

December 10, 2020

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 11

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

- 1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 18E-3 (2020)  
**COMPTROLLER:** “Report of Apportionment & Distribution of Net Collections from Sales Tax - 06/20 - 08/20”  
(Chair’s Ruling)
  - b. COMM. 18D-2 (2020)  
**DEPUTY COMPTROLLER - AUDIT:** “COVID-19 Overtime Expenses for County MC Employees Across NYS”  
(Chair’s Ruling)
  - c. COMM. 18D-4 (2020)  
**DEPUTY COMPTROLLER:** “Breakdown of 2020 Hotel Occupancy Tax Revenue”  
(Chair’s Ruling)
  - d. COMM. 19D-5 (2020)  
**DEPUTY COMPTROLLER:** “Letter to Legislature Regarding August Sales Tax Receipts”  
(Chair’s Ruling)
  - e. COMM. 19D-7 (2020)  
**DIRECTOR OF BUDGET & MANAGEMENT:** “Budget Monitoring Report for Period Ending 08/2020”  
(Chair’s Ruling)
  - f. COMM. 19D-11 (2020)  
**DEPUTY COMPTROLLER:** “Law Department Spending - 08/2020”  
(Chair’s Ruling)
  - g. COMM. 20E-18 (2020)  
**COMPTROLLER:** “Interim Financial Report of EC for the Third Quarter of 2020”  
(Chair’s Ruling)

- h. COMM. 20E-19 (2020)  
**COMPTROLLER:** “Cost of Issuance & Debt Service Requirements for 2020 Bond Issues”  
(Chair’s Ruling)
- i. COMM. 20D-1 (2020)  
**COMPTROLLER’S OFFICE:** “Report on Imprest Fund Expenses Charged to COVID-19 Relief Fund”  
(Chair’s Ruling)
- j. COMM. 20D-4 (2020)  
**COMPTROLLER’S OFFICE:** “Audit of Department of Law – 01/01/2019 – 12/31/2019”  
(Chair’s Ruling)
- k. COMM. 20D-5 (2020)  
**COMPTROLLER’S OFFICE:** “Audit of Department of Budget & Management – 07/01/2019 – 12/31/2019”  
(Chair’s Ruling)
- l. COMM. 20D-6 (2020)  
**COMPTROLLER’S OFFICE:** “Audit of Buffalo & EC Public Library – 07/01/2019 – 12/31/2019”  
(Chair’s Ruling)
- m. COMM. 20M-3 (2020)  
**ASSIGNED COUNSEL PROGRAM:** “Quarterly Report for 3<sup>rd</sup> Quarter of 2020”  
(Chair’s Ruling)
- n. COMM. 21D-4 (2020)  
**DIRECTOR OF BUDGET & MANAGEMENT:** “Budget Monitoring Report for Period Ending 09/2020”  
(Chair’s Ruling)
- o. COMM. 23E-17 (2020)  
**COMPTROLLER:** “Law Department Spending – 09/2020 & 10/2020”  
(Chair’s Ruling)
- p. COMM. 23D-1 (2020)  
**DEPUTY COMPTROLLER – AUDIT:** “Update Regarding COVID-19 Overtime Expenses for County MC Employees Statewide”  
(Chair’s Ruling)

- q.

COMM. 23M-1 (2020)  
**EC AUDIT COMMITTEE:** “Annual Report for Year Ended 12/31/2019”  
(Chair’s Ruling)
2.

COMM. 23E-4 (2020)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Division of Information and Support Services is responsible for the delivery of a comprehensive range of Information Technology and Record management for Erie County.  
  
NOW, THEREFORE, BE IT  
  
RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept New York State’s Retention and Disposition Schedule for New York Local Government Records (LGS-1) issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and be it further  
  
RESOLVED, that in accordance with Article 57A:  

(a)

Only those records will be disposed of that are described in Retention and Disposition schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein.

