

ERIE COUNTY LEGISLATURE
MEETING NO. 6
MARCH 17, 2022

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Lorigo.

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 5 from 2022. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. GREENE presented a proclamation Recognizing the Brave & Heroic Service of Officer Ryan Conrad.

Item 6 – MR. GREENE presented a proclamation Recognizing the Brave & Heroic Service of Officer Patrick Wisniewski.

Item 7 – MR. GREENE presented a proclamation Recognizing the Brave & Heroic Service of Officer Timothy Schara.

Item 8 – MR. TODARO presented a proclamation Honoring Alden Automotive for being a Customer Focused Auto Repair Shop.

Item 9 – MR. GREENE presented a proclamation Recognizing the Brave & Heroic Service of Officer Richard Walter.

Item 10 – MR. MILLS presented a proclamation Honoring Eden Tractor and Equipment for 40 Years in Business.

Item 11 – MR. TODARO presented a proclamation Honoring AdWorks on their 30th Anniversary.

Item 12 – MR. MILLS presented a proclamation Honoring William Krebs on his Retirement.

Item 13 – MR. TODARO presented a proclamation Honoring Elizabeth Galanis-Miller for Women’s History Month.

Item 14 – MR. TODARO presented a proclamation Honoring Kate’s Country Cousins for Mom and Pop Business Owners Day in Erie County.

Item 15 – MR. MILLS presented a proclamation Celebrating 100 Years of the Springville Country Club.

Item 16 – MR. MILLS presented a proclamation Honoring Lou Solomon and Big Lou’s Langford Superette on Mom and Pop Business Owners Day in Erie County.

Item 17 – MR. LORIGO presented a proclamation Honoring the Irishman Pub During Irish American Heritage Month.

Item 18 – MR. LORIGO presented a proclamation Honoring Carmen’s Catering for Mom and Pop Business Owners Day in Erie County.

Item 19 – MR. LORIGO presented a proclamation Honoring Country Pine Farm for National Agriculture Day.

Item 20 – MR. LORIGO presented a proclamation Honoring Olive Branch Family Restaurant During Greek Heritage Month.

Item 21 – CHAIR BASKIN presented a proclamation Honoring and Recognizing Utopian Euphoria LLC and Its Women Who Walk In The Footsteps of Greatness Event.

Item 22 –CHAIR BASKIN, MR. MEYERS, MR. JOHNSON, MS. CHIMERA, MR. BARGNESI, MS. VINAL & MR. GILMOUR presented a proclamation Recognizing National Colorectal Cancer Awareness Month.

Item 23 – MR. GILMOUR presented a proclamation Congratulating Head Coach Kyle Husband and the Canisius High School Boys Varsity Program - 2022 New York State Champs.

Item 24 – MR. GILMOUR presented a proclamation In Remembrance of Eric R. DuVall.

Item 25 – MR. GILMOUR presented a proclamation Honoring and Recognizing Daniel McCarthy, Police Officer, Town of Hamburg.

Item 26 – MR. CHIMERA presented a proclamation Honoring the Hertel Business Association as the Erie County Legislature's Citizen of the Month for March 2022.

Item 27 – MS. CHIMERA presented a proclamation Honoring the Grant Amherst Business Association as the Erie County Legislature's Citizen of the Month for March 2022.

MR. MEYERS moved for consideration of the above twenty-three items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above twenty-three items by adding three for MS. CHIMERA, adding one for MR. BARGNESI, and by including Et Al Sponsorship. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-seven items as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

None.

COMMITTEE REPORTS

Item 28 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

March 10, 2022	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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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. 19M-4 (2021)
UB CIVIL RIGHTS & TRANSPARENCY CLINIC: “Letter in Support of the Jail Management Transparency & Accountability Act, LL 1-1 (2020)”
(Chair’s Ruling)
 - b. COMM. 20M-4 (2021)
ANN M. VENUTO: “Affidavit Concerning Conversation with Prisoners Held in the ECHC”
(Chair’s Ruling)

2. COMM. 5E-2 (2022)
SHEERIFF

WHEREAS, the current contract with Westwood Pharmacy to deliver prescription and non-prescription medicine for incarcerated individuals care is set to expire April 30, 2022; and

WHEREAS, the Sheriff's Office and Westwood Pharmacy have negotiated a 1-year extension that freezes pricing at the current rate; and

WHEREAS, if the County were to utilize the New York State bid, there would be a significant cost increase; and

WHEREAS, the Sheriff's Office is committed to authoring a new Request for Proposals in the coming months; and

WHEREAS, not only will the County save money with a 1-year extension, the Division of Correctional Health will be able to develop a new RFP to fit the changing needs of the agency and incarcerated individuals' care.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to enter into an agreement that extends RFP #1637VF with Westwood Pharmacy for inmate pharmacy services; and be it further

RESOLVED, that authorization is granted to the County Executive and the Erie County Sheriff's Office, by the Erie County Legislature, to enter into a one (1) year agreement with Westwood Pharmacy for pharmacy services; 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, Division of Purchase, and the Sheriff's Office for implementation.
(6-0)

3. COMM. 5E-4 (2022)
SHERIFF

WHEREAS, School Resource Officers (hereinafter "SROs") are vital to the safety of students and surrounding communities, in that they help promote a safe environment in schools so the focus can be on the delivery of instruction; and

WHEREAS, SROs serve a multifaceted purpose in our schools, including serving as first responders for all incidents on a school district's campus, whether it's violence between students/staff, an individual in a school or on the campus without permission, or a medical emergency; and

WHEREAS, the Holland Central School District is desirous of obtaining the services of a full-time SRO in an attempt to deter criminal behavior through positive interactions with students, staff, and the public during school hours; and

WHEREAS, the Sheriff is desirous of providing law enforcement and related services to the District; and

WHEREAS, the Sheriff has conferred with the District and the parties agree it is in the best interests of the District, the Sheriff, and the citizens to establish this program; and

WHEREAS, the Sheriff has agreed to provide and assign one full-time uniformed Road Patrol Deputy to be utilized as an SRO; and

WHEREAS, to enable the Sheriff to provide a full-time SRO, the District will compensate the Sheriff as provided herein; and

WHEREAS, the District and the County, acting through the Sheriff, desire to set forth in this Agreement the specific terms and conditions of the services to be performed and provided by the SRO in the District; and

WHEREAS, this resolution will have a positive impact on the 2022 and 2023 county budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the County Executive and the Erie County Sheriff's Office to enter into a contract with Holland Central School District for an SRO from September 1, 2021, to June 30, 2022, and September 1, 2022, to June 30, 2023; and be it further

RESOLVED, Holland Central School District will compensate the Erie County Sheriff's Office at least \$101,716.00 for each school year defined in the agreement; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Erie County Executive, Division of Budget and Management, the County Attorney's Office, Erie County Comptroller's Office, and the Sheriff's Office.
(6-0)

4. COMM. 5E-5 (2022)
SHERIFF

WHEREAS, School Resource Officers (hereinafter "SROs") are vital to the safety of students and surrounding communities, in that they help promote a safe environment in schools so the focus can be on the delivery of instruction; and

WHEREAS, SROs serve a multifaceted purpose in our schools, including serving as first responders for all incidents on a school district's campus, whether it's violence between students/staff, an individual in a school or on the campus without permission, or a medical emergency; and

WHEREAS, the Alden Central School District is desirous of obtaining the services of a full-time SRO in an attempt to deter criminal behavior through positive interactions with students, staff, and the public during school hours; and

WHEREAS, the Sheriff is desirous of providing law enforcement and related services to the District; and

WHEREAS, the Sheriff has conferred with the District and the parties agree it is in the best interests of the District, the Sheriff, and the citizens to establish this program; and

WHEREAS, the Sheriff has agreed to provide and assign one full-time uniformed Road Patrol Deputy to be utilized as an SRO; and

WHEREAS, to enable the Sheriff to provide a full-time SRO, the District will compensate the Sheriff as provided herein; and

WHEREAS, the District and the County, acting through the Sheriff, desire to set forth in this Agreement the specific terms and conditions of the services to be performed and provided by the SRO in the District; and

WHEREAS, this resolution will positively impact the 2022 and 2023 county budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the County Executive and the Erie County Sheriff's Office to enter into a contract with Alden Central School District for an SRO from September 1, 2021, to June 30, 2022, and September 1, 2022, to June 30, 2023; and be it further

RESOLVED, Alden Central School District will compensate the Erie County Sheriff's Office at least \$106,903.00 for each school year defined in the agreement; and be it further

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

(6-0)

5. COMM. 5E-12 (2022)
COUNTY EXECUTIVE

WHEREAS, there was a cooperative construction project involving the Sheriff's Department and the County's Public Works staff for upgrades to the Sheriff's shooting range used for training activities; and

WHEREAS, one of the activities performed at the shooting range was the demolition and disposal of a gun maze, performed by the County's Highway staff, that required the transportation and disposal, by Zoladz Construction, of the railroad ties that were demolished; and

WHEREAS, the original tonnage of railroad ties needing to be disposed of was underestimated due to the dimensions of the ties, additional trucking was required to complete the disposal of the ties, making it necessary to request an increase of \$18,328 to Purchase Order 4500075834 to pay for the completion of the project; and

