

ERIE COUNTY LEGISLATURE
MEETING NO. 11
MAY 21, 2020

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Hardwick.

Item 1 – CHAIR BASKIN directed that the Rules of the Legislature for 2020 remain on the table.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MEYERS moved for the approval of the minutes for Meeting Number 10 from 2020. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – CHAIR BASKIN presented a memorial resolution Remembering Derek A. Clemons, Beloved Father, Son and Dedicated Businessman.

Item 6 – MS. CHIMERA presented a proclamation Celebrating and Honoring National Nurses Week and the Many Contributions of Nurses During the COVID-19 Pandemic.

Item 7 – MS. VINAL presented a proclamation Celebrating and Honoring Amherst High School Senior Benjamin Mekinulov, 2020 Scholarship Audition Winner.

Item 8 – MR. TODARO presented a memorial resolution Memorializing and Celebrating the Life of Joseph Giambra.

Item 9 – MS. VINAL presented a proclamation Celebrating and Honoring the Chinese Club of Western New York for Their Contributions During the COVID-19 Pandemic.

Item 10 – MS. CHIMERA presented a memorial resolution Remembering Joan M. Neudecker, Beloved, Respected and Valiant Nurse.

MR. MEYERS moved for consideration of the above six items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above six items by adding two for MS. CHIMERA, two for MR. GILMOUR and by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above ten items as amended. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 11 –CHAIR BASKIN directed that Local Law No. 9 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 –CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 13 –CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 14 – MS. CHIMERA presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106

May 14, 2020	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby tabled by a majority vote:
 - a. INTRO. 10-9 (2020)
LORIGO: “Calling on Administration to Provide Statistics on Active COVID-19 Infections in EC”
(5-1) Legislator Lorigo voted in the negative.

2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6E-21 (2020)
COUNTY EXECUTIVE: “State of Emergency Declaration”
(Chair’s Ruling)

 - b. COMM. 6D-4 (2020)
COUNTY ATTORNEY: “Emergency Order, 3/15/2020 – Closure of All Public & Parochial Schools”
(Chair’s Ruling)

 - c. COMM. 8E-2 (2020)
COMPTROLLER: “Child Care Concerns Amid COVID-19”
(Chair’s Ruling)

 - d. COMM. 8D-2 (2020)
COUNTY ATTORNEY: “Emergency Order, March 22, 2020”
(Chair’s Ruling)

 - e. COMM. 8D-5 (2020)
COUNTY ATTORNEY: “Extension of Local Emergency Order, March 27, 2020”
(Chair’s Ruling)

 - f. COMM. 9E-5 (2020)
BASKIN: “Letter to Gov. Cuomo Concerning Obtainment of Data on COVID-19 Testing, Positive Cases and Deaths”
(Chair’s Ruling)

 - g. COMM. 9E-6 (2020)
BASKIN & JOHNSON: “Letter to U.S. Dept. of HHS Relating to COVID-19 Reporting of Data to States and Local Governments on Racial Disparities”
(Chair’s Ruling)

 - h. COMM. 9D-1 (2020)
DEPT. OF LAW: “Local Emergency Orders, EC State of Emergency Declarations & Extensions”
(Chair’s Ruling)

- i. COMM. 9M-1 (2020)
ECMC: “2019 ECMC Annual Report”
(Chair’s Ruling)
- j. COMM. 10D-1 (2020)
DEPT. OF LAW: “Local Emergency Orders, EC State of Emergency Declarations & Extensions”
(Chair’s Ruling)
3. COMM. 10E-12 (2020)
COUNTY EXECUTIVE
WHEREAS, the Department of Social Services is requesting authorization to enter into a lease renewal agreement with the 43 Court Street Realty Company; and

WHEREAS, the lease renewal is for the period of July 13, 2020, through January 12, 2021; the agreement is for 21,034 square feet of space at 43 Court Street at a monthly rental amount of \$24,013.82; and

WHEREAS, the current lease period ends on July 13, 2020, and this lease renewal 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 prospective fiscal condition of the County and the introduction of remote work arrangements have caused uncertainty in the long-term space needs of the Department; and

WHEREAS, a six-month lease renewal provides more time for clarity surrounding the long-term impact of these factors before entering into a long-term agreement; and

WHEREAS, the Department of Social Services did not solicit lease proposals due to its management’s focus on responding to the COVID-19 crisis and the aforementioned uncertainty; and

