

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 8**  
**APRIL 15, 2021**

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Todaro, who offered a prayer.

The Pledge of Allegiance was led by Mr. Mills.

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 Meetings Number 6 & Number 7 from 2021. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Recognizing April 7, 2021, as EC Beer Day.

Item 6 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Honoring the American Gold Star Mothers.

Item 7 – MR. JOHNSON presented a proclamation Congratulating and Recognizing Desirée L. Parker and the Opening of DLP Consulting.

Item 8 – CHAIR BASKIN presented a Memorial Resolution Remembering Marcus Damone Stokes.

Item 9 – MR. JOHNSON presented a proclamation Celebrating and Recognizing Shannel Moore and the Opening of The Beard Chic LLC.

Item 10 – MR. JOHNSON presented a Memorial Resolution Remembering Dorothy Royster.

Item 11 – MR. GILMOUR presented a Memorial Resolution Remembering Michael A. Fitzpatrick.

Item 12 – MS. VINAL & MR. GREENE presented a proclamation Congratulating and Honoring Amari DeBerry, Named a McDonald's All-American.

Item 13 – MR. GREENE presented a proclamation Honoring Rhea Francani for the Many Contributions She Made to Our Community.

Item 14 – MR. MEYERS presented a proclamation Congratulating and Recognizing Future Eagle Scout Quinn Flaherty.

Item 15 – MS. VINAL presented a proclamation Congratulating and Recognizing Ethan Afshani on Publishing His First Book, "Your Friend, Forever, A. Lincoln".

Item 16 – MS. VINAL presented a Memorial Resolution Remembering Howard H. English.

Item 17 – CHAIR BASKIN presented a Memorial Resolution Remembering Pamela "Pam" Hicks.

Item 18 – MR. LORIGO presented a proclamation Honoring Larwood Pharmacy as a Valued and Trusted Small Business.

Item 19 – MR. LORIGO presented a proclamation Recognizing and Honoring Senior Master Sergeant Donald E. Trzepacz, Jr.

Item 20 – MR. LORIGO presented a proclamation Recognizing and Honoring Staff Sergeant Matthew Bauman.

Item 21 – MR. MEYERS presented a Memorial Resolution Remembering Trooper Joseph J. Gallagher.

Item 22 – MR. JOHNSON presented a proclamation Celebrating and Honoring National Borinqueneers Day.

Item 23 – MR. TODARO presented a proclamation Honoring Vintage Grace as a Community-Minded Local Business.

Item 24 – MR. TODARO presented a proclamation Honoring Matthew's Table Community Diner.

Item 25 – MR. TODARO presented a Memorial Resolution Honoring the Life of Richard J. Kropp.

Item 26 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Encouraging Participation in RecruitNY to Raise Awareness for the Need to Recruit New Fire Service Members.

Item 27 – MR. MILLS presented a proclamation Honoring Thomas Salzler as a Valued Member of the Springville Volunteer Fire Department.

Item 28 – MR. MILLS presented a proclamation Honoring Paul Smith as a Valued Member of the Springville Volunteer Fire Department.

Item 29 – MR. MILLS presented a proclamation Honoring James Siminski as a Valued Member of the Springville Volunteer Fire Department.

Item 30 – MR. MILLS presented a proclamation Honoring Dennis Cobo as a Valued Member of the Springville Volunteer Fire Department.

Item 31 – MR. GREENE presented a proclamation Recognizing and Honoring Victor Miller for His 60 Years of Service and Dedication to the Clarence Fire Company.

Item 32 – MR. GREENE presented a proclamation Recognizing and Honoring John Pulli for His 60 Years of Service and Dedication to the Clarence Fire Company.

MR. MEYERS moved for consideration of the above twenty-eight items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above twenty-eight items by adding one for MR. HARDWICK and by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-nine items as amended. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

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

GRANTED.

Item 34 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the SMALL BUSINESS COMMITTEE.

GRANTED.

Item 35 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 36 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 58

March 25, 2021	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 4
----------------	---

ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.

**TIMOTHY J. MEYERS**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 59

March 25, 2021	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 6
----------------	---

ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

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

WHEREAS, the Reconstruction of William Street (CR 338) from Transit Road (NYS 20/78) to Bowen Road (CR 242), Town of Lancaster, PIN 5763.36 (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 15% New York State Marchiselli shares of the Project's Engineering and Right of Way Incidentals 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 and Right of Way Incidentals (Phases I-VI) phases of the Project; and

WHEREAS, the total cost of the Design Engineering and Right of Way Incidentals phases of this Project is \$600,000, the required 5% local share is \$30,000, the 15% New York State Marchiselli share is \$90,000, and the 80% federal share is \$480,000, available in Capital Project B.20054, 2020 Federal Aid Project Design William Street, Fund 420, Funds Center 123; and

WHEREAS, after the Federal Aid RFQ process, the firm of C&S Companies, has been selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering and Right of Way incidentals services for the reconstruction of the above noted segment of William Street (CR 338).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Reconstruction of William Street, PIN 5763.36 (the "Project"); and be it further

RESOLVED, that the County Executive be authorized to execute the Agreement with the NYSDOT, an agreement between the County of Erie and the selected Project Design Engineers, C&S Companies, 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 and Right of Way Incidentals (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 New York State Department of Transportation (NYSDOT); and be it further

RESOLVED, that Capital Project B.20054, 2020 Federal Aid Project Design William Street, Fund 420, Funds Center 123, be adjusted as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
405160	NYS Marchiselli	\$ 0	\$ 90,000	\$ 90,000
414000	Federal Aid	\$800,000	\$(320,000)	\$480,000
486000	Interfund Rev Subsidy	<u>\$200,000</u>	<u>\$ 0</u>	<u>\$200,000</u>
TOTAL REVENUES		<u>\$1,000,000</u>	<u>\$(230,000)</u>	<u>\$770,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$200,000	\$570,000	\$770,000
UNALLOCATED	Unallocated Capital	<u>\$800,000</u>	<u>(\$800,000)</u>	<u>\$0</u>
TOTAL APPROPRIATIONS		<u>\$1,000,000</u>	<u>\$(230,000)</u>	<u>\$770,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$600,000 for Design Engineering and Right of Way Incidentals is hereby appropriated from Capital Project B.20054, 2020 Federal Aid Project Design William Street, Fund 420, Funds Center 123 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Design Engineering and Right of Way Incidentals (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, should the Agreement receive additional federal or non-federal reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of 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.