WHEREAS, funding for the increase is available in Capital Project A.19006 – 2019 Preservation of County Buildings and Facilities, Fund 410, Funds Center 122.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to increase Purchase Order 4500075834 by \$18,328 for Zoladz Construction due to higher than estimated tonnage of railroad ties; and be it further

RESOLVED, the Comptroller's Office is hereby authorized to make payment for this increase from the available funds in Capital Project A.19006– 2019 Preservation of County Buildings and Facilities, Fund 410, Funds Center 122; and be it further

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

(6-0)

6. COMM. 5E-13 (2022)

COUNTY EXECUTIVE

WHEREAS, Erie County, with the assistance from Tetra Tech, has gathered information and prepared the Erie County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Erie County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Erie County is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Erie County have reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive, on behalf of the Department of Homeland Security & Emergency Services, is authorized to receive this revision of Comm. 3E-19 dated February 1, 2007 and Comm. 12E-18 (2015) date June 25, 2015 from this Honorable Body, which hereby indicate the adoption, updated and acceptance of the Erie County Multi-Jurisdictional Hazard Mitigation Plan, and to forward this resolution, along with the other 44 Municipality resolutions to the Federal Emergency Management Agency (FEMA) so the Plan can be completely approved; and be it further

RESOLVED, Erie County adopts the Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan; and be it further

RESOLVED, that the Erie County Multi-Jurisdictional Hazard Mitigation Plan will be reviewed and amended, as needed, with in a period of every five (5) years; and be it further

RESOLVED, that the Multi-Jurisdictional Hazard Mitigation Plan will allow Erie County and its 44 Municipalities to receive funding from FEMA, as a result of a federally declared disaster, and/or for mitigation aid; and be it further

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Lauren Panaro, the County Comptroller, and the County Attorney. (6-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 29 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

March 10, 2022	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5M-1 (2022)
VISIT BUFFALO NIAGARA: “2021 Fourth Quarter Report & Financial Statements”
(Chair’s Ruling)
 - b. COMM. 5M-2 (2022)
TOWN OF EDEN: “Copy of Certified Resolution Requesting Road Study in Town of Eden”
(Chair’s Ruling)
2. INTRO. 5-2 (2022)
JOHNSON, BASKIN, MEYERS, CHIMERA,
BARGNESI, VINAL & GILMOUR AS AMENDED
WHEREAS, on February 13, 2022, the Niagara Frontier Transportation Authority (“NFTA”) eliminated 8 bus routes and drastically reduced 2 bus routes. The eliminated routes included:
 - Route 60 (Niagara Falls Express)
 - Route 61 (Tonawanda Express)
 - Route 64 (Lockport Express)
 - Route 66 (Williamsville Express)
 - Route 67 (Cleveland Hill Express)

- Route 69 (Lancaster Express)
- Route 74 (Hamburg Express)
- Route 81 (East Side)

WHEREAS, these routes served as critical commuter routes for individuals without cars and those seeking to reduce their carbon footprint by committing to travel via public transportation; and

WHEREAS, the alleged reason behind this route elimination has been reported as a bus driver shortage, which the NFTA has attempted to address by creating a \$500 signing bonus for new hires and a starting hourly rate of \$17/hour; and

WHEREAS, unfortunately these incentives have not resulted in an adequate number of jobs hires for NFTA bus drivers and as a result, bus service routes have been eliminated; and

WHEREAS, the NFTA has received or has been awarded over \$256 million in American Rescue Plan Act and Infrastructure Investment and Jobs Act funds since March 2021; and

WHEREAS, it appears the NFTA is in a strong financial position to offer greater incentives in order to achieve and maintain the proper workforce needed to restore the recently eliminated bus routes and provide timely, accurate schedules for all existing bus routes; and

WHEREAS, it is imperative to the success of our region, our county, and our neighborhoods to have a fully functioning public transportation system, where no one person is subjected to long commutes, indirect routes, infrequent service, especially when those consequences are the result of a lack of investment in the frontline workers, drivers, mechanics, and others of our public transportation system.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body calls on the Niagara Frontier Transit Authority to restore its recent service cuts immediately and commit to no further service cuts; and be it further

RESOLVED, this honorable body calls on the NFTA to develop a bus driving hiring incentive program that has significantly valuable incentives and application assistance programming to ensure our public transit system has sufficient bus drivers, operators, mechanics, and other frontline staff to operate as a fully-functioning public transit system without route eliminations, frequent service interruptions, and numerous barriers that further burden our resident who use public transportation; and be it further

RESOLVED, directs copies of this resolution be sent to the NFTA Board of Directors, the NFTA Executive Director, the Governor, the County Executive, and any other parties deemed necessary.
(5-0)

3. COMM. 5E-15 (2022)
COUNTY EXECUTIVE

WHEREAS, the County is interested in the fostering of business growth and job retention within the County; and

WHEREAS, the County is the owner of a short line railroad, namely, Rail Line 1246, running from South Buffalo to Gowanda and passing over several waterbodies and public roadways throughout its route (the "Hamburg Line"); and

WHEREAS, the County leases the Hamburg Line to the Erie County Industrial Development Agency (the "Organization"), and the Organization manages the lease with the Hamburg Line operator; and

WHEREAS, portions of the Hamburg Line consisting of five bridge structures need repairs and the County desires to rehabilitate such crossings; and

WHEREAS, the Organization has experience in contracting for construction projects on behalf of the County; and

WHEREAS, the County has allocated \$250,000 for rehabilitation of the Buffalo Southern Railroad Bridges (the "Buffalo Southern Bridge Project") in its 2022 Capital Budget; and

WHEREAS, the aforementioned County funding is considered the match to a grant in the amount of \$1,704,000 recently secured through the NYS DOT PFRAP program to offset the cost of the project; and

WHEREAS, the source of the aforementioned funds has been designated and approved in the 2022 Erie County Budget, Comm. 22E-3 (2021) in A.22056 (pay as you go).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive/ Deputy County Executive is hereby authorized to execute contracts as necessary with the Erie County Industrial Development Agency and Buffalo Southern in amounts not to exceed \$250,000 from Capital Account A.22056 (pay as you go) to implement the Project; and be it further

RESOLVED, and the County, through the Department of Environment and Planning, is authorized to make payments for the Buffalo Southern Bridge Project with the Organization and its contractors in an amount not to exceed \$250,000 from A.22056 (pay as you go); and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the Comptroller; the Commissioner, Department of Environment and Planning; Mark Rountree, Department of Environment and Planning and the County Attorney.
(5-0)

4. COMM. 5E-16 (2022)
COUNTY EXECUTIVE

WHEREAS, the New York State Education Department (NYSED) conducted an on-site Civil Rights Compliance Review of the Career and Technical Education programs and support services at

Erie Community College (ECC), a recipient of federal funding administered through NYSED, and a Voluntary Compliance Plan (VCP) was issued as a result of the findings/violations; and

WHEREAS, Phase 1 of the ADA upgrades was approved per COMM. 24E-19 (2020) on January 21, 2021 and completed in September 2021, the proposed Phase 2 accessibility upgrade work for the City Campus will contribute to compliance with the NYSED's VCP; and

WHEREAS, per Section 19.08 of the Erie County Code, professional services under \$10,000 do not have to be publicly advertised for RFP, and mechanical/plumbing professional services for this project are under that amount; and

WHEREAS, the Department of Public Works is seeking authorization for the County Executive to enter into an Agreement with the engineering firm of Buffalo Engineering P.C. to provide professional mechanical/plumbing design and construction administration services for an amount not to exceed \$9,990 for the SUNY Erie Community College City Campus 2022 Various ADA Upgrades Phase 2 project; and

WHEREAS, the County previously entered into a Term Agreement with Buffalo Engineering, P.C. to provide electrical engineering services through an on-call contract previously approved per COMM. 15E-24 (2019) on July 25, 2019, EC DPW Contract 19-635-PW; and

WHEREAS, the Department of Public Works is seeking authorization to amend the funding source in its existing On-Call Term Agreement with Buffalo Engineering, P.C., to allow for the design of the ECC City ADA Upgrades Phase 2 for electrical design and construction administration services for \$9,910 plus a design contingency of \$3,100 for a total amount not to exceed \$13,010 based on an agreed upon work scope and fee negotiated with Buffalo Engineering P.C. for the above-referenced project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with the engineering firm of Buffalo Engineering P.C. to provide professional mechanical/plumbing design and construction administration services for an amount not to exceed \$9,990; and be it further

RESOLVED, that the County Executive is authorized to amend the funding source of the On-Call Electrical Term Agreement with Buffalo Engineering, P.C. (COMM. 15E-24 (2019)), Law Document 19-635-PW, for electrical design and construction administration services for the SUNY Erie Community College City Campus 2022 Various ADA Upgrades Phase 2 project in a negotiated and agreed upon amount of \$9,910 plus a design contingency of \$3,100 for a total amount not to exceed \$13,010 from Fund 480, Funds Center 122, Project E. 18004 – 2018 Erie Community College – Collegewide Infrastructure Improvements/Renovations; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment in an amount not to exceed \$23,000 from the previously approved, as adopted Erie County capital budget, Fund 480, Funds Center 122, E. 18004 – 2018 Erie Community College – Collegewide Infrastructure Improvements/Renovations as follows:

Mechanical/Plumbing Design and Construction Administration Services \$9,990

Electrical Design and Construction Administration Services	\$9,910
Electrical Design and Construction Administration Services Contingency	\$3,100
Total	\$23,000

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 SUNY Erie of the Chief Administrative and Financial Officer.