WHEREAS, the County included funds for this lease in the 2020 Adopted Budget; therefore, there will not be a fiscal impact to the County in 2020.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to execute the lease extension for 43 Court Street at the rental amount of \$24,013.82 per month 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 Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

43 COURT STREET REALTY COMPANY
43 COURT STREET, SUITE 910
BUFFALO, NEW YORK 14202

LEASE EXTENSION AGREEMENT

APRIL 27, 2020

WHEREAS, the County of Erie, on behalf of the Erie County Department of Social Services (hereinafter referred to as "Tenant") and 43 Court Street Realty Company (hereinafter referred to as "Landlord") entered into a Lease Agreement (hereinafter referred to as the "Lease") dated October 20, 1999 and,

WHEREAS, the Landlord and Tenant subsequently entered into the following: a certain Lease Addendum Agreement dated November 24, 2004; a certain Lease Modification and Extension Agreement dated June 22, 2010; a certain Lease Modification Agreement dated June 11, 2012, and a certain Lease Extension and Modification Agreement dated July 15, 2015, (hereinafter collectively referred to as "Addenda"), and

WHEREAS, the Landlord and Tenant desire to extend the Lease and Addenda by way of this Lease Extension Agreement, and

NOW THEREFORE, the parties agree as follows:

1.) The Lease Term shall be extended for an additional period of Six (6) Months ("Extension Period"), commencing on July 13, 2020 and expiring at midnight on January 12, 2021.

2.) The Rent for the Leased Premises (21,034 square feet) during the Extension period shall be:
\$24,013.82 per month; and

Landlord and Tenant warrant and represent that neither party has had any dealings with any realtor, broker, or agent in connection with this agreement, and the parties agree to hold each other harmless from any cost, expense or commission.

Except for the items described herein, all other terms and conditions of the Lease dated October 20, 1999 and the Addenda shall remain in full force and effect

Lease Extension and Modification Agreement

EXHIBIT "A"

2nd FLOOR

- HVAC duct cleaning.
- Updates necessary to have better temperature control on the southwest offices, May require additional zones to be added to enhance A/C level.

- Provide updated restroom stalls.
- Update ceiling vent for better air flow in restrooms.
- Paint reception area; color chosen by Tenant.
- Update flooring in reception and hallway to LVT; selection made by Tenant.
- Furnish and install kitchen sink and cabinet in break room.

3rd FLOOR

- HVAC duct cleaning.

Updates necessary to have better temperatures control on the southwest offices. May require additional zones to be added to enhance A/C level.

(6-0)

4. COMM. 10E-14 (2020)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services (“Department”) serves as a representative payee for many Adult Protective Service clients; and

WHEREAS, in this role, the Department receives Social Security or SSI benefits for individuals unable to manage or direct the management of his or her benefits; and

WHEREAS, Department employees assist the individual with money management, along with protection from financial abuse and victimization; and

WHEREAS, As the representative payee for approximately 900 adults in Erie County, the Department has a moral and legal obligation to verify it is abiding by its fiduciary responsibilities; and

WHEREAS, the Department is seeking forensic case review and operational evaluation services to examine a set of representative payee cases. Desired services include gathering all documents required for a comprehensive fiscal review, analyzing case activity for each case reviewed, working collaboratively with legal partners if necessary, and drafting a comprehensive report of findings; and

WHEREAS, the Department distributed a request-for-proposal for this service and received only one response. The scoring committee determined that Bonadio & Company LLP, the sole respondent, exceeded the qualifications for this service and recommended the Department enter into a contract; and

WHEREAS, the Department of Social Services has a long-standing contractual relationship with Bonadio & Co. LLP. Bonadio & Co. has provided forensic accounting services for the Department of Social Services to examine a subset of Medicaid cases; and

WHEREAS, the Department wants to expand the services it utilizes from Bonadio & Co. LLP but does not have Legislative authorization to do so; and

WHEREAS, funds are available in the adopted 2020 County Budget in Account 516021 (Bonadio Group - Professional Services Contract), there is no additional local share necessary for these awards, and there is no budgetary impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature hereby authorizes the County Executive and the Commissioner of Social Services to enter into a contract with Bonadio & Company, LLP for forensic case review and operational evaluation services from available 2020 funds in Funds Center 120, Account 516021 (Bonadio Group - Prof Svc Contract) in the Department of Social Services; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Social Services.
(6-0)

LISA M. CHIMERA
CHAIR

Item 15 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

May 14, 2020	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10E-1 (2020)
BASKIN: “Letter to NFTA Regarding Establishment of Official