothy J. Meyers
Erie County Legislator

FROM THE COUNTY EXECUTIVE

Item 55 – (COMM. 9E-4) ECSD No. 3 - Emergency Repairs for Southtowns AWTF Influent Pumping System

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 56 – (COMM. 9E-5) Authorization to Accept FY19 Hazmat Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 57 – (COMM. 9E-6) Department of Social Services - Budget Amendment & Renewal of Contract with International Institute for Safe Harbor for Sexually Exploited Children Program

Item 58 – (COMM. 9E-7) Department of Social Services - Authorization to Accept Grant Funding from Redlich Horowitz Foundation & Enter into Contract with Family Help Center

Item 59 – (COMM. 9E-8) Approval of 2021 Summer Primetime Contract Awards

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

Item 60 – (COMM. 9E-9) 2021 Transportation Projects Funding - Design Projects Bonding Funding Changed to Pay-As-You-Go

Item 61 – (COMM. 9E-10) One Year Extension of Term Contracts for On-Call General Civil & Geotechnical Engineering Services Countywide

Item 62 – (COMM. 9E-11) Contract Extension of Fourth Department Appellate Division Office Space

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

Item 63 – (COMM. 9E-12) Authorization to Contract for Acceptance of Grant Programs for FY21

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 64 – (COMM. 9E-13) Re-Appointment of Trustee to SUNY Erie Board of Trustees

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 65 – (COMM. 9E-14) Appointment to ECMCC

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 66 – (COMM. 9E-15) Expansion of Re-Entry Programming

Item 67 – (COMM. 9E-16) Transfer of Seized Asset Funds from Crime Stoppers WNY to FAA Pilot Certification Training

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

FROM LEGISLATOR TODARO

Item 68 – (COMM. 9E-17) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

April 22, 2021

Robert Graber
Clerk, Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Submission Pursuant to EC Code of Ethics, Disclosure of Family Members Employed by Any Government Organization

Dear Clerk Graber,

Pursuant to the Erie County Code of Ethics, I am notifying you of my family members who work in government.

- My wife's first cousin, Kelly Mercado, is a Sheriff's deputy at the Erie County Holding Center.

- My brother-in-law, Neil Eckert, is a Sheriff's reserve officer.
- My father's cousin's husband, Charlie Morreale, works for the Buffalo Municipal Housing Authority.

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If there are any other questions, please feel free to contact Chief of Staff to the Minority Caucus Bryan Fiume.

Sincerely,

FRANK J. TODARO
Hon. Frank J. Todaro
Erie County Legislator
8th District

FROM LEGISLATOR MILLS

Item 69 – (COMM. 9E-18) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

April 22, 2021

Robert Graber
Clerk, Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Submission Pursuant to EC Code of Ethics, Disclosure of Family Members Employed by Any Government Organization

Dear Clerk Graber,

Pursuant to the Erie County Code of Ethics, I am notifying you of my family members who work in government. I have many relatives with whom I have lost contact; however, to the best of knowledge, there are no members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government.

If there are any other questions, please feel free to contact Chief of Staff to the Minority Caucus Bryan Fiume.

Sincerely,

JOHN J. MILLS
Hon. John J. Mills
Erie County Legislator, 11th District

FROM LEGISLATOR LORIGO

Item 70 – (COMM. 9E-19) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

April 22, 2021

Robert Graber
Clerk, Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Submission Pursuant to EC Code of Ethics, Disclosure of Family Members Employed by Any Government Organization

Dear Clerk Graber,

Pursuant to the Erie County Code of Ethics, I am notifying you of my family members who work in government.

- My brother-in-law, Shane Good, works at the Erie County Water Authority.
- My cousin, Garrett Grieser, works for State Supreme Court Justice Daniel Furlong.

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If there are any other questions, please feel free to contact Chief of Staff to the Minority Caucus Bryan Fiume.

Sincerely,

JOSEPH C. LORIGO
Hon. Joseph C. Lorigo
Minority Leader, Erie County Legislature
Erie County Legislator, 10th District

FROM LEGISLATOR GREENE

Item 71 – (COMM. 9E-20) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

April 22, 2021

Robert Graber

Clerk, Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Submission Pursuant to EC Code of Ethics, Disclosure of Family Members Employed by Any Government Organization

Dear Clerk Graber,

Pursuant to the Erie County Code of Ethics, I am notifying you of my family members who work in government.

- My wife, Kathryn J. Greene, is an educator at the Clarence Central Schools.
- My cousin, Lisa Venuto, is a physician assistant practicing at the Erie County Medical Center.