(5-0)

5. COMM. 5E-17 (2022)
COUNTY EXECUTIVE

WHEREAS, the College previously embarked on a campus-wide Masterplan with JMZ Architects and an Existing Condition Assessment performed as part of the Masterplan identified several critical electrical and mechanical needs including deferred maintenance, and health and safety items; and

WHEREAS, IBC Engineering completed of a Pre-Design assessment at North, South, and City Campus buildings which included cost estimates and phasing plans (COMM. 3E-11 on February 18, 2021), and as part of a larger multi-phased Power Distribution/Wiring and Mechanical upgrade project, Kittinger and Bretschger Halls have been identified as in most critical need for power distribution/wiring and mechanical upgrades; and

WHEREAS, per the previously approved resolution (COMM. 3E-11 on February 18, 2021), it was anticipated a fee increase/amendment would be needed after the Pre-Design Assessment was completed and a comprehensive scope of work was defined per the terms of the current contract; and IBC Engineering's original A/E fee for Pre-Design phase was \$72,760 plus \$85,000 for reimbursable/hazmat and \$72,40 design contingency for a total of \$165,000; and

WHEREAS, the additional fee is inclusive of design services related to code compliance as well as commissioning services to comply with current applicable Building Codes and the estimated construction budget will range from \$8M to \$9.7M; and

WHEREAS, the County of Erie will receive 50% reimbursement from New York State for this project; and

WHEREAS, upon design fee negotiation with the consultant, the County Executive is requesting authorization to enter into an Agreement Amendment with IBC Engineering P.C. for an additional A/E base fee of \$462,625 plus \$33,000 for code minimum commissioning services and A/E design contingency of \$54,375 for a total increase of \$550,000 to complete design and construction administration services for the SUNY Erie Community College Campus-wide 2020 Power Distribution and Wiring, and Mechanical Upgrades – Phase 1 project, for a total contract of \$715,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with IBC Engineering P.C. for an additional A/E base fee of \$462,625 plus \$33,000 for code minimum

commissioning services and A/E design contingency of \$54,375 for a total increase of \$550,000 to provide the design and construction administration services for the SUNY Erie Community College Campus-wide 2020 Power Distribution and Wiring, and Mechanical Upgrades – Phase 1 project for a total contract of \$715,000; 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 480, Funds Center 122, E.19001 – 2019 Erie Community College Collegewide Improvements and Renovations, in an amount not to exceed \$550,000; 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, Erie Community College, Director of Finance, and the Office of the Comptroller.

(5-0)

6. COMM. 5E-18 (2022)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Erie Community College North Campus Various ADA and Electrical Upgrades project on Thursday March 4, 2021, and the responsible bidders are as follows; General Construction Work is Telco Construction Inc., Mechanical Construction Work is John W Danforth Company, Plumbing Construction Work is Willett Builders, Inc., and Electrical Construction Work is Industrial Power and Lighting Corporation per previously approved resolution (COMM. 6E-18 (2021)); and

WHEREAS, the there is a need to increase the construction contingency fund to allow for the additional scope of work that was discovered at the Dry Memorial Library such as stone column reconstruction, Gleasner Hall terrazzo floor replacement, and other unforeseen site conditions; and

WHEREAS, the current of the Dry Memorial Columns are a life safety hazard that was realized during construction and without repair, deterioration will continue to a point of collapse; and

WHEREAS, the County Executive is requesting authorization to increase the Construction Contingency Fund for the SUNY Erie Community College North Campus Various ADA and Electrical Upgrades project from \$129,114.52 to \$350,000; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the Construction Contingency Fund for the Erie Community College North Campus Various ADA and Electrical Upgrades project from \$129,114.52 to \$350,000 and 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 480, Funds Center 122, as follows:

1)	<u>E.19001</u> <u>2019 Collegewide Improvements and Renovations</u>	<u>\$ 220,885.48</u>
2)	For a Total Amount Not to Exceed	\$ 220,885.48

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 SUNY Erie and Financial Officer.

(5-0)

7. COMM. 5E-19 (2022)
 COUNTY EXECUTIVE

WHEREAS, the Legislature authorized an engineering services agreement with LaBella Associates, DPC for the Lake Avenue Reconstruction Project via Comm. 16E-7 (2017) on 9/21/2017; and

WHEREAS, the LaBella Associates, DPC design engineering agreement needs to be amended to include extra engineering services related to the project's change of scope to improve the life expectancy of the roadway; and

WHEREAS, there are funds available in Capital Project B.17003 – 2017 Preservation of Roads - Design, Fund 420, Fund Center 123 in the amount of \$83,984.06 for these services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to execute an amendment to LaBella Associates, DPC existing contract for design of Lake Avenue in the amount of \$83,984.06; and be it further

RESOLVED, that the funding for these services is available in Capital Project B.17003 – 2017 Preservation of Roads – Design, Fund 420, Funds Center 123; and be it further

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

(5-0)

8. COMM. 5E-20 (2022)
 COUNTY EXECUTIVE

WHEREAS, the McKinley Parkway Pavement Resurfacing (CR 204) from Quinby Drive (Town highway) to Southwestern Boulevard (NYS Rt. 20), Town of Hamburg, PIN 5763.32 (the

“Project”) is eligible for funding under the Federal Surface Transportation Program (STP) administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, under the STP, the Federal and New York State Marchiselli cost shares are limited to the amount set forth in the agreement with the NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the NYSDOT has agreed to reimburse the County the 80% Federal and 7 ½% New York State Marchiselli shares of the Project’s Engineering phases; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the reimbursable Federal and New York State Marchiselli shares of the costs of the Engineering Design (Phases I-VI) phases of the Project; and

WHEREAS, the total cost of the Design Engineering phases of this Project are \$600,000, the required local share is \$75,000, the New York State Marchiselli share is \$45,000, and the Federal share is \$480,000, available in Fund 420, Funds Center 123, Capital Projects B.18004, 2018 Preservation of Roads Design Countywide and B.22052, Federal Aid Road Design – McKinley Parkway (PIN 5763.32); and

WHEREAS, after the Federal Aid RFQ process, the firm of Erdman Anthony and Associates, Inc., was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the reconstruction of the above noted segment of McKinley Parkway (CR 204).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the McKinley Parkway Pavement Resurfacing, PIN 5763.32 (the “Project”); and be it further

RESOLVED that the County Executive be authorized to execute the Agreement with the New York State Department of Transportation (NYSDOT), an agreement between the County of Erie and the selected Project Design Engineers, Erdman Anthony and Associates, Inc., for engineering design services in an amount not to exceed \$600,000, 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 \$600,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the Federal and New York State Marchiselli revenue that is available under the Surface Transportation Program (STP) administered by the NYSDOT; and be it further

RESOLVED, that Capital Project B.22052, McKinley Parkway Pavement Resurfacing, Fund 420, Funds Center 123, be adjusted as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
405160	NYS Marchiselli	\$0	\$45,000	\$45,000
414000	Federal Aid	\$252,000	\$228,000	\$480,000
486000	Interfund Rev Subsidy	<u>\$63,000</u>	<u>\$0</u>	<u>\$63,000</u>
TOTAL REVENUES		<u>\$315,000</u>	<u>\$273,000</u>	<u>\$588,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$63,000	\$525,000	\$588,000
UNALLOCATED	Unallocated Capital	<u>\$252,000</u>	<u>(\$252,000)</u>	<u>\$0</u>
TOTAL APPROPRIATIONS		<u>\$315,000</u>	<u>\$273,000</u>	<u>\$588,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$600,000 for Design Engineering is hereby appropriated from Fund 420, Funds Center 123, Capital Projects B.18004, 2018 Preservation of Roads Design Countywide and B.22052, McKinley Parkway Pavement Resurfacing and made available to cover the cost of participation in the above phase 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 reimbursements in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of 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 and NYS Marchiselli aid 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; and providing for the administration of the Project and the County's first instance funding of Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

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

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

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

(5-0)

9. COMM. 5E-23 (2022)
COUNTY EXECUTIVE

WHEREAS, the Rehabilitation of Borden Road - CR322 (the Project) was approved by your Honorable Body via COMM 15E-12 (July 23, 2020) and COMM 8E-33 (April 29, 2021); and

WHEREAS, Phase 1 of the project extends approximately from Strasmer Road to Broadway (NY 130); and

WHEREAS, Phase 1 includes the replacement of approximately 1400 linear feet of 8” diameter cast iron watermain for the Erie County Water Authority (ECWA); and

WHEREAS, an Inter-Agency Agreement was executed with the ECWA to address the design and construction costs of the waterline replacement as authorized by your Honorable Body via COMM 21E-12 (December 16, 2021); and

WHEREAS, the Inter-Agency Agreement provided for the ECWA to front the money required for construction in the amount of \$813,500 to Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept funds from the ECWA in the amount of \$813,500; and be it further

RESOLVED, that the Division of Budget and Management is authorized to increase revenues and appropriations for Fund 420, Funds Center 123, B.21102 – Preservation of Roads, Borden Road as follows:

Account	Description	Current Budget	Inc/(Dec)	Revised Budget
REVENUES:				
475000	Gen Oblig Bond Proceeds	\$4,000,000	\$0	\$4,000,000
420499	Other Local Source Revenue	\$0	\$813,500	\$813,500
TOTAL REVENUES		\$4,000,000	\$813,500	\$4,813,500
APPROPRIATIONS:				
CAPITAL PROJECTS EXP		\$4,000,000	\$813,500	\$4,813,500
TOTAL APPROPRIATIONS		\$4,000,000	\$813,500	\$4,813,500

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.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 30 – MS. CHIMERA presented the following report and moved for immediate consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

March 10, 2022	HEALTH & HUMAN SERVICES 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 and filed:

a. COMM. 5D-5 (2022)
DEPARTMENT OF LAW: “Local Emergency Order Extensions”
(Chair’s Ruling)

2. COMM. 5E-1 (2022)
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Angela Marinucci to the position of Commissioner of the Erie County Department of Senior Services.
(6-0)

3. COMM. 5E-22 (2022)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has a Supervisor of Accounts PT position and a Claims Administration Technician which are vacant within the Adopted 2022 Budget; and

WHEREAS, the department has a viable list for the Administrative Assistant – Social Services position; and

WHEREAS, the division of Financial Records and Services has a need for a Grade 9 supervisory position; and

WHEREAS, potential candidates are unwilling to take a provisional position; and

WHEREAS, as there are no negative fiscal implications for the Department of Social Services to delete the Supervisor of Accounts PT (Grade 9) and the Claims Administration Technician (Grade 8) positions and add an Administrative Assistant – Social Services (Grade 9) position.