(b)

Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods; and be it further

  
RESOLVED, that certified copies of this resolution be forwarded to the Chief Information Officer, Office of the County Attorney and the County Executive’s Office.  
(6-0)
3.

COMM. 23E-5 (2020)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Social Services is requesting authorization to extend a lease at 43 Court Street with 43 Court Street Realty Company for the purpose of housing multiple Social Services programs at this site; and

WHEREAS, the lease extension for the period January 13, 2021 through January 12, 2026 is for space totaling 21,034 square feet at an annual base rental amount of \$13.52 per square feet for an annual base rental amount of \$284,274.96 for Years 1 and 2 and \$15.85 per square feet for an annual base rental amount of \$333,388.90 for Years 3 through 5. The increase in Years 3 through 5 are due to extensive planned leasehold improvements including upgraded HVAC system, updated restrooms, updated flooring, and painting; and  
  
WHEREAS, the current lease period ends on January 12, 2021, and this lease is needed to maintain Department of Social Services administered programs at this location; and  
  
WHEREAS, the Department of Social Services has leased space at 43 Court Street since 1999, and the facility currently houses its Special Investigations Division and the Human Resources Division; and  
  
WHEREAS, the County included funds for this lease in the 2021 Proposed Budget; therefore, there will be no fiscal impact to the County in 2021.  
  
NOW, THEREFORE, BE IT  
  
RESOLVED, the County Executive is authorized to execute the lease extension for 43 Court Street at the rental amount of \$23,689.58 per month for Years 1 and 2, and \$27,782.41 per month for Years 3 through 5 and under the rental terms herein presented; and be it further  
  
RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to the County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Division of Budget and Management.  
(6-0)

4.

COMM. 23E-10 (2020)  
**COUNTY EXECUTIVE**  
WHEREAS, the New York State Office of Indigent Legal Services provided a three-year grant totaling \$2,910,255 to the County for the provision of indigent defense services; and  
  
WHEREAS, Erie County contracted with the Erie County Bar Association’s Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant; and

WHEREAS, the New York State Office of Indigent Legal Services has agreed to extend the contract term for an additional one-year period to allow the agencies to complete the terms and conditions of the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract amendment with the State of New York Office of Indigent Legal Services, extending the contract term for an additional one-year period of January 1, 2021 to December 31, 2021; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into amendments to the subcontracts with the Erie County Bar Association’s Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo extending the contract term for an additional one-year period of January 1, 2021 to December 31, 2021; and be it further

RESOLVED, that authorization is provided to extend the grant period of 160QID8ILS1820 in the County Attorney’s Office to December 31, 2021; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; and be it further

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

5. COMM. 23E-14 (2020)  
**COUNTY EXECUTIVE**

WHEREAS, it has been determined that the previous position transfer action of COMM. 5E-14 (2018) placing the pay grade 11 position of Systems Accountant (Budget) into the Department of Probation was a technical error based in financial consideration rather than work structure and civil service classification; and

WHEREAS, for the purposes of Civil Service classification alignment, position oversight and reporting structure for significant financially responsible positions within Erie County and under the promotional guidelines as defined under Civil Service Law, this position should have remained in the Budget and Management Department; and

WHEREAS, the Department of Budget and Management seeks to rectify this error and retreat the position of Systems Accountant (Budget) to its appropriate specification and classified Department of Budget and Management; and

WHEREAS, this action shall not impede the work of either the Department of Probation nor the office of Budget and Management, but rather seeks to provide a more comprehensive ability, structure and appropriate civil service classification plan for the significant financially responsible work of Erie County involved.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize the transfer of one position of Systems Accountant (Budget), Job Group 11, Position Number 10209 from Funds Center 12610, Cost Center 1261010 to Funds Center 10210, Cost Center 1021020 B100#12146; and be it further

RESOLVED, that no 2020 budgetary transfers are required due to sufficient available balances in the Division of Budget and Management; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make any necessary budgetary adjustments to the 2021 Adopted Budget in order to facilitate this request; and be it further

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

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