



EC LEG SEP 16 '22 AM 11:54

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

September 16, 2022

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

**RE: Memorandum of Understanding Erie County – SUNY Erie Community College  
UI Expenditures**

Dear Honorable Members:

Please find the attached resolution seeking authorization for Erie County to enter into a memorandum of understanding with SUNY Erie Community College for the reallocation of \$861,993.83 in funding towards the College's cost of unemployment insurance expenditures as a result of recent layoffs.

Should your Honorable Body require further information, I encourage you to contact Robert Keating, Director of Budget and Management or David Balkin, PhD, SUNY Erie President. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mdc  
Enclosure

cc: David Balkin, PhD, SUNY Erie President  
Danise Wilson, Chair, SUNY Erie Board of Trustees

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Division of Budget and Management  
**Re:** Memorandum of Understanding Erie County – SUNY Erie Community College  
UI Expenditures  
**Date:** September 16, 2022

---

### **SUMMARY**

Erie County requests authorization to enter into a memorandum of understanding with SUNY Erie Community College (“SUNY Erie”) for the reallocation of \$861,993.83 in funding towards the College’s cost of unemployment insurance expenditures as a result of recent layoffs.

### **FISCAL IMPLICATIONS**

Zero. On March 18, 2022, Erie County and SUNY Erie entered into a MOU whereby the County agreed to allocate a funding grant of \$2,487,650 to SUNY Erie for use towards the cost of retirement incentives as part of a reorganization effort via Comm. 8E-1 (2022) – 2021 YE Budget Balancing Amendments. To date, \$1,625,656.17 has been utilized. This MOU seeks to reallocate the remaining \$861,993.83 towards unemployment insurance expenditures which resulted from employee layoffs also included in this reorganization effort.

### **REASONS FOR RECOMMENDATION**

Erie County continues to be desirous of aiding SUNY Erie in its effort to achieve fiscal stability. The retirement incentives and unemployment insurance expenditures due to layoffs are both costs associated with an overarching reorganization effort intended to help solve the College’s ongoing fiscal crisis. The grant funding has already been allocated as a 2021 YE Designation and this MOU would only allow the remaining balance to be reallocated.

### **CONSEQUENCES OF NEGATIVE ACTION**

Should the balance of the already allocated grant not be appropriated, SUNY Erie would bear the full cost of unemployment insurance expenditures that resulted from the recent employee layoffs, thus mitigating a portion of the cost savings associated with the College’s reorganization efforts.

### **STEPS FOLLOWING APPROVAL**

The County Executive and SUNY Erie President will sign the MOU allowing for the reallocation of grant funds.

A RESOLUTION SUBMITTED BY:  
DIVISION OF BUDGET AND MANAGEMENT

RE: Memorandum of Understanding Erie County – SUNY Erie Community College UI Expenditures

WHEREAS, pursuant to NYS Education Law §6304, the County is the local sponsor to SUNY Erie whereby the County provides annual financial and operational support to SUNY Erie in furtherance of its purpose to educate the residents of Erie County; and

WHEREAS, SUNY Erie is in the midst of an ongoing financial crisis due to the steady decline of its student body with enrollment trends indicating a continuation of said decline; and

WHEREAS, in an effort to achieve fiscal stability, SUNY Erie offered retirement incentives to its FFECC (Faculty Federation of Erie Community College), AAEC (Administrators Association of Erie Community College), CSEA (Civil Service Employees Association) and AFSCME (American Federation of State, County and Municipal Employees) members; and

WHEREAS, on March 18, 2022, the County and SUNY Erie entered into a MOU (attached hereto as Exhibit A) whereby the County agreed to allocate a funding grant of \$2,487,650 to SUNY Erie for use towards the cost of said retirement incentives of which to date \$1,625,656.17 has been utilized; and

WHEREAS, the County continues to be desirous of aiding SUNY Erie in its effort to achieve fiscal stability; and

WHEREAS, the County is willing to reallocate to SUNY Erie the funding grant residual balance of \$861,993.83 for use towards the cost of unemployment insurance expenditures which result from employee layoffs effectuated due to SUNY Erie's continued fiscal imbalance.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into a memorandum of understanding with SUNY Erie Community College for the reallocation of \$861,993.83 for use towards the cost of unemployment insurance expenditures which resulted from employee layoffs due to SUNY Erie Community College's continued fiscal imbalance; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Division of Budget and Management, the County Attorney's Office, the Office of the Comptroller and the Office of the President of SUNY Erie Community College.