NOW, THEREFORE, BE IT

RESOLVED, that authorization be provided to delete the Supervisor of Accounts PT (Grade 9) and the Claims Administration Technician (Grade 8) and create an Administrative Assistant – Social Services (Grade 9); and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any budget changes which may be required in order to match expense with reimbursement funding allocation adjustments, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

(6-0)

**LISA M. CHIMERA
CHAIR**

Item 31 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

March 10, 2022	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4E-2 (2022)
COUNTY EXECUTIVE: “ECSD Nos. 3 & 8 - Construction Inspection Term Contract Agreement”
(Chair’s Ruling)
 - b. COMM. 4E-3 (2022)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Term Contract Agreement - DA-9”
(Chair’s Ruling)

- c. COMM. 4E-4 (2022)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Term Contract Agreement - CS-3”
(Chair’s Ruling)
 - d. COMM. 4E-5 (2022)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Term Contract Agreement - WDL-3”
(Chair’s Ruling)
 - e. COMM. 4M-5 (2022)
EC SOIL & WATER CONSERVATION DISTRICT: “Submission Pursuant to Budget
Accountability Act”
(Chair’s Ruling)
2. COMM. 5E-9 (2022)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Legislature authorized the distribution of American Rescue Plan
(ARP) funds in COMM 13E-15(2021) on July 8, 2021; and

WHEREAS, this legislation distributed \$14,400,000 to the Erie County Department of Parks, Recreation, and Forestry (Parks), which included funding for the rehabilitation of parking lots in Chestnut Ridge Park and Wendt Beach Park; and

WHEREAS, the Department of Public Works, Division of Highways is aiding Parks with this project and wants to have the parking lots constructed prior to Parks’ busiest season, this resolution requests authorization for the County Executive to award a construction contract to the lowest responsible bidder and to execute a contract for construction phase engineering services with the project consultant – CHA Consulting, Inc.; and

WHEREAS, the total cost of construction is estimated at \$2,920,979.65 plus a contingency of \$43,650.35 and a cost for construction phase engineering services not to exceed \$82,100 for a total cost not to exceed \$3,046,730.00.

NOW, THEREFORE, BE IT

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

RESOLVED, that the County Executive is authorized to award a construction contract to the Anastasi Trucking Inc. for the project in an amount not to exceed \$2,920,979.65 plus a contingency of \$43,650.35 with authorization to approve change orders in an amount not to exceed the contingency, and to execute a contract with CHA Consulting, Inc. for construction phase engineering services in an amount not to exceed \$82,100 for a total cost not to exceed \$3,046,730.00; and be it further

RESOLVED, that the funds for construction, construction phase engineering and contingency are available from Capital Project B.21164 – 2021 Parks Managed by Highways, Fund 420, Fund Center 123; and be it further

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

(5-0)

3. COMM. 5E-11 (2022)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) was authorized to contract with the New York State Energy Research and Development Authority to conduct the Erie County Low-Income Project for Sustainable Energy (ECLIPSE) in 2018 by Comm. 3E-9 (SAP Grant Account 162ECLIPSE1922); and

WHEREAS, ECLIPSE is planning the development of a program to improve access to renewable energy and reduce energy cost burden for low- and moderate-income residents; and

WHEREAS, the County of Erie issued a Request for Proposals to retain a contractor to provide energy and other professional services to support ECLIPSE; and

WHEREAS, a review committee evaluated the response to the Request for Proposals using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends that Pace University complete the requested consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that Pace University be retained to perform professional services over a 3-year term; and be it further

RESOLVED, that the County Executive or Deputy County Executive is hereby authorized to enter into an agreement with Pace University for an amount not to exceed \$500,000.00; and be it further

RESOLVED, that individual work orders may be funded from grant account SAP #162ECLIPSE1922 for up to \$150,000.00 each; and be it further

RESOLVED, that the Department of Environment and Planning shall notify the Legislature when a work order is assigned under this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be furnished to the Office of the County Executive; the Director of the Division of Budget and Management; the Office of the County Attorney; the Office of the County Comptroller; Daniel Castle, Commissioner of Environment and Planning, and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(5-0)

TIMOTHY J. MEYERS
CHAIR

Item 32– MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

March 10, 2022	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBERS.

1. RESOLVED, the following items are hereby received, filed and printed:
 - a. COMM. 5D-2 (2022)
DIRECTOR OF REAL PROPERTY TAX: “Cost to Prepare School District Tax Rolls & Bills”
(Chair’s Ruling)

February 16, 2022

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

RE: Cost to Prepare School District Tax Rolls & Bills

Honorable Members:

Please receive, file and print the attached billing for the preparation of 2021-2022 School District Tax Rolls at your next meeting.

As directed by Section 4-3.1 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading School District Tax Rolls, together with the apportionment to each School District benefitted for the year 2021-2022.

Very truly yours,

Scott A. Bylewski
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2021-2022

STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL
 DISTRICT TAX
 BILLS AND THE SPREADING OF ASSOCIATED
 COSTS:

Tax Bills Paper		\$11,200.00	
Tax Roll Paper		\$1,000.00	
Data Processing Charges		\$60,138.91	
Wages		\$75,936.71	
Total		\$148,275.62	
	273,177.00 parcels	0.542782219	Cost per parcel
Alden Out of County		\$100.00	
AKC1 Out of County		\$200.00	
Gowanda Extra Roll		\$0.00	
Attica Flat Charge @ \$150.00		\$150.00	
Silver Creek Charge @ \$150.00		\$150.00	
Pioneer Extra Set Bills		\$0.00	
Total to Spread: Cost per parcel and Flat Charge		\$148,875.62	

School	Parcels	Rate	Amount Due
Alden	4963	0.542782219	\$2,793.83
Akron	3809	0.542782219	\$2,267.46
Amherst	9129	0.542782219	\$4,955.06
Sweet Home	11212	0.542782219	\$6,085.67
Attica	0	0	\$150.00
East Aurora	6315	0.542782219	\$3,427.67
Cheektowaga	8406	0.542782219	\$4,562.63
Maryvale	7504	0.542782219	\$4,073.04
Cleveland Hill	4605	0.542782219	\$2,499.51
Sloan	5126	0.542782219	\$2,782.30
Clarence	12790	0.542782219	\$6,942.18
Springville	6881	0.542782219	\$3,734.88
Depew	6824	0.542782219	\$3,703.95
Eden	4948	0.542782219	\$2,685.69
Frontier	17022	0.542782219	\$9,239.24
Grand Is	9013	0.542782219	\$4,892.10

Gowanda	1524	0.542782219	\$827.20
Hamburg	10438	0.542782219	\$5,665.56
Holland	3598	0.542782219	\$1,952.93
Iroquois	8466	0.542782219	\$4,595.19
Lancaster	18812	0.542782219	\$10,210.82
Lake Shore	10163	0.542782219	\$5,516.29
North Collins	2754	0.542782219	\$1,494.82
Orchard Park	14327	0.542782219	\$7,776.44
Pioneer	1009	0.542782219	\$547.67
Silver Creek	0	0	\$150.00
Ken-Ton	26550	0.542782219	\$14,410.87
Williamsville	28447	0.542782219	\$15,440.53
West Seneca	22099	0.542782219	\$11,994.94
City of Tonawanda	6443	0.542782219	\$3,497.15
Total	273,177		\$148,875.61

- b. COMM. 5D-3 (2022)
DIRECTOR OF REAL PROPERTY TAX: “Cost to Prepare Village Tax Rolls & Bills”
(Chair’s Ruling)

February 16, 2022

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

RE: Cost to Prepare Village Tax Rolls & Bills

Honorable Members:

Please receive, file and print the attached billing for the preparation of Village Tax Rolls and Bills for the year 2021-2022 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading Village Tax Rolls and Bills.