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If there are any other questions, please feel free to contact Chief of Staff to the Minority Caucus Bryan Fiume.

Sincerely,

CHRISTOPHER D. GREENE
Hon. Christopher D. Greene
Erie County Legislator, 6th District

FROM THE COUNTY EXECUTIVE

Item 72 – (COMM. 9E-21) Authorization to Contract for COVID-19 Community Outreach Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM CHAIR BASKIN

Item 73 – (COMM. 9E-22) Letter to Legislature Clerk Concerning Transition of Meetings on 4/29/2021

Received, filed and printed.

April 26, 2021

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

Re: April 29th 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 April 29, 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

FROM THE COMPTROLLER

Item 74 – (COMM. 9E-23) Letter to Commissioner of Personnel Regarding Facebook Posts

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MEYERS

Item 75 – (COMM. 9E-24) Abstention on Intro. 8-1 (2021)

Received, filed and printed.

April 26, 2021

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

Re: Abstention on Intro. 8-1 (2021)

Dear Clerk Graber:

At the April 15, 2021 legislative session, I abstained from voting on Intro. 8-1 (2021) concerning the Niagara Frontier Transportation Authority (NFTA), as I am an employee of the NFTA and desired to avoid any perception of a conflict of interest.

Thank you for your assistance and courtesies.

Sincerely,

Timothy J. Meyers
Majority Leader

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 76 – (COMM. 9D-1) Report on Managerial Confidential Overtime for First Quarter of 2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 77 – (COMM. 9D-2) Designation in Event of Vacancy, Absence or Inability

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 78 – (COMM. 9D-3) Notification of New COVID-19 Position

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 79 – (COMM. 9D-4) Child Protective Caseloads for 03/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 80 – (COMM. 9D-5) Updated Nursing Home Outbreak Information - 4/10/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPUTY COMPTROLLER

Item 81 – (COMM. 9D-6) Letter to Legislature Regarding January-February Sales Tax Receipts

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 82 – (COMM. 9D-7) Notification of COVID-19 Related Budget Adjustments

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 83 – (COMM. 9D-8) Updated Nursing Home Outbreak Information - 4/17/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 84 – (COMM. 9D-9) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 85 – (COMM. 9D-10) Letter to Legislature Concerning Transition of Meetings on 4/29/21

Received, filed and printed.

April 26, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: APRIL 29, 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 April 29, 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:

Topic: Erie County Legislature Work Session at 10:00 am and Legislative Session #9 (2021) at 11:00 am

<https://us02web.zoom.us/j/87182037317>

Meeting ID: 871 8203 7317

Or call 646-876-9923

Thank you.

FROM THE DEPARTMENT OF LAW

Item 86 – (COMM. 9D-11) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 87 – (COMM. 9M-1) Invitation for Public Comment - Proposal to Address Contamination at 33-35 Norris Ave., Buffalo

Item 88 – (COMM. 9M-2) Invitation for Public Comment - Program Application and Draft Work Plan for the Michigan-Best Development Site at Best St., Michigan Ave. & Edna Pl., Buffalo

Item 89 – (COMM. 9M-3) Announcement for Beginning of Contamination Cleanup at 837 Bailey Ave., Buffalo

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

FROM THE NFTA

Item 90 – (COMM. 9M-4) Minutes for NFTA Board Meeting Held on 12/10/2020

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 91 – (COMM. 9M-5) Fact Sheet - Brownfield Cleanup Program Application for the Michigan-Best Development Site at Best St., Michigan Ave. & Edna Pl., Buffalo

Item 92 – (COMM. 9M-6) Fact Sheet - Brownfield Cleanup Program Application for 33-35 Norris Ave., Buffalo

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

ANNOUNCEMENTS

Item 93 – Chair Baskin announced that committee meetings will be held on Thursday, May 6, 2021, and that the committee schedule would be distributed.

MEMORIAL RESOLUTIONS

Item 94 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Kimberly Vaillancourt, Kenneth Daumen and Jennifer Buckley.

Item 95 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Kathleen A. Zemrose, Albert C. Monteforte and Anthony N. Diina.

Item 96 – Legislator Johnson requested that when the Legislature adjourns, it do so in memory of Margaret Meacham.

Item 97 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Sheila M. LoVullo.

Item 98 – Legislator Meyers requested that when the Legislature adjourns, it do so in memory of Bruce Kogan.

Item 99 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Marcus Robinson.

Item 100 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Mark Olin Rivard.

ADJOURNMENT

Item 101 - 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, May 13, 2021 at 2:00 p.m. Eastern Standard Time. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, May 13, 2021 at 2:00 p.m. Eastern Standard Time.

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