(6-0)

2. COMM. 6E-18 (2021)

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

WHEREAS, the lowest responsible bidder for the General Construction Work is Telco Construction Inc.; Mechanical Construction Work is JW Danforth Company; Plumbing Construction Work is Willett Builders, Inc., and Electrical Construction Work is Industrial Power and Lighting Corporation; and

WHEREAS, as a result of New York State Education Department Civil Rights Compliance Review, a Voluntary Compliance Plan (VCP) was issued for the finding/violations, and corrective actions were identified, and ECC is obligated to remedy and implement the VCP; and the proposed accessibility upgrades work for the North Campus will contribute to compliance with the VCP; and

WHEREAS, the County of Erie previously entered into an Agreement with Kidney Architects to provide professional architecture and engineering services for the SUNY Erie Community College North Campus 2019 Various Building Code/ADA and Electrical Upgrades project (COMM.1E-8 on January 16, 2020); and additional A/E design fee of \$56,420 and A/E design allowance of \$18,580 are required due to additional scope; and

WHEREAS, the County of Erie previously entered into an Agreement with Watts Architecture & Engineering to provide abatement monitoring, sampling and testing services for various in-house ECC projects (COMM. 1E-4 on January 26, 2017), and additional fee of \$75,000 is required for abatement air monitoring for this project; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for Erie Community College North Campus Various ADA and Electrical Upgrades project for an amount not to exceed as follows:

General Construction Work

Telco Construction Inc.	Base Bid:	\$ 2,597,200.00
	Deduct Alternate No. G-01	(\$ 73,850.00)
	Deduct Alternate No. G-02	(\$ 17,000.00)
	Deduct Alternate No. G-03	(\$ 26,200.00)
	Deduct Alternate No. G-04	(\$ 112,650.00)
	Deduct Alternate No. G-05	(\$ 4,800.00)

---

Total Award of General Construction Contract: \$ 2,362,700.00

Mechanical Construction Work

JW Danforth Company	Base Bid:	\$ 337,000.00
---------------------	-----------	---------------

---

Total Award of Mechanical Construction Contract: \$ 337,000.00

Plumbing Construction Work

Willett Builders, Inc.	Base Bid:	\$ 626,000.00
------------------------	-----------	---------------

---

Total Award of Plumbing Construction Contract: \$ 626,000.00

Electrical Construction Work

Industrial Power & Lighting Corporation	Base Bid:	\$ 749,000.00
	Deduct Alternate No. E-01	(\$ 106,000.00)
	Deduct Alternate No. E-02	(\$ 68,900.00)
	Deduct Alternate No. E-03	(\$ 70,000.00)
	Deduct Alternate No. E-04	(\$ 72,000.00)

---

Total Award of Electrical Construction Contract: \$ 432,100.00

and be it further

RESOLVED, that the sum of \$129,114.52 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further



RESOLVED, that that the County Executive is authorized to enter into an Agreement Amendment with Kideney Architects for additional A/E design fee of \$56,420 and A/E design allowance of \$18,580 for the project; and be it further

RESOLVED, that that the County Executive is authorized to enter into an Agreement Amendment with Watts Architecture and Engineering for additional abatement monitoring, sampling and testing fee of \$75,000 for various in-house ECC projects including this project; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from the approved capital budgets, Fund 480, Funds Center 122, follows:

E.17003	2017 Sitework (Collegewide) Erie Community College	\$500,000.00
E.18004	2018 Erie Community College Collegewide Infrastructure Improvements/Renovations	\$500,000.00
E.18005	2018 Erie Community College Code Compliance Collegewide	\$250,000.00
E.18006	2018 Erie Community College Mechanical, Electrical, Plumbing And Miscellaneous Improvements	\$ 987,664.25
E.19001	2019 Collegewide Improvements and Renovations	\$1,799,250.00
For a Total Amount Not to Exceed		\$4,036,914.52

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.

(6-0)

3. COMM. 6E-24 (2021)  
COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Erie County Departments of Public Works and Environment and Planning have been working closely with the Buffalo Niagara Convention Center Management Corporation (“BNCCMC”) in an effort to perform both interior and exterior improvements to the Buffalo Niagara Convention Center (“BNCC”); and

WHEREAS, while the County is still committed to the goal of undertaking the construction of a new state-of-the-art convention center, it is important to make improvements to the existing building in order to continue to help attract business until the new building can be fully operational; and

WHEREAS, the BNCC was constructed in the 1970s and the exterior of the building appears worn and outdated; and

WHEREAS, the City of Buffalo is undertaking a streetscape improvement project involving the Franklin Street side of the BNCC in Spring of 2021; and

WHEREAS, in conjunction with the City of Buffalo’s efforts, the County wishes to improve upon the Franklin Street exterior façade of the BNCC to help attract new business and bring-in revenue; and

WHEREAS, the County previously entered into an agreement with Trautman Associates Architects/Engineers (“Trautman Associates”) to provide architectural and engineering services for the BNCC; and

WHEREAS, the County is seeking to amend its agreement with Trautman Associates to allow for the design of the Franklin Street exterior facade; and

WHEREAS, Trautman Associates has the design and engineering expertise to perform the underlying project; and

WHEREAS, once the design is complete, the Department of Public Works will advertise and award construction contracts to the lowest responsible bidder(s) in accordance with General Municipal Law section 103, as well as all Erie County Local Laws.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a second Agreement Amendment with Trautman Associates Architects/Engineers to increase their A/E design fee for a cost of no greater than One Hundred Thousand Dollars (\$100,000) for the Buffalo Convention Center – 2018- Energy Efficient Modifications and Various Improvements to the Exhibit Hall project; and be it

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

A.17003 – 2017 Buffalo Niagara Convention Center Rehabilitation      \$100,000

and be it further

RESOLVED, that once the design and engineering is completed by Trautman Associates, the Department of Public Works will advertise and award the corresponding construction contract(s) to the lowest responsible bidder(s) pursuant to General Municipal Law section 103, and Erie County local laws; and be it further

RESOLVED, that the County Executive and/or Deputy County Executive shall have the authority to execute the aforementioned construction contract(s) with the lowest responsible bidder(s); and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of the Erie County Attorney, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

HOWARD J. JOHNSON, JR.  
CHAIR

Item 39 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 60

March 25, 2021	PUBLIC SAFETY COMMITTEE REPORT NO. 4
----------------	---

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 12E-16 (2020)  
LORIGO: “Letter to Chair Requesting Informational Special Meeting Concerning Peaceful Protests”  
(Chair’s Ruling)
  - b. COMM. 3E-3 (2021)  
JOHNSON: “Invitation to Sheriff for Discussion on Professional Standards Issues & Concerns in the EC Sheriff’s Office”  
(Chair’s Ruling)

2. COMM. 6E-8 (2021)  
SHERIFF  
WHEREAS, the US Department of Homeland Security through the NYS Division of Homeland Security and Emergency Services has awarded \$262,983.00 for FY20 to Erie County in funding to increase security along the Canadian border; and

WHEREAS, the Erie County Sheriff’s Office will coordinate with police agencies from the cities of Buffalo and Tonawanda and the towns of Brant, Evans, and Hamburg to conduct joint waterway patrols; and

WHEREAS, these patrols support the U.S. Border Patrol’s mission of protecting the international borders from human trafficking and illegal drug operations as well as apprehending terrorists and others intent on conducting illegal activities on U.S. soil; and

WHEREAS, the funds will be used for overtime and fringe benefits of the participating law enforcement agencies associated with the mission, and to purchase equipment required to support this program; and

WHEREAS, this resolution accepts \$262,983.00 in grant funding and will provide for all expenses needed to support this program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff to enter into a contract with the New York State Department of Homeland Security to accept \$262,983.00 for FY20; and be it further

RESOLVED, the Fund Center is 11510, and the grant will be allocated to the following accounts:

ERIE COUNTY SHERIFF'S OFFICE  
FY 2020 Operation Stonegarden Grant  
September 1, 2020, to August 31, 2023