Very truly yours,

Scott A. Bylewski
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2021-2022

STATEMENT, MATERIALS AND LABOR IN PRODUCING

VILLAGE BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills/Paper Costs	\$3,700.00	
Tax Rolls, Assessment Roll & Worksheets	\$950.00	
Wages	\$5,108.71	
Data Processing Time	\$6,971.19	
<hr/>		
Total Cost	\$16,729.90	
Extra Bills	\$110.00	
		\$16,839.90
Cost per parcel	\$0.466846	

Village	parcels	1 Extra set of bills	Rate	Cost
Akron	1262	\$20.00	\$0.466846	\$609.16
Alden	889		\$0.466846	\$415.03
Angola	942		\$0.466846	\$439.77
Blasdell	1139	\$20.00	\$0.466846	\$551.74
Depew	6713		\$0.466846	\$3,133.94
East Aurora	2595		\$0.466846	\$1,211.46
Farnham	206	\$10.00	\$0.466846	\$106.17
Gowanda	1204		\$0.466846	\$562.08
Hamburg	3824		\$0.466846	\$1,785.22
Kenmore	5667		\$0.466846	\$2,645.62
Lancaster	4330		\$0.466846	\$2,021.44
North Collins	543		\$0.466846	\$253.50
Orchard Park	1154	\$20.00	\$0.466846	\$558.74
Sloan	1573		\$0.466846	\$734.35
Springville	1661		\$0.466846	\$775.43
Williamsville	2134	\$40.00	\$0.466846	\$1,036.25
	35836	\$110.00		\$16,839.89

- c. COMM. 5D-4 (2022)
 DIRECTOR OF REAL PROPERTY TAX: “Cost to Prepare City of Tonawanda Tax Rolls & Bills”
 (Chair’s Ruling)

February 16, 2022

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

RE: Cost to Prepare City of Tonawanda Tax Rolls & Bills

Honorable Members:

Please receive, file and print the following billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2021 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills.

Very truly yours,

Scott A. Bylewski
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2021

STATEMENT, MATERIALS AND LABOR IN PRODUCING
CITY OF

TONAWANDA BILLS AND THE SPREADING OF
ASSOCIATED COSTS:

Tax Bills	\$225.00
Tax Rolls, Assessment Roll & Worksheets	\$200.00
Wages	\$1,118.10
Data Processing Time	\$1,763.50
<hr/>	
Total Cost	\$3,306.60

2. RESOLVED, the following items are hereby received and filed:

- a. COMM. 16E-3 (2020)
LORIGO, RATH, TODARO & MILLS: “Letter to Comptroller Concerning Taxpayer
Checkbook for COVID19 Expenses”

(Chair’s Ruling)

b. COMM. 6E-5 (2021)
LORIGO, TODARO, GREENE & MILLS: “Letter to Director of Budget & Management Regarding Accounting of COVID-19 Emergency Funding”
(Chair’s Ruling)

c. COMM. 5E-3 (2022)
COMPTROLLER: “Dept. of Law Risk Retention Fund Spending - 12/2021”
(Chair’s Ruling)

d. COMM. 5D-1 (2022)
DEPUTY COMPTROLLER: “Audit of Buffalo Homecare, Inc.”
(Chair’s Ruling)

3. COMM. 1D-1 (2022)
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 240033 through 240067, 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	2022	Petition No.	240,033.00
	ASSESSOR	Cancel	\$30.04
S-B-L	53.07-4-6	42 Penarrow Dr 141600 TONAWANDA	
	Acct. No. 112		\$30.04 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
Charge To :	141600 TONAWANDA		\$0.00

RPTL 550(2): Failed to apply vet exemption
New tax bill to be issued.

FISCAL YEAR	2022	Petition No.	240,034.00
	ASSESSOR	Refund	\$215.83
S-B-L	188.00-4-22.1	1532 Olean St 142489 AURORA	
	Acct. No. 112		\$0.00 County

Charge To : Acct. No. 132 \$215.83 Town/SpecialDist/School
142489 AURORA \$215.83

RPTL 550(2): Applied refuse charge in error
Refund to be issued to David Allen

FISCAL YEAR 2021 Petition No. 240,035.00

ASSESSOR Refund \$213.33
S-B-L 188.00-4-22.1 1532 Olean Rd 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$213.33 Town/SpecialDist/School
142489 AURORA \$213.33

RPTL 550(2): Applied garbage charge in error
Refund to be issued to David Allen

FISCAL YEAR 2020 Petition No. 240,036.00

ASSESSOR Refund \$211.89
S-B-L 188.00-4-22.1 1532 Olean Rd 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$211.89 Town/SpecialDist/School
142489 AURORA \$211.89

RPTL 550(2): Applied garbage charge in error
Refund to be issued to David Allen

FISCAL YEAR 2022 Petition No. 240,037.00

ASSESSOR Cancel \$215.83
S-B-L 186.04-1-10 1800 Mill Rd 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$215.83 Town/SpecialDist/School
142489 AURORA \$215.83

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

FISCAL YEAR 2021 Petition No. 240,038.00

ASSESSOR Refund \$213.33
S-B-L 186.04-1-10 1800 Mill Rd 142489 AURORA

Acct. No. 112 \$0.00 County

Charge To : Acct. No. 132 \$213.33 Town/SpecialDist/School
142489 AURORA \$213.33

RPTL 550(2): Applied garbage charge in error
Refund to be issued to Kurt & Cornelia Knolle

FISCAL YEAR 2020 Petition No. 240,039.00

ASSESSOR Refund \$211.89
S-B-L 186.04-1-10 1800 Mill Rd 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$211.89 Town/SpecialDist/School
142489 AURORA \$211.89

RPTL 550(2): Applied garbage charge in error
Refund to be issued to Kurt & Cornelia Knolle

FISCAL YEAR 2021 Petition No. 240,040.00

ASSESSOR Refund \$213.33
S-B-L 163.00-3-36.2 601 Willardshire R 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$213.33 Town/SpecialDist/School
142489 AURORA \$213.33

RPTL 550(2): Applied garbage charge in error
Refund to be issued to Waterhill Evergreen Holdings

FISCAL YEAR 2020 Petition No. 240,041.00

ASSESSOR Refund \$211.89
S-B-L 163.00-3-36.2 601 Willardshire R 142489 AURORA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$211.89 Town/SpecialDist/School
142489 AURORA \$211.89

RPTL 550(2): Applied garbage charge in error
Refund to be issued to Waterhill Evergreen Holdings

FISCAL YEAR 2022 Petition No. 240,042.00

ASSESSOR Cancel \$628.55
S-B-L 269.15-5-12 1999 Vermont St 142889 BRANT

Acct. No. 112 \$0.00 County

Acct. No. 132	\$628.55	Town/SpecialDist/School
28800 Exemption Removal	\$628.55	
Charge To : 142889 BRANT		\$0.00

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

FISCAL YEAR 2022 Petition No. 240,043.00

ASSESSOR	Cancel	\$4,058.18
S-B-L 268.00-6-1.11	10545 Brant Angol	142889 BRANT

Acct. No. 112	\$2,045.17	County
Acct. No. 132	\$2,013.01	Town/SpecialDist/School
28020 BRANT FIRE PROTECTION	\$669.69	
Charge To : 142889 BRANT		\$1,343.32

RPTL 550(2): Duplicate parcel
Delete entire parcel from tax roll

FISCAL YEAR 2022 Petition No. 240,044.00

ASSESSOR	Cancel	\$127.64
S-B-L 283.02-1-38	1220 Brant Farnha	142889 BRANT

Acct. No. 112	\$0.00	County
Acct. No. 132	\$127.64	Town/SpecialDist/School
28800 Exemption Removal	\$127.64	
Charge To : 142889 BRANT		\$0.00

RPTL 550(2): Applied exemption removal charge in error
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,045.00

ASSESSOR	Refund	\$917.71
S-B-L 91.08-9-23	75 Farmingdale Rd	143089 CHEEKTOWAGA

Acct. No. 112	\$357.92	County
Acct. No. 132	\$559.79	Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA		\$559.79

RPTL 550(2): Failed to apply disability exemption
Refund to be issued to Christina Schmied

FISCAL YEAR 2022 Petition No. 240,046.00

ASSESSOR	Refund	\$1,198.80
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S-B-L 124.02-3-1./B 144 French Rd 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,198.80	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$1,198.80	

RPTL 550(2): Incorrect units in EC sewer district
Refund to be issued to LB North Inc c/o David Lutz

FISCAL YEAR 2022 Petition No. 240,047.00

	ASSESSOR	Refund	\$557.60
S-B-L 113.12-3-9.12/403		16 Appletree Ct	143089 CHEEKTOWAGA

	Acct. No. 112	\$217.47	County
	Acct. No. 132	\$340.13	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$340.13	

RPTL 550(2): Failed to apply disabled vet exemption
Refund to be issued to Margaret Kozyra

FISCAL YEAR 2021 Petition No. 240,048.00

	ASSESSOR	Refund	\$556.50
S-B-L 102.38-3-13	65 Kemp Ave	143089 CHEEKTOWAGA	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$556.50	Town/SpecialDist/School
520 Code SC520		\$556.50	
Charge To :	143089 CHEEKTOWAGA	\$0.00	

RPTL 550(2): Applied exemption removal charge in error
Refund to be issued to Maria D'Agostino

FISCAL YEAR 2022 Petition No. 240,049.00

	ASSESSOR	Cancel	\$936.29
S-B-L 102.38-3-13	65 Kemp Ave	143089 CHEEKTOWAGA	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$936.29	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$936.29	

RPTL 550(2): Applied exemption removal charge in error
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 240,050.00

ASSESSOR Refund \$87.00
S-B-L 91.20-2-51 54 Northcrest Ave 143089 CHEEKTOWAGA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$87.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$87.00

RPTL 550(2): Incorrect consumption on consol sewer district
Refund to be issued to Michael Kosmoski

FISCAL YEAR 2020 Petition No. 240,051.00

ASSESSOR Refund \$84.00
S-B-L 91.20-2-51 54 Northcrest Ave 143089 CHEEKTOWAGA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$84.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$84.00

RPTL 550(2): Incorrect consumption on consol sewer district
Refund to be issued to Michael Kosmoski

FISCAL YEAR 2022 Petition No. 240,052.00

ASSESSOR Refund \$90.00
S-B-L 91.20-2-51 54 Northcrest Ave 143089 CHEEKTOWAGA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$90.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$90.00

RPTL 550(2): Incorrect consumption on consol sewer district
Refund to be issued to Michael Kosmoski

FISCAL YEAR 2022 Petition No. 240,053.00

ASSESSOR Cancel \$480.47
S-B-L 243.00-5-31.2 State Rd 143400 COLDEN
Acct. No. 112 \$0.00 County
Acct. No. 132 \$480.47 Town/SpecialDist/School
34050 COLDEN WATER #1 \$480.47
Charge To : 143400 COLDEN \$0.00

RPTL 550(2): Applied water district in error
New tax bill to be issued

FISCAL YEAR 2022 Petition No. 240,054.00

ASSESSOR Cancel \$291.74
S-B-L 259.04-1-15 9325 State Rd 143400 COLDEN
Acct. No. 112 \$207.98 County
Acct. No. 132 \$83.76 Town/SpecialDist/School
Charge To : 143400 COLDEN \$83.76

RPTL 550(2): Failed to apply senior exemption
New tax bill to be issued

FISCAL YEAR 2022 Petition No. 240,055.00

ASSESSOR Cancel \$205.00
S-B-L 255.00-2-15.2 9730 New Oregon 144000 EDEN
Acct. No. 112 \$0.00 County
Acct. No. 132 \$205.00 Town/SpecialDist/School
Charge To : 144000 EDEN \$205.00

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

FISCAL YEAR 2022 Petition No. 240,056.00

ASSESSOR Cancel \$410.00
S-B-L 238.11-2-27 8633 S Main St 144000 EDEN
Acct. No. 112 \$0.00 County
Acct. No. 132 \$410.00 Town/SpecialDist/School
Charge To : 144000 EDEN \$410.00

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

FISCAL YEAR 2022 Petition No. 240,057.00

ASSESSOR Cancel \$1,596.00
S-B-L 223.00-2-12.12 R 8174 N Main St 144000 EDEN
Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,596.00 Town/SpecialDist/School
40070 ERIE CO SEW DST 2 \$1,596.00
Charge To : 144000 EDEN \$0.00

RPTL 550(2): Leak allowance
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,058.00

 ASSESSOR Cancel \$442.21

S-B-L 63.06-2-5.1 2798 Fix Rd 144600 GRAND ISLAND

 Acct. No. 112 \$286.88 County

 Acct. No. 132 \$155.33 Town/SpecialDist/School

Charge To : 144600 GRAND ISLAND \$155.33

RPTL 550(3): Failed to reduce assessment after fire
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,059.00

 ASSESSOR Refund \$180.18

S-B-L 105.00-5-22 132 Pavement Rd 145289 LANCASTER

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$180.18 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$180.18

RPTL 550(2): Incorrect garbage and water units
Refund to be issued to Richard Thurnherr

FISCAL YEAR 2022 Petition No. 240,060.00

 ASSESSOR Cancel \$154.86

S-B-L 104.74-4-1.3 00 Central Ave 145203 LANCASTER

 Acct. No. 112 \$89.15 County

 Acct. No. 132 \$65.71 Town/SpecialDist/School

Charge To : 145203 LANCASTER \$65.71

RPTL 550(2): Village owned
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,061.00

 ASSESSOR Refund \$110.03

S-B-L 116.20-3-27 21 Sedge Run 145289 LANCASTER

 Acct. No. 112 \$53.49 County

 Acct. No. 132 \$56.54 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$56.54

RPTL 550(2): Failed to apply combat vet exemption
Refund to be issued to Joseph & Charlene Kozak

FISCAL YEAR 2022 Petition No. 240,062.00

 ASSESSOR Cancel \$370.00

S-B-L 158.00-2-10.11 V/L Liberia Rd 145400 MARILLA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$370.00 Town/SpecialDist/School

Charge To : 145400 MARILLA \$370.00

RPTL 550(2): Sanitation applied on vacant land in error
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,063.00

 ASSESSOR Cancel \$568.37

S-B-L 310.00-1-25 11699 Genesee Rd 146200 SARDINIA

 Acct. No. 112 \$568.37 County

 Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 146200 SARDINIA \$0.00

RPTL 550(3): Failed to remove mobile home from inventory.
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,064.00

 ASSESSOR Cancel \$530.02

S-B-L 39.15-4-2.1 76 Moon Walk 146489 TONAWANDA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$530.02 Town/SpecialDist/School

Charge To : 146489 TONAWANDA \$530.02

RPTL 550(2): Applied delinquent water charge in error
New tax bill to be issued.

FISCAL YEAR 2022 Petition No. 240,065.00

 ASSESSOR Cancel \$99.55

S-B-L 216.00-1-8 11526 Vermont Hill 146600 WALES

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$99.55 Town/SpecialDist/School

Charge To : 146600 WALES \$99.55

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

FISCAL YEAR	2022	Petition No.	240,066.00
ASSESSOR	Cancel		\$175.56
S-B-L	152.05-1-62	Grant Blvd	146800 WEST SENECA
	Acct. No. 112		\$27.84 County
	Acct. No. 132		\$147.72 Town/SpecialDist/School
68294	ERIE CO SEW DST 3		\$3.55
68295	ERIE CO SEW DIST 3		\$95.00
Charge To :	146800 WEST SENECA		\$49.17

RPTL 550(2): Duplicate parcel
Delete entire parcel from tax roll.

FISCAL YEAR	2022	Petition No.	240,067.00
ASSESSOR	Refund		\$40.00
S-B-L	133.20-11-10	125 Woodcrest Dr	146800 WEST SENECA
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$40.00 Town/SpecialDist/School
Charge To :	146800 WEST SENECA		\$40.00

RPTL 550(2): Incorrect units on sewer district
Refund to be issued to Eric Anderson

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

4. COMM. 5E-8 (2022)
COMPTROLLER

WHEREAS, the Office of the Erie County Comptroller has identified the need for assistance from an experienced professional to assist the Office and its Division of Audit and Control; and

WHEREAS, an experienced professional is interested in returning to the Comptroller's Office to serve the County; and

WHEREAS, in order to hire this professional, it is necessary to create a new position of Confidential Investigator of Accounts (PT) (JG 16), and to fill the position with a variable minimum step 5.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of a new position of Confidential Investigator of Accounts (PT), JG 16, in the Office of the Erie County Comptroller, in

Fund 110, Fund Center 11200, cost center 1120030 Audit and Control (B-100 # 12862); and be it further

RESOLVED, that this Honorable Body authorizes the establishment of a variable minimum step 5 for this position (annualized salary \$53,456); and be it further

RESOLVED, that the source of funds for funding this position is vacancy savings from vacant positions in the Office of the Comptroller; and be it further

RESOLVED, that authorization is provided to the Department of Personnel and Division of Budget and Management to conduct the necessary personnel and budgetary transactions to create the position and to hire an individual into the position; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Comptroller, the Erie County Executive, the Erie County Commissioner of Personnel and the Director of Budget and Management.
(5-0)

5. COMM. 5E-10 (2022)
COUNTY EXECUTIVE

WHEREAS, the American Rescue Plan was signed into law on March 11th 2021; and

WHEREAS, the American Rescue plan included State and Local Relief funding to be used to offset lost revenue, provide premium pay to essential workers, respond to COVID-19 and its economic effects, and invest in sewer, water and broadband infrastructure; and

WHEREAS, Erie County has received \$89,213,547 in State and Local Relief funding and will receive a second tranche of State and Local Relief Funding in May of 2022; and

WHEREAS, by receiving State and Local Relief Funding the State of New York has eliminated local aid withholding, benefiting Erie County and creating a significant positive budget variance; and

WHEREAS, facing a major possible deficit in 2020, Erie County took significant action through a deficit remediation plan which eliminated positions, cut other costs, and appropriated fund balance and Fiscal Year 2019 surplus funding; and

WHEREAS, Erie County made additional budget cuts in the Adopted 2021 Budget in face of uncertainty regarding Federal assistance and the future of the coronavirus pandemic and its associated economic impacts; and

WHEREAS, American Rescue Plan Funding is eligible to be encumbered through December 31st 2024 and spent through December 31st 2026 allowing for long-term infrastructure projects to be designed and built; and

WHEREAS, Erie County has also prepared numerous “shovel-ready” projects to begin stimulating the economy quickly; and

WHEREAS, funding for this resolution is available through the first tranche of the American Rescue Plan and the elimination of state-aid cuts related to the passage of the American Rescue Plan; and

WHEREAS funding for the projects in this resolution was allocated via Comm. 13E-15 on July 8th 2021; and

WHEREAS, authorization to contract is needed to implement the projects funded via Comm. 13E-15.