<u>REVENUE</u>		<u>DECREASE</u>
414000	Federal Revenue	<u>\$262,983.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
501000	Overtime	\$48,250.00
502000	Fringe Benefits	\$18,920.00
505600	Automotive Supplies	\$3,000.00
516010	Contractual Payments	\$120,813.00
561410	Lab and Tech	\$72,000.00
	Total Revenue	<u>\$262,983.00</u>

and be it further

RESOLVED, that the County Executive and the Erie County Sheriff's Office are authorized to enter into sub-contracts with the cities of Buffalo and Tonawanda and the towns of Brant, Evans, and Hamburg to reimburse the expenses they incur while participating in Operation Stonegarden and border security operations; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary transfers and to make any technical adjustments necessary to effectuate these transfers should there be any unforeseen issues; and be it further

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

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

(6-0)

COUNTY EXECUTIVE

WHEREAS, the Erie County Probation Department requests authorization to reinstate a Case Manager Pre-Trial – Spanish Speaking position within the Alternative to Incarceration (ATI) Grant; and

WHEREAS, the 2021 Erie County Adopted Budget included the continuation of an existing 2020-21 grant for Alternative to Incarceration (ATI) that did not include the position of Case Manager Pretrial – Spanish Speaking; and

WHEREAS, funding for this grant was awarded retroactively to July 1, 2020 by the New York State Division of Criminal Justice Services on January 29, 2021; and

WHEREAS, the reestablishment of the position will enable the Probation Department to offer both Community Service Sentencing programming and Pretrial Services through the Alternative to Incarceration grant; and

WHEREAS, there is no increase in County funding of the existing 2021 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that one (1) Case Manager Pretrial – Spanish Speaking, JG-7-D position is created within the Department of Probation (B100 #12237) within the existing Alternative to Incarceration grant structure, encompassing both 126ATI2021 and 126ATI2122 grants effective April 24, 2021; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the: County Executive's Office, Division of Budget and Management, County Comptroller, County Attorney, the Personnel Department and the Probation Department c/o Dolla Khoury-Sobon, Room 112, 1 Niagara Plaza. (6-0)

4. COMM. 6E-19 (2021)

COUNTY EXECUTIVE

WHEREAS, the Probation Department is mandated to supervise probationers through the use of home visits; and for officer safety officers are equipped with Taser units in the field; and

WHEREAS, the Erie County Department of Probation desires to purchase a Taser unit and an additional battery pack; and

WHEREAS, the County has available asset forfeiture funds which can be used to pay for the Taser unit and backup battery and will use available funds in the Erie County Adopted Budget to partially pay for this battery backup pack.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the appropriation of Asset Forfeiture Funds and authorizes the following budgetary transfers in the 2021 Budget of the Probation Department, cost center 1261010 funded program SAFPRO:

REVENUE	Increase
421550 Forfeiture Crime Proceeds	\$ 1,685.16

APPROPRIATION	Increase
561410 Lab and Technical Equipment	\$ 1,685.16

and be it further

RESOLVED, that these expenditures meet the criteria established by the US Department of Justice for use of equitable shared funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the following departments: County Executive's Office, Division of Budget and Management, County Comptroller, County Attorney and the Probation Department c/o Dolla Khoury-Sobon Room 112, 1 Niagara Plaza. (6-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 61

March 25, 2021	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 1
----------------	---

ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 16E-10 (2020)  
BASKIN: “Letter to BoE Commissioners Concerning USPS Issues & Impact on November 2020 Elections”  
(Chair’s Ruling)

- b. COMM. 16M-4 (2020)  
WROTB: “Response to Letter from Government Affairs Committee Chair Concerning Receipt of Paycheck Protection Program Funds & Furloughs”  
(Chair’s Ruling)
- c. INTRO. 18-3 (2020)  
LORIGO, RATH, TODARO & MILLS: “Calling for NYS to Allow Theaters to Reopen”  
(Chair’s Ruling)
- d. COMM. 19D-3 (2020)  
DEPT. OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)
- e. COMM. 21D-6 (2020)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)
- f. COMM. 24E-24 (2020)  
VINAL: “Letter to Governor Regarding the Re-Opening of Salons”  
(Chair’s Ruling)
- g. COMM. 24D-3 (2020)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)
- h. COMM. 2D-9 (2021)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”  
(Chair’s Ruling)
- i. COMM. 3E-1 (2021)  
COUNTY EXECUTIVE & BASKIN: “Request for Information Regarding January 6, 2021”  
(Chair’s Ruling)
- j. COMM. 3E-2 (2021)  
COMPTROLLER: “Response to Request for Information Regarding January 6, 2021”  
(Chair’s Ruling)
- k. COMM. 3D-7 (2021)  
DEPUTY COMPTROLLER - AUDIT: “Letter to County Attorney Concerning Information Submitted by 43 North”  
(Chair’s Ruling)
- l. COMM. 4D-5 (2021)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)
- m. COMM. 5E-9 (2021)

- MEYERS: “Appointment to the EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- n. COMM. 5D-11 (2021)  
DEPARTMENT OF LAW: “Response to Letter Dated February 25, 2021, Concerning EC Ethics Board”  
(Chair’s Ruling)
- o. COMM. 5M-5 (2021)  
TED DINOTO: “Letter to Legislature Regarding Appointment of Law Enforcement Leaders”  
(Chair’s Ruling)
- p. COMM. 5M-8 (2021)  
PETER A. REESE: “Letter to County Attorney Concerning Violations of Open Meetings Law – County Ethics Committee”  
(Chair’s Ruling)
- q. COMM. 5M-9 (2021)  
KAREN GEELAN: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- r. COMM. 5M-10 (2021)  
JEFF SWIATEK: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- s. COMM. 5M-12 (2021)  
CHRISTINA G. HOLDSWORTH: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- t. COMM. 5M-13 (2021)  
BRANDI LOBIANCO: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- u. COMM. 5M-14 (2021)  
JAMES P. DOMAGALSKI: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- v. COMM. 5M-15 (2021)  
GUY R. MARLETTE: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)



- w. COMM. 5M-16 (2021)  
JOSEPH T. BURNS: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- x. COMM. 5M-17 (2021)  
RAYMOND W. WALTER: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- y. COMM. 5M-18 (2021)  
JESSICA A. KULPIT: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- z. COMM. 5M-19 (2021)  
MATTHEW J. KIBLER: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- aa. COMM. 5M-21 (2021)  
DANISE C. WILSON: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- bb. COMM. 5M-22 (2021)  
DANIELLE M. JOHNSON: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- cc. COMM. 5M-23 (2021)  
BRITTANYLEE PENBERTHY: “Application to Serve on 2021 EC Advisory Committee on Reapportionment”  
(Chair’s Ruling)
- dd. COMM. 6E-21 (2021)  
COUNTY CLERK: “EC Clerk’s Office Annual Report for 2020”  
(Chair’s Ruling)
- ee. COMM. 6D-6 (2021)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)
- ff. COMM. 6M-5 (2021)  
FULTON COUNTY BOARD OF SUPERVISORS: “Certified Copy of Resolution Calling on NYS to Curtail the Governor’s Emergency Powers Authority”

(Chair's Ruling)

**JOHN J. GILMOUR**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 62

March 25, 2021	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 4
----------------	--

ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 23-1 (2020)  
LORIGO, RATH, TODARO & MILLS: “Waiver of Health Department Fine”  
(Chair's Ruling)
  - b. COMM. 2D-11 (2021)  
DEPARTMENT OF LAW: “Opinion on Authority of EC Legislature to Waive Administrative Fine Issues by EC Health Commissioner”  
(Chair's Ruling)
  - c. COMM. 4D-11 (2021)  
COMMISSIONER OF SOCIAL SERVICES: “Child Protective Caseloads for 01/2021”  
(Chair's Ruling)
  - d. COMM. 5D-8 (2021)  
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information – 2/20/21”  
(Chair's Ruling)
  - e. COMM. 6D-2 (2021)  
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information – 2/27/21”  
(Chair's Ruling)
  - f. COMM. 6D-3 (2021)  
COMPTROLLER'S OFFICE: “Audit of EC Youth Services”  
(Chair's Ruling)
  - g. COMM. 6D-4 (2021)

DEPARTMENT OF LAW: “Response to Letter from Comptroller’s Office Concerning Creation of Social Services Position”  
(Chair’s Ruling)

- h. COMM. 6D-5 (2021)  
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information – 3/6/21”  
(Chair’s Ruling)
- i. COMM. 6D-8 (2021)  
DEPARTMENT OF LAW: “Local Emergency Order Extensions”  
(Chair’s Ruling)
- j. COMM. 6D-9 (2021)  
DIRECTOR OF BUDGET & MANAGEMENT: “Notification of New COVID-19 Related Contracts”  
(Chair’s Ruling)
- k. COMM. 6D-10 (2021)  
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information – 3/13/21”  
(Chair’s Ruling)

**LISA M. CHIMERA**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

March 25, 2021	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 6
----------------	---

ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

- 1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 5E-2 (2021)  
BASKIN: “Letter to Republican Party Caucus Regarding Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
  - b. COMM. 5E-3 (2021)

- BASKIN: “Letter to Conservative Party Caucus Regarding Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
- c. COMM. 5E-4 (2021)  
BASKIN: “Interviews for Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
- d. COMM. 5E-5 (2021)  
BASKIN: “Letters of Interest & Resumes for Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
- e. COMM. 5E-6 (2021)  
BASKIN: “Public Notice Concerning Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
- f. COMM. 5D-6 (2021)  
CLERK OF LEGISLATURE: “Letters of Interest & Resumes for Position of Commissioner of the Erie County Water Authority”  
(Chair’s Ruling)
- g. COMM. 6E-12 (2021)  
COUNTY EXECUTIVE: “ECSD No. 3 – Engineer Term Contract Agreement”  
(Chair’s Ruling)
- h. COMM. 6M-1 (2021)  
NYSDEC: “Invitation for Public Comment – Brownfield Cleanup Application at 389 Manhattan Ave., Buffalo”  
(Chair’s Ruling)
2. COMM. 6E-13 (2021)  
COUNTY EXECUTIVE  
WHEREAS, the City of Lackawanna intends to undertake road and utility reconstruction of Center Street in the City of Lackawanna (hereinafter referred to as the “Road Reconstruction Project”); and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has the opportunity to include Erie County Sewer District (ECSD) No. 6 betterments into the proposed project (hereinafter referred to as the “Sanitary Sewer Replacement Project”) within the limits of the Road Reconstruction Project; and

WHEREAS, the Division of Sewerage Management and City of Lackawanna desire to enter into a cooperative agreement to coordinate and facilitate the Road Reconstruction Project and the Sanitary Sewer Replacement Project on Center Street in order to achieve cost containment, efficiency, and minimize impact to the residents; and

WHEREAS, the Division of Sewerage Management has determined the sewer replacement project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Intermunicipal Agreement with the City of Lackawanna to facilitate the Sanitary Sewer Replacement Project, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Intermunicipal Agreement with the City of Lackawanna require the Sanitary Sewer Replacement Project to be included as a bid alternate in the Road Reconstruction Project; and be it further

RESOLVED, that the Intermunicipal Agreement with the City of Lackawanna further require the authorization of the Erie County Division of Sewerage Management to proceed with award of the Sanitary Sewer Replacement Project bid alternate; and be it further

RESOLVED, that authorization is hereby provided for the partial closure of a sum not to exceed \$500,000.00 from ECSD No. 6 Capital Reserve Account C.00006 for reimbursement to the City of Lackawanna for costs associated with the Sanitary Sewer Replacement Project as detailed under the terms of the Intermunicipal Agreement; and be it further

RESOLVED, the Director of Budget and Management and the County Comptroller are authorized and directed to process a residual equity transfer of up to \$500,000.00 from ECSD No. 6 Capital Reserve Account C.00006 to ECSD No. 6 Capital Account C.21601 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to increase the allocation in ECSD No. 6 Capital Account C.21601 by \$500,000.00; and be it further

RESOLVED, that any unused funds be returned to the capital reserve account and the budget be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor.

(6-0)

3. COMM. 6E-14 (2021)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to lead and manage many initiatives that protect and preserve our natural water resources; and

WHEREAS, the Lake Erie Watershed Protection Alliance (LEWPA) has been appropriated funds through the New York State Environmental Protection Fund managed by New York State Department of Environmental Conservation (NYSDEC) to coordinate and implement projects to improve the quality of the watershed; and

WHEREAS, the Erie County Soil and Water Conservation District (ECSWCD) is the Treasurer for LEWPA and is authorized to enter into contracts on behalf of LEWPA; and

WHEREAS, the ECSWCD wishes to execute a contract with Erie County through March 31, 2023 to retain an existing DEP Senior Environmental Compliance Specialist position and to make budget adjustments that will allow for successful completion of the scope of work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements with ECSWCD to extend the Lake Erie Watershed Protection Alliance Coordinator Contract until March 31, 2023; and be it further

RESOLVED, that the associated revenue from the Erie County Soil and Water Conservation District is hereby appropriated in a grant account in the Department of Environment and Planning (Business Area 162, Fund 281) as follows:

New York State Department of State: Regional Niagara River Lake Erie Watershed Management  
Plan Phase 3  
(Grant Period: October 1, 2020 – September 31, 2025)  
SAP Grant Account #162RNRLEWMP2025

REVENUE:

Account	Description	Current Budget	Revision	Revised Budget
409000	State Aid Revenue	\$501,000.00		\$501,000.00
409010	State Aid - Other		\$64,400.00	\$64,400.00
TOTAL REVENUE				\$565,400.00

APPROPRIATIONS:

Account	Description	Current Budget	Revision	Revised Budget
---------	-------------	----------------	----------	----------------

500000	Personnel Services	\$172,000.00	\$42,000.00	\$214,000.00
500030	Seasonal - Wages	\$64,500.00		\$64,500.00
502000	Fringe Benefits	\$119,500.00	\$22,400.00	\$141,900.00
505000	Supplies	\$6,500.00		\$6,500.00
510000	Local Travel & Mileage	\$1,500.00		\$1,500.00
516020	Professional Services Contract	\$137,000.00		\$137,000.00
TOTAL APPROPRIATIONS		\$501,000.00	\$64,400.00	\$565,400.00

and be it further

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

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

4. COMM. 6E-15 (2021)  
COUNTY EXECUTIVE

WHEREAS, the United States Environmental Protection Agency (USEPA) awarded a grant to Erie County in 2016 to provide staff and other support to the Western New York Sustainable Business Roundtable (WNYSBR) titled the "Regional Impact Reduction via Western New York Sustainable Business Roundtable – Food Industry Optimization & Climate Focus"; and

WHEREAS, Erie County and the USEPA entered into a contract (SAP Account #162WNYSBR1618) as authorized by COMM. 20E-7 (2016); and

WHEREAS, the County entered into a sub-awardee contract with WNYSBR as authorized by COMM. 4E-20 (2019) for \$25,073; and

WHEREAS, a separate subcontract under this grant was completed under budget by \$1,888; and

WHEREAS, this budget change does not require approval by USEPA and does not require a change to the overall grant budget; and

WHEREAS, this budget change will enable reimbursement of allowable project expenses to the WNYSBR that would otherwise be returned by USEPA.

NOW, THEREFORE, BE IT

RESOLVED, that County Executive is authorized to increase the WNYSBR sub-agreement budget by \$1,888, from \$25,073 to a final budget of \$26,961; and be it further

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

(6-0)

**TIMOTHY J. MEYERS**  
**CHAIR**

**LEGISLATOR RESOLUTIONS**

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

CARRIED. (10-0-1)

RESOLUTION NO. 64

RE: Urging the NFTA to Halt All  
Future Reductions in Service for  
Buses & Trains & Supporting  
More Communication by the  
NFTA with the Public  
(INTRO. 8-1)

**A RESOLUTION TO BE SUBMITTED BY**  
**CHAIR BASKIN**

WHEREAS, responding to the COVID-19 outbreak, the Niagara Frontier Transportation Authority (NFTA) has taken extraordinary measures to try to protect their employees and passengers riding on Metro Bus and Metro Rail, such as mandating mask-wearing for all riders and controlling social distancing as best as possible; and

WHEREAS, the NFTA took vital steps at the beginning of the pandemic to protect bus drivers and riders by suspending fares and upgrading buses with protective barriers and seat restrictions; and



WHEREAS, recognizing the impact of the pandemic on the most vulnerable residents in the region, the NFTA also served the community by providing meals to Buffalo Public Schools and in neighborhoods throughout the region; and

WHEREAS, ridership has decreased because of the pandemic, which understandably forces decisions to be made to make up the loss of said revenue in order to maintain a budget, such as temporarily suspending some bus routes, and reducing the frequency of some routes and rail; and

WHEREAS, in order to avert cuts to transit service while farebox revenues was significantly decreasing, the federal government awarded the NFTA's Metro subsidiary for buses and rail two stimulus grants to help support operations during the pandemic: \$61.3 million in March 2020 and \$43 million in December 2020; and

WHEREAS, in spite of this funding, the NFTA decided, to make four rounds of cuts without input or feedback from the public, with unclear benchmarks of how, or if these cuts to service will or can be restored; and

WHEREAS, the NFTA suspended due to COVID-19 the #7 Richmond-Baynes, #29 Wohlers, #52 Military, #68 George Urban, #75 West Seneca, and #79 Tonawanda routes, reduced the frequency of service on the #3 Grant, #5 Niagara-Kenmore, #11 Colvin, #12 Utica, #13 Kensington, #19 Bailey, #20 Elmwood, #23 Fillmore-Hertel, #24 Genesee, #25 Delaware, and #26 Delavan routes, reduced the length of the #15 Seneca route, and reduced the frequency of service of Metro Rail; and

WHEREAS, most bus riders are unaware of the latest cuts to service that lengthens the frequency of major bus routes from fifteen to twenty minutes on the weekdays; and

WHEREAS, the NFTA's Citizens Advisory Committee (CAC), which consists of riders and local organizations that depend on transit, has not been engaged by the NFTA before these decisions were made; and

WHEREAS, the latest round of bus routes reductions in service was advertised 11 days before taking effect as, "new route schedule," obscuring the gravity of how this "schedule update" will negatively impact the lives of bus riders across Erie County, as well as avoiding potential conflict as riders expect schedule changes for spring 2021; and

WHEREAS, these bus route cuts, as well as cuts made in 2020, have drastically hindered the ability of riders from getting from one end of town to the other, as well as accessibility to existing jobs and new jobs that are up and coming; and

WHEREAS, the disability community which uses the paratransit buses, are greatly affected by any and all route cuts because the paratransit buses, as of now, only pick up a disabled person 3/4 of a mile from the closest bus stop, and if a route is cut then a paratransit route is/can also be cut.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature urges the NFTA to (1) halt further rail and bus route reductions in service, (2) improve its communication with the CAC and the public by clearly communicating when a cut or change to a specific bus route is being proposed or made, as well as involve the CAC and public in the board meetings and in the decision-making process; and be it further

RESOLVED, that this Honorable Body requests that the NFTA convene a public meeting with the Citizens Advisory Committee (CAC) and public-at-large in summer 2021 to discuss the cuts made and a plan of how to restore all services with definitive dates; and be it further

RESOLVED, that this Honorable Body requests that the NFTA commence holding their board of commissioners' meetings with a live webcast option so that the public-at-large may attend/watch; and be it further

RESOLVED, that this Honorable Body requests that with the exception of road closures and emergencies, the NFTA communicate all future route changes or updates no less than 30 days in advance with information on how, why, and what the route is being amended, on their website, their app, pamphlets on buses, social media pages, and media channels, and conduct a 30-day public comment period; and be it further

RESOLVED, that his Honorable Body requests that the NFTA not make any route changes, adjustments, or cuts, without first meeting with the CAC for comments, questions, and feedback; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the NFTA Board of Commissioners and Executive Director, the Buffalo Transit Riders United, the NFTA Citizens Advisory Committee, and the Erie and Niagara County Members of the NYS Legislature.

MR. MEYERS moved to amend the resolution. MR. LORIGO seconded. MR. MEYERS abstained.

CARRIED. (10-0-1)

Add the Following Co-Sponsors:

Mr. Hardwick, Mr. Johnson, Ms. Chimera, Mr. Gilmour, Ms. Vinal, Mr. Lorigo, Mr. Mills, Mr. Todaro and Mr. Greene.

Add the Following Resolve Clause:

RESOLVED, that this Honorable Body hereby requests NFTA Executive Director Kimberley Minkel, and any other party deemed appropriate by the Committee, attend a meeting of the Erie County Legislature's Economic Development Committee to discuss the NFTA's plans for setting, eliminating, and changing routes offered to Erie County residents; and be it further

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

CARRIED. (10-0-1)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

RE: Thanking Richard Lipsitz for His  
Contributions to the Civic Good  
(INTRO. 8-2)

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

WHEREAS, Richard Lipsitz, Jr, has served as President of the Western New York Area Labor Federation, AFL-CIO since 2011; and

WHEREAS, the federation is an umbrella organization for organized labor, encompassing five central labor councils with 140 local unions and 145,000 represented members across six counties in Western New York; and

WHEREAS, Dick has worked in organized labor for decades, starting with the Teamsters, representing working men and women; and

WHEREAS, Dick developed a reputation as a consensus-builder, who has worked with his union brethren and businesses to move the community forward; and

WHEREAS, Dick has also served for many years on the board of Erie County Industrial Development Agency, including serving as its Vice Chair and on its Policy Committee, including as Chair, and he helped to shepherd through many economic development projects in Erie County; and

WHEREAS, Dick has served as a valued counselor to many elected officials and political officials; and

WHEREAS, after serving for 10 years, he has retired from the Labor Federation, and will serve as President Emeritus; and

WHEREAS, Dick has always advocated for our community, and while he has retired from the Labor Federation, we are fortunate to continue to have his counsel, advice and assistance on the ECIDA and in local governance.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses our thanks and appreciation to Richard Lipsitz, Jr. for his decades of service to our community, both in the labor movement, but in the economic development sector; and be it further

RESOLVED, that this Honorable Body wishes Dick well in his retirement from labor, and expresses our support for his continued service at the ECIDA and as a valued counselor to County officials; and be it further

RESOLVED, that certified copies of this resolution be transmitted to Richard Lipsitz and Nan Haynes.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 66

RE: Re-Appropriation of 2019 Public  
Benefit Funding  
(INTRO. 8-3)

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

WHEREAS, the Grand Island Golden Age Club was awarded \$1,000 in public benefit funding by the Erie County Legislature in the adopted 2019 Budget in Fund Center 1332010 - Community/Neighborhood Development, Account 518525; and

WHEREAS, the organization is not able to accept the funds, and the funding should be transferred to an alternative organization; and

WHEREAS, as in similar 2018, 2019 and 2020 situations, it is the intention of this Honorable Body to transfer such funding to community organizations serving the public.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to transfer the \$1,000 of 2019 public benefit funding originally designated for the Grand Island Golden Age Club to the Town of Grand Island; and be it further

RESOLVED, that while the agency name is changing the overall budget line amount is to remain the same; and be it further

RESOLVED, that the Director of the Division of Budget and Management is authorized to make any adjustments necessary to effectuate the intent of this resolution or any other changes identified by the Office of the Erie County Comptroller; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Comptroller, the Director of Budget and Management, and any other party deemed necessary and proper.

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

MS. VINAL moved to send the resolution to committee for further consideration. No second.

FAILED.

CHAIR BASKIN moved the previous question. MS. VINAL voted in the negative.

CARRIED. (10-1)

RESOLUTION NO. 67

RE: Support for Permanently  
Continuing Alcohol Take Out &  
Delivery in EC & NYS  
(INTRO. 8-4)

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

WHEREAS, since March 2020, Executive Orders issued by Governor Andrew M. Cuomo have allowed restaurants to provide and sell individual and batched cocktails, beer and wine to patrons ordering food for take-out and delivery on a month to month basis; and

WHEREAS, these “to-go” alcoholic beverage sales have been vital to sustaining business during the COVID-19 pandemic and subsequent restaurant shut downs and continued restrictions on in-person dining capacity; and

WHEREAS, many restaurants rely on beer, wine and liquor sales as vital to their business, often making up to nearly 40% of their profits at their bars and this in turn generates considerable sales tax revenue for Erie County from this important business sector; and

WHEREAS, the New York State Restaurant Association has noted that 86% of New York State adults are in favor of retaining the ability to purchase alcohol via take-out and delivery from restaurants and the Association has requested the continued ability for restaurants to offer these beverages for sale; and

WHEREAS, without a short- or long-term extension, restaurants will have to cease selling and offering these beverages on March 28, 2021 to comply with local and state laws.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that the Governor extend the ability of restaurants in Erie County and statewide to continue offering alcoholic beverages for sale for take-out and delivery indefinitely during the duration of this pandemic; and be it further

RESOLVED, that this Honorable Body supports a permanent change to state law that allows for batched and individual alcoholic beverages to be offered for sale by restaurants via take-out or delivery once the Governor's Executive Powers expire; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor, the New York State Liquor Authority, and the local delegation of the New York State Assembly and State Senate.

Item 47 – CHAIR BASKIN directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 8-5 from GILMOUR. Expressing Support for the Re-Examination of Social Distancing Guidelines in Schools by NYS.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 48 – MR. MEYERS moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 6E-10 (2021). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 68

RE: Reappointment of Member of EC Board  
of Ethics  
(COMM. 6E-10, 2021)

RESOLVED, that the Erie County Legislature hereby confirms the appointment of Heather Gresham to the Erie County Board of Ethics for a term that will expire on December 31, 2024.

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

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

None.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

FROM THE SHERIFF

Item 49 – (COMM. 8E-1) K9 Retirement & Transfer

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 50 – (COMM. 8E-2) 2020 Year-End Budget Balancing Amendments & Designations

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 51 – (COMM. 8E-3) Appointment to EC Arts & Cultural Advisory Board

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 52 – (COMM. 8E-4) Appointment to the EC Central Police Services Board of Trustees

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 53 – (COMM. 8E-5) 2020 Annual Report of County Clerk's Office

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR JOHNSON

Item 54 – (COMM. 8E-6) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

March 31, 2021

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

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

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2-2018, Section 5(c), and to the best of my knowledge, I have no family members employed by any government organization in any capacity.

Thank you in advance for your assistance.

Sincerely,

Howard J. Johnson  
Erie County Legislator

FROM THE COUNTY EXECUTIVE

Item 55 – (COMM. 8E-7) Buffalo Niagara Convention Center Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BASKIN

Item 56 – (COMM. 8E-8) Letter to Clerk of Legislature Calling for a Public Hearing for Appropriation of Transfer Tax Revenues

Received, filed and printed.

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Dear Mr. Graber:

Please be advised that there is a need to call a Public Hearing, pursuant to Tax Law §1432 and General Municipal Law, §6-d, in order to consider:

- the appropriation of \$13,800,000 of Transfer Tax from the Erie County Road Repair Reserve Fund (budgeted 2021 revenue) for road and bridge repairs in 2021 and
- the appropriation of \$180,000 of prior year surplus Transfer Tax from the Erie County Road Repair Reserve Fund for road and bridge repairs in 2021.

Accordingly, pursuant to Rule 1.01 of the Rules of Order of the Erie County Legislature, you are hereby directed to call a Public Hearing to be held on Wednesday, April 7, 2021 at 2:00 pm.

Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin  
Chair, Erie County Legislature

FROM THE COMPTROLLER



Item 57 – (COMM. 8E-9) Report of Apportionment & Distribution of Net Collections from Sales Tax - 12/2020 - 02/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR VINAL

Item 58 – (COMM. 8E-10) Letter to Sheriff Concerning Transparency & Working with Government Partners

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE GILMOUR

Item 59 – (COMM. 8E-11) Letter of Absence from Special Session 7 - March 25, 2021

Received, filed and printed.

March 25, 2021

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

Re: Absence from Special Session on March 25, 2021

Dear Mr. Graber:

I will be absent from the Special Session on March 25, 2021 as I will be attending the funeral mass at that time for former Erie County Legislator Michael Fitzpatrick, who is a close and long-standing family friend.

Thank you in advance for your courtesies.

Sincerely,

John J. Gilmour  
Erie County Legislator

FROM THE COMPTROLLER

Item 60 – (COMM. 8E-12) Letter to Commissioner of Social Services Regarding COMM. 3E-9 (2021)

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 61 – (COMM. 8E-13) Transfer of Seized Asset Funds - Narco & Rope Rescue Team Vehicles

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 62 – (COMM. 8E-14) EC Rath Building Garage Rehabilitation

Item 63 – (COMM. 8E-15) NYSDOT Agreement & Contract for Engineering Design Services for Bridge Replacements in Towns of Amherst & Clarence

Item 64 – (COMM. 8E-16) EC Fire Training Academy - Exterior Waterproofing & Roof Recoating

Item 65 – (COMM. 8E-17) Abandonment of Former County Highway Right-of-Way - Exchange St., Marilla

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

Item 66 – (COMM. 8E-18) Municipal Waste Reduction Recycling Grant & Solid Waste Management Boards MOUs

Item 67 – (COMM. 8E-19) Amendment to COMM. 19E-40 (2020)

Item 68 – (COMM. 8E-20) ECSD No. 4 - Engineer Term Contract Agreement

Item 69 – (COMM. 8E-21) ECSD No. 3 - Engineering Term Contract Agreement

Item 70 – (COMM. 8E-22) ECSD No. 1 - Rowley Rd. Sanitary Sewer Replacement Project, Cheektowaga

Item 71 – (COMM. 8E-23) ECSD No. 4 - Borden Rd. Forcemain Test Pit & Spot Repair Project, W. Seneca

Item 72 – (COMM. 8E-24) Acceptance of FEMA Aid Reimbursements for Storm Surge & Seiche Isle View Project

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

Item 73 – (COMM. 8E-25) EC Paging Contract - I Am Responding, Maintenance Contract

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 74 – (COMM. 8E-26) Approval for Amendment to Services Agreement Between SUNY Erie & Marcia Bermel, D.M.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 75 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

RE: Authorization to Contract with ProLink  
Healthcare LLC  
(COMM. 8E-27)

WHEREAS, the Erie County Department of Health is responsible for the vaccination of its residents to protect against COVID-19 infection; and

WHEREAS, through ProLink will be able to provide the necessary licensed personnel for administering COVID-19 vaccinations; and

WHEREAS, ProLink has the capabilities of staffing several COVID-19 vaccination PODS at the same time and already provides staffing support to New York State Department of Health vaccination efforts; and

WHEREAS, funding for this contract is available from the Federal Government with no county share required.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with ProLink Healthcare, LLC; and

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9<sup>th</sup> Floor, Rath Building.

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

CARRIED UNANIMOUSLY.

Delete the First Resolve Clause and Replace with the Following:

RESOLVED, that the County Executive is authorized to enter into contract with ProLink Healthcare, LLC for the purposes of administering COVID vaccines on behalf of the County at point of dispensing sites across Erie County during the COVID pandemic; and be it further

MR. MEYERS moved to approve the item as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 76 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 70

RE: Authorization to Contract with Buffalo  
Homecare Inc.  
(COMM. 8E-28)

WHEREAS, the Erie County Department of Health has responsibility to ensure vaccinations are available to all eligible residents; and

WHEREAS, many individuals are homebound or home limited and unable to go to a traditional vaccination point of distribution; and

WHEREAS, Buffalo Homecare Inc has the personnel available to provide such services and is an authorized COVID-19 vaccinator by New York State; and

WHEREAS, funding is available for this contract from the Federal government with no required county share.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with Buffalo Homecare Services Inc.; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9<sup>th</sup> Floor, Rath Building.

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

CARRIED UNANIMOUSLY.

Delete the First Resolve Clause and Replace with the Following:

RESOLVED, that the County Executive is authorized to enter into contract with Buffalo Homecare, Inc. for the purposes of administering COVID vaccines on behalf of the County at home-bound clients' homes across Erie County during the COVID pandemic; and be it further

MR. MEYERS moved to approve the item as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY CLERK

Item 77 – (COMM. 8E-29) Authorization for Second Contract Extension for Zombie Property Outreach Services

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIR BASKIN

Item 78 – (COMM. 8E-30) Letter to Legislature Clerk Concerning Transition of Meetings on 4/15/21

Received, filed and printed.

April 12, 2021

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

Re: April 15<sup>th</sup> Work Session and Legislative Session will be Held Virtually due to the Coronavirus Pandemic and the Legislative Session Time Will Be Changed

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, I am writing to advise you that pursuant to Section 2.03 of the Erie County Legislature's Rules of Order, I am shifting the Legislature's scheduled April 15, 2021 session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. In addition, the legislative session will be held at 11:00 am instead of 2:00 pm.

Please notify all legislators, staff, the media, and the public of this change and the call-in details. Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin  
Chair of the Legislature

FROM THE COUNTY EXECUTIVE

Item 79 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded. MR. GREENE, MR. LORIGO, MR. MILLS and MR. TODARO voted in the negative.

CARRIED. (7-4)

RESOLUTION NO. 71

RE: 2021 Change in Funding Source &  
Improvements to Building 17  
(COMM. 8E-31)

WHEREAS, the CC Building has been in desperate need of renovation since the previous tenant left and the Health Department began using the space for storage, and their current operations have grown, making improvements necessary; and

WHEREAS, some renovations have already been completed in Phase 1, this next phase of work will focus on repairing and restoring the roof, which is out of warranty and is showing signs of failure with several leaks popping up over the last year, which could cause damage to the interior renovations planned in this phase of work to identify dedicated training spaces to assist the public on environmental hazard education, as well as associated bathrooms serving the training spaces; and

WHEREAS, switching the funding source for the \$1,000,000 Improvements to Building 17 project, previously approved in the 2021 Capital Budget, from bonding to pay-as-you-go (PAYGO), using available 2021 funding that has been established and is available, will allow the bidding process to begin upon approval of this resolution allowing for completion of these renovations in the 2021 construction season; and

WHEREAS, the County of Erie received bids for the EC Health Lab CC Renovations – Phase 2 project on April 6, 2021; and

WHEREAS, the lowest responsible bidders are as follows; Lake Side Contracting Co. for General Construction Co., Grove Roofing Services Inc for Roofing, MKS Plumbing Corporation for Plumbing, Quackenbush Co. Inc. for Mechanical, and Industrial Power and Lighting Corp for Electrical; and

WHEREAS, the Department of Public Works is recommending award of the contract to the lowest responsible bidders listed above.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to switch the funding source for the \$1,000,000 Improvements to Building 17 project A.211XX, Fund 410, Funds Center 122, from bonds to pay-as-you-go (PAYGO), using available 2021 funding that has been established and is available; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the EC Health Lab CC Renovations – Phase 2 project for an amount not to exceed as follows:

General Construction Work

Lake Side Contracting Co.	Base Bid:	\$ 319,480
	<u>Alternate No. G-1</u>	<u>\$ 15,500</u>
Total Award of General Construction Contract:		\$ 334,980

Mechanical Construction Work

Quackenbush Co. Inc	Base Bid:	\$ 71,900
	<u>Alternate No. M-1</u>	<u>\$ 250</u>
Total Award of Mechanical Construction Contract:		\$ 72,150

Plumbing Construction Work

MKS Plumbing Corporation	Base Bid:	\$ 33,000
	<u>Alternate No. P-1</u>	<u>\$ 8,000</u>
Total Award of Plumbing Construction Contract:		\$ 41,000

Electrical Construction Work

Industrial Power and Lighting Corporation	Base Bid:	\$132,300
---	-----------	-----------

Roofing Construction Work

Grove Roofing Services	Base Bid:	\$804,155
------------------------	-----------	-----------

---

Total Award of Construction Contract:		\$1,384,585
---------------------------------------	--	-------------

and be it further

RESOLVED, that the sum of \$130,898.35 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from approved Capital Budgets, Fund 410, Funds Center 122, as follows:

A.18010 - DPW Improvements to EC Health Department Building 17 (Buffalo)	\$ 165,483.35
A.19005 – Improvements to Health Department Building 17	\$ 250,000.00
A.19006 – Preservation of County Buildings and Facilities (Countywide)	\$ 100,000.00
<u>A.211XX – EC Health Lab Improvements to Building 17 (2021 PAYGO)</u>	<u>\$1,000,000.00</u>
For a Total Payment Not to Exceed:	\$1,515,483.35

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.

**FROM THE COUNTY EXECUTIVE**

Item 80 – (COMM. 8E-32) Real Estate Transfer Tax Surplus Appropriation

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 81 – (COMM. 8E-33) Rehabilitation of Borden Rd. - Towns of West Seneca, Cheektowaga & Village of Depew

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 82 – (COMM. 8E-34) Extension of Home Care Services Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM CHAIR BASKIN**

Item 83 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

RE: Appointment of Commissioner of the  
ECWA  
(COMM. 8E-35)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of MICHELE IANNELLO-WARD, 4 Heritage Road East, Williamsville, NY 14221, as Commissioner of the Erie County Water Authority for a three (3) year term commencing April 28, 2021 and expiring April 27, 2024.

**FROM THE COMPTROLLER**

Item 84 – (COMM. 8E-36) 2021 Consolidated Capital Project Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COMMISSIONER OF HEALTH**

Item 85– (COMM. 8D-1) Updated Nursing Home Outbreak Information - 3/20/2021



Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPUTY COMPTROLLER

Item 86 – (COMM. 8D-2) Law Department Spending - 01/2021 & 02/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 87 – (COMM. 8D-3) Notification of New COVID-19 Related Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 88 – (COMM. 8D-4) Budget Monitoring Report 02/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 89 – (COMM. 8D-5) Child Protective Caseloads for 02/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 90 – (COMM. 8D-6) Updated Nursing Home Outbreak Information - 3/27/2021

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 91 – (COMM. 8D-7) Notification of New COVID-19 Related Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 92 – (COMM. 8D-8) Fund 252 Consumption Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 93 – (COMM. 8D-9) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 94 – (COMM. 8D-10) Letter to Legislature Concerning Transition of Meetings on 4/15/21

Received, filed and printed.

April 12, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: APRIL 15, 2021 WORK SESSION AND LEGISLATIVE SESSION WILL BE HELD VIRTUALLY DUE TO THE CORONAVIRUS PANDEMIC AND THE LEGISLATIVE SESSION TIME WILL BE CHANGED

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter concerning COVID-19, the Erie County Legislature's scheduled April 15, 2021 legislative session and work session will be shifted from being held in the Chambers of the Legislature to a virtual hearing, to be held via Zoom. In addition, the legislative session will be held at 11:00 am, instead of 2:00 pm.

The Chairwoman's letter directing the changes is attached.

The Zoom details are as follows:

Topic: Erie County Legislature Work Session at 10:00 am and Legislative Session #8 (2021) at 11:00 am

<https://us02web.zoom.us/j/89469359317>

Meeting ID: 894 6935 9317

Or call 646-876-9923

Thank you.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE WNY LAW CENTER

Item 95 – (COMM. 8M-1) Letter to Chair of Legislature Regarding New Resources for Under-Resourced Communities in EC

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CITIZENS FOR REGIONAL TRANSIT

Item 96 – (COMM. 8M-2) Requests for Investments in Public Transit

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 97 – (COMM. 8M-3) Invitation for Public Comment - Brownfield Cleanup Application at 255 Ship Canal Pkwy., Buffalo

Item 98 – (COMM. 8M-4) Invitation for Public Comment - Draft Plan to Investigate Contamination at 1095 Niagara St., Buffalo

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

FROM THE ECCSAB

Item 99 – (COMM. 8M-5) Letter to Governor Urging Prioritization of Incarcerated People for COVID-19 Vaccine Distribution

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS ATTORNEY GENERAL'S OFFICE

Item 100 – (COMM. 8M-6) Report Titled, "Nursing Home Response to COVID-19 Pandemic"

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE HABIB JOHNSON

Item 101 – (COMM. 8M-7) Letter to EC Legislature Regarding the Elimination of the ECHC & ECCF's Informal Grievance Process

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE ECCSAB

Item 102 – (COMM. 8M-8) Letter to Sheriff Concerning Staff Changes in Correctional Health Division

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NYSDEC

Item 103 – (COMM. 8M-9) Invitation for Public Comment - Proposal to Address Contamination at 225 Louisiana St., Buffalo

Item 104 – (COMM. 8M-10) Invitation for Public Comment - Proposal to Address Contamination at Former Pilgrim Village Senior Apartments, Ellicott St., Buffalo

Item 105 – (COMM. 8M-11) Invitation for Public Comment - Proposal to Address Contamination at Former Pilgrim Village Senior Apartment, Michigan Ave., Buffalo

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

FROM THE NYS CORRECTIONS & COMMUNITY SUPERVISION

Item 106 – (COMM. 8M-12) Letter to Chair of Public Safety Committee Responding to Inquiries Regarding Suspension of Intakes

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE EC TOBACCO ASSET SECURITIZATION CORPORATION

Item 107 – (COMM. 8M-13) Financial Statements & Supplemental Information for Year Ended 12/31/2020

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE ECMCC

Item 108 – (COMM. 8M-14) 2020 Annual Report of ECMCC

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS DEPT. OF TAXATION & FINANCE

Item 109 – (COMM. 8M-15) State Equalization Rates for the 2021 Assessment Rolls

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 110 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, April 22, 2021, will be distributed.

**MEMORIAL RESOLUTIONS**

Item 111 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Reverend Michael G. Uebler, Thomas G. Burdo and Marietta C. Lafornera.

Item 112 – Legislator Johnson requested that when the Legislature adjourns, it do so in memory of James McDuffy and Richard W. ‘Dick’ Grotke.

Item 113 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Melvin Spoth.

Item 114 – Legislator Gilmour requested that when the Legislature adjourns, it do so in memory of former Erie County Legislator and union leader Michael A. Fitzpatrick.

Item 115 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of W. Keith McNall.

Item 116 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Michael J. Rusiniak, Richard J. Kropp and Reverend Michael G. Uebler.

**ADJOURNMENT**

Item 117 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. JOHNSON moved that the Legislature adjourn until Thursday, April 29, 2021 at 2:00 p.m. Eastern Standard Time. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, April 29, 2021 at 2:00 p.m. Eastern Standard Time.

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