NOW, THEREFORE, BE IT

RESOLVED, that Capital Account A.21131, “Town of Hamburg McKinley Parkway Clark Street Intersection and Other Improvements” be modified into three separate capital projects as follows 1) Town of Hamburg McKinley Parkway Clark Street Intersection and Other Improvements, 2) Town of Hamburg Police Vehicle Purchase and 3) Town of Hamburg Nike Base Recreational and other improvements; and be it further

RESOLVED, that the Town of Cheektowaga – Town of Cheektowaga Museum Project as proposed and authorized in Comm. 13E- 15 (2021) shall be deleted and a portion of the funding allocated to the Project shall be reallocated to the “Resurrection Food Pantry” project; and be it further

RESOLVED, that the “Various Municipalities Christmas Market Infrastructure” Project as proposed and authorized in Comm. 13E - 15 (2021) shall be deleted and the funding shall be transferred to “Town of Amherst – Central Park Improvements” in the amount of \$2,400,000; and be it further

RESOLVED, that the County Executive / Deputy County Executive be authorized to execute contracts with the following entities in the amounts indicated, from the capital accounts noted:

Project	Contract Authorized With:	Contract Amount Not to Exceed:	From the following capital account:
Juneteenth Festival	Juneteenth Festival Inc.	\$200,000	A.21136
Nanny's Nook Day Care Center	Nanny's Nook Quality Home Daycare, Inc.	\$70,000	A.21139
Clark Dance Academy	Clark Academy Dance Center	\$32,634	A.21140
Northwest Buffalo Community Center	Northwest Buffalo Community Center Inc.	\$350,000	A.21141
Town of Hamburg McKinley Parkway Clark Street Intersection and Other Improvements	Town of Hamburg	\$750,000	A.21131 or A.211XX
Town of Hamburg Police Vehicle	Town of Hamburg	\$100,000	A.211XX
Town of Hamburg- Nike Base Recreational and other	Town of Hamburg	\$350,000	A.211XX

Improvements			
Mt. Aaron Village	Community Hope Builders CDC Inc.	\$100,000	A.21138
New Covenant United Church of Christ Building Improvements	New Covenant United Church of Christ	\$26,000	A.21137
Resurrection Food Pantry	Life Impact Inc.	\$110,000	A.211XX
City of Buffalo - Shoshone Park Improvements	City of Buffalo	\$100,000	A.21179
City of Buffalo - Riverside Park Football Field	City of Buffalo	\$100,000	A.21183
City of Buffalo - JH Williams Shelterhouse	City of Buffalo	\$100,000	A.21184
City of Buffalo - Hertel Avenue Streetscape Improvements	City of Buffalo	\$200,000	A.21185
Town of Amherst - Central Park Improvements	Town of Amherst	\$2,400,000	A.211XX

and be it further

RESOLVED, that the Erie County Legislature authorizes the Director of Budget and Management to make any necessary budgetary adjustments as needed to administer these projects; and be it further

RESOLVED, the Erie County Legislature authorizes the Department of Law and County Executive/ Deputy County Executive to execute easements and/or place additional requirements on the aforementioned contracting entities and associated real property (project location) as necessary to implement the projects; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Erie County Comptroller; the Director of Budget and Management; and Department of Environment and Planning.

(4-1) Legislator Lorigo voted in the negative.

6. COMM. 5E-14 (2022)
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 2022 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 \$6,000,000 from the available balance in the Road Repair Reserve Fund to conduct important road work in 2022; 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 February 9, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following 2022 budget amendments:

Fund 210 – Road Repair Reserve Funds Center 12330

	Current Budget	Adjustment	Adjusted Budget
Revenue			
402190 Appropriated Fund Balance		\$6,000,000	\$6,000,000
402600 Transfer Tax	<u>\$14,300,000</u>		<u>\$14,300,000</u>
Total Revenue	\$14,300,000	\$6,000,000	\$20,300,000
Expense			
912300 ID Highway Services	<u>\$14,300,000</u>	<u>\$6,000,000</u>	<u>\$20,300,000</u>
Total Expense	\$14,300,000	\$6,000,000	\$20,300,000
Net Change Road Repair Reserve		\$0	

Fund 210 - Highways Funds Center 123

	Current Budget	Adjustment	Adjusted Budget
Expense			
570000 Interfund Trans-Subs	\$10,573,000	\$6,000,000	\$16,573,000
912300 ID Highway Services	<u>(\$14,320,000)</u>	<u>(\$6,000,000)</u>	<u>(\$20,320,000)</u>
Total Expense	(\$3,747,000)	\$0	(\$3,747,000)
Net Change Fund 210		\$0	

Fund 420 - Capital Project B.22050

	Current Budget	Adjustment	Adjusted Budget
Revenue			
486000 Interfund Revenue	\$8,000,000	\$6,000,000	\$14,000,000
Expense			

Capital Projects	\$8,000,000	\$6,000,000	\$14,000,000
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 February 9, 2022; and be it further

RESOLVED, that authorization is provided to appropriate \$6,000,000 of available prior- year Transfer Tax and Road Repair Reserve to conduct 2022 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.
(5-0)

**TIMOTHY J. MEYERS
CHAIR**

LEGISLATOR RESOLUTIONS

Item 33 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

RE: Calling on the Erie County Fair to Restore the Parade and Access to Free Dugouts for Fire Companies on Volunteer Firefighter and Fireman’s Day
(INTRO. 6-1)

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

WHEREAS, the men and women who serve as firefighters put their lives on the line to keep our community safe; and

WHEREAS, the Erie County Fair has traditionally honored the service of the brave men and women who serve as firefighters at the annual Volunteer Firefighter and Fireman’s Day at the Fair; and

WHEREAS, part of this tradition included free dugout space and a parade honoring their service; and

WHEREAS, many of the companies use this day and these events as recruiting tools for new members; and

WHEREAS the Erie County Fair has announced that, beginning in 2022 they will no longer offer free dugouts or hold a parade honoring firefighters on Volunteer Firefighter and Fireman's Day.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature calls on the Erie County Fair to restore the parade and access to free dugouts for Fire Companies on Volunteer Firefighter and Fireman's Day.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 34 – MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6E-29 from COMPTROLLER Re: 2022 Consolidated Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 35 – MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 6-2 from BASKIN, MEYERS, JOHNSON, CHIMERA, BARGNESI, VINAL, TODARO, GILMOUR & MILLS Re: Erie County Small Business Workforce Support Via "Former Detainee to Employee" Action Plan

RESOLUTION NO. 45

**A RESOLUTION SUBMITTED BY
LEGISLATORS BASKIN, MEYERS, JOHNSON,
CHIMERA, BARGNESI, VINAL, TODARO, GILMOUR & MILLS**

WHEREAS, Western New York has 6% fewer jobs than it did before COVID-19, the number of workers who don't have a job and are looking for one is 17% lower than before the pandemic; and

WHEREAS, job openings are at a 20-year high nationwide and open positions outnumber unemployed workers by more than 20%; and

WHEREAS, a recent report from the National Federation of Independent Businesses found that 40% of independent business owners have job openings they can't fill; and

WHEREAS, Erie County's 4.3% unemployment rate has employers across industries struggling to find skilled workers in a barren labor pool; and

WHEREAS, the Brookings Institute found that 45% of former detainees were unemployed one year after leaving prison; and

WHEREAS, a 2011 study of former detainees found that employment cut recidivism in half and was the single most important factor in decreasing recidivism; and

WHEREAS, analysis shows that former detainees are more likely to be "active" in the labor market than the general public. Among 25-44-year-old former detainees, 93.3% are either employed or actively looking for work, compared to 83.8% among their general population peers of similar ages; and

WHEREAS, in the period immediately following release, former detainees are likely to struggle to find housing and that unemployment among former detainees is highest within the first two years of release, suggesting that pre- and post-release employment services are critical in order to reduce recidivism and help former detainees quickly integrate back into society; and

WHEREAS, intentional policy solutions could create safer and more equitable communities by addressing unemployment among former detainees; and

WHEREAS, employing previously immured people will help to improve our local economy by filling positions that are currently vacant.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body calls on the Erie County Corrections Specialist Advisory Board to develop an action plan to pilot and implement an Erie County Small Business Workforce Support Via Former Detainee Action Plan, working in conjunction with local re-entry organizations to identify local businesses who would be interested in employing former detainees; and be it further

RESOLVED, that the Clerk of the Legislature shall present certified copies of this resolution to the Erie County Corrections Specialist Advisory Board, the Erie County Sheriff, the Erie County District Attorney, the Erie County Commissioner of Probation, the Erie County Director of Equal Employment Opportunities, and the Erie County Director of Public Advocacy.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR BASKIN

Item 36 – (COMM. 6E-1) Public Notice Concerning Position of Commissioner of the Erie County Water Authority

Item 37 – (COMM. 6E-2) Letter to Democratic Party Caucus Regarding Position of Commissioner of the Erie County Water Authority

Item 38 – (COMM. 6E-3) Letter to Republican Party Caucus Regarding Position of Commissioner of the Erie County Water Authority

Item 39 – (COMM. 6E-4) Letter to Conservative Party Member Regarding Position of Commissioner of the Erie County Water Authority

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

FROM THE COUNTY EXECUTIVE

Item 40 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

RE: Isle View Park Dock Reconstruction
Project, Storm Surge & Seiche
(COMM. 6E-5)

WHEREAS, the Isle View Park Dock Reconstruction Project was previously authorized under COMM 8E-24 on April 29, 2021, which included aid from both the Federal Emergency Management Agency (FEMA) and the New York State Emergency Management Office (SEMO); and

WHEREAS, the previous resolution included authorization for the County Executive to execute agreements for design and construction of FEMA projects within the authorized funding up to \$100,179.29; and

WHEREAS, the current cost for the project is estimated to be \$129,179.29, including contingency; and

WHEREAS, any cost overruns on the project are to be 100% funded by Erie County; and

WHEREAS, the additional \$20,000 in funding is available in Capital Project A.21112 – 2021 Countywide Parks Improvements, Fund 410, Funds Center 164; and

WHEREAS, North Spur Construction was selected as the lowest responsible bidder having the necessary expertise, experience, and manpower to provide the County of Erie with construction services for the project.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to use funding from A.21112 – 2021 Countywide Parks Improvements, Fund 410, Funds Center 164 for the estimated \$20,000 in additional costs; and be it further

RESOLVED, that the County Executive be authorized to a contract for ECDPW Project CAP-ISLE-DOCK-22 with North Spur Construction, the lowest responsible bidder; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Public Works, Division of Highways, the Department of Parks, Recreation & Forestry, 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.

FROM THE COMPTROLLER

Item 41 – (COMM. 6E-6) Amended 4th Quarter 2021 Managerial Confidential Employee Overtime Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR BASKIN

Item 42 – (COMM. 6E-7) Letter to Comptroller - Information Request

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 43 – (COMM. 6E-8) EC Correctional Facility Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF & COUNTY EXECUTIVE

Item 44 – (COMM. 6E-9) HALT Act Programming Provider

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 47

RE: Acceptance of Donated Billboard Space
for Promoting REAL ID & "Stay in
Your Home" Foreclosure Awareness
(COMM. 6E-10)

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

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

WHEREAS, on May 3, 2023, the federal government will require that driver's licenses, learner's permits and identification cards be REAL ID compliant to board a domestic flight, enter military bases and certain federal facilities; and

WHEREAS, thousands of Erie County residents' driver's licenses will expire before the REAL ID deadline; and

WHEREAS, the Erie County Clerk has commenced a REAL ID awareness campaign to notify Erie County residents of the deadline to comply with new requirements; and

WHEREAS, the Erie County Clerk is partnering with the Western New York Law Center on the "Stay in Your Home" foreclosure awareness campaign and on March 10, 2022 released a local mortgage default report; and

WHEREAS, according to data from the New York State Department of Financial Services approximately 2,930 Erie County homeowners have received pre-foreclosure default notices in the last six months, which means those homeowners were anywhere from sixty days or more behind on their mortgage payments; and

WHEREAS, due to the COVID-19 pandemic there have several moratoriums on foreclosures and with the last such moratorium having ended in January of 2022 there is certain to be an increase in foreclosure filings in upcoming months and years; and

WHEREAS, thousands of Erie County residents are facing foreclosure on their homes as a result of falling behind on their mortgage payments and the COVID-19 pandemic has exacerbated the financial problems of many homeowners; and

WHEREAS, many people threatened with losing their home are unfamiliar with the foreclosure process and unaware that New York State has protections in place that allow you to stay in your home throughout the foreclosure process and until it is completed; and

WHEREAS, obtaining new housing is often expensive and stressful, particularly for those who believe they are compelled to vacate their current home immediately and are already under financial and emotional duress; and

WHEREAS, staying in your home can provide crucial time to explore forbearance, loan modification and repayment plan options with your mortgage lender as well as to obtain free legal services and housing counseling; and

WHEREAS, homes left vacant negatively affect an entire community as they may not be maintained, attract vermin or become targets for vandalism, thereby affecting area home values and quality of life; and

WHEREAS, the estimated value of the donation of advertising space on two (2) billboards for twenty-four (24) weeks is \$60,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk is hereby authorized to accept the donation of advertising space on two (2) billboards for twenty-four (24) weeks to increase REAL ID and Stay in Your Home Foreclosure Awareness, commencing as soon as practicable following approval; and be it further

RESOLVED, that the Erie County Clerk shall retain the right of final approval over advertising content; and be it further

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

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 6E-11) EC Holding Center - 2021 Hot Water Tanks Replacements - Professional Design Services Amendment Agreement

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 47 – (COMM. 6E-12) Buffalo & EC Botanical Gardens 2020 Replacement of Vents and Vent Controls Systems at Various Houses

Item 48 – (COMM. 6E-13) Agreement with Various Local Municipalities for Snow and Ice Control on County Roads

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

Item 49 – (COMM. 6E-14) CHARMS & 911 Upgrades

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 50 – (COMM. 6E-15) ECSD Nos. 1 & 4 - Engineering Agreement, Change Order No. 2

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 51 – (COMM. 6E-16) Authorization to Extend the Age-Friendly Center for Excellence Grant

Item 52 – (COMM. 6E-17) Dept. of Social Services - Authorization to Enter Into Contract with Diona (US), Inc.

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

Item 53 – (COMM. 6E-18) Dept. of Social Services - Authorization to Correct Technical Error in 2022 Adopted Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 54 – (COMM. 6E-19) Parks Department - Various Shelter Reconstruction & Repair Term Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 55 – (COMM. 6E-20) Rehabilitation of New Rd., Town of Amherst

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 56 – (COMM. 6E-21) Elma Meadows Golf Course Concession Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 57 – (COMM. 6E-22) Heath Department - Personnel Modification

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 58 – (COMM. 6E-23) Cybersecurity Assessment & Risk Mitigation of 911 System

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 59 – (COMM. 6E-24) AFSCME Local 1095, Council 66, AFL-CIO 2022-2026 Collective Bargaining Agreement

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY CLERK

Item 60 – (COMM. 6E-25) Stay in Your Home Campaign Mortgage Default Report for 8/23/21 to 2/23/2022

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 61 – (COMM. 6E-26) EC Storefront Revitization Program - Authorization to Enter into Agreements with Consultants for Architectural Design Services

Item 62 – (COMM. 6E-27) EC Storefront Revitization Program - Authorization to Enter into Agreements with Consultants for Program Administration Services

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

FROM THE DISTRICT ATTORNEY

Item 63 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

RE: District Attorney's Office - Personnel
Adjustment
(COMM. 6E-28)

WHEREAS, all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the Erie County Executive; and

WHEREAS, because of the difficulty in recruiting attorneys, the Erie County District Attorney is prepared and desires to fill the position of one Assistant District Attorney at a variable minimum pending action from your honorable body; and

WHEREAS, Section 2507b of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds necessary to effectuate the above changes are available within the District Attorney's adopted appropriations for 2022.

NOW, THEREFORE, BE IT

RESOLVED, that one position of Assistant District Attorney II (position #51006767) is hereby authorized to be filled at a variable minimum step 5 (annual salary \$78,339); and be it further

RESOLVED, that the Director of Budget and Management and the Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution effective April 1, 2022; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Commissioner of Personnel and the Director of Budget and Management.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPARTMENT OF LAW

Item 64 – (COMM. 6D-1) Transmittal of New Claims Against Erie County

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 65 – (COMM. 6D-2) Letters of Interest & Resumes for Position of Commissioner of the Erie County Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 66 – (COMM. 6D-3) Audit of Department of Social Services Operating Budget Revenues of the Home Energy Assistance Program, 1/1/20 through 6/30/21

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 67 – (COMM. 6D-4) Nursing Home Report, February 2022

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 68 – (COMM. 6D-5) Child Protective Caseloads - Compliance Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BOARD OF HEALTH

Item 69 – (COMM. 6M-1) Meeting Minutes for Meeting Held on 10/19/21

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYSDEC

Item 70 – (COMM. 6M-2) Fact Sheet - Contamination at Brownfield Site on Ellicott St., Buffalo

Item 71 – (COMM. 6M-3) Fact Sheet - Contamination at Brownfield Site on Niagara St., Buffalo

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

FROM BUFFALO TRANSIT RIDERS UNITED (BTRU)

Item 72 – (COMM. 6M-4) Letter Concerning NFTA Bus Route Cuts, Bus Ride Invitation

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 73 – (COMM. 6M-5) Fact Sheet - Contamination at Brownfield Site on Main St., Buffalo

Item 74 – (COMM. 6M-6) Fact Sheet - Contamination at Brownfield Site on Hertel Ave. & Foundry St., Buffalo

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

ANNOUNCEMENTS

Item 75 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, March 31, 2022, and the schedule will be distributed. Chair Baskin also announced that the next session of the Legislature is scheduled for Thursday, April 7, 2022.

MEMORIAL RESOLUTIONS

Item 76 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Larry “Vinny” Kisiel.

Item 77 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Mike Flynn.

Item 78 – Legislator Bargnesi requested that when the Legislature adjourns, it do so in memory of Deloris McNaney.

Item 79 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Walter Wilkins.

Item 80 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Joanna Skorka.

Item 81 – Legislator Johnson requested that when the Legislature adjourns, it do so in memory of Brandon Rutledge.

ADJOURNMENT

Item 82 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. MEYERS moved that the Legislature adjourn until Thursday, April 7, 2022 at 12:00 Noon Eastern Standard Time. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, April 7, 2022 at 12:00 Noon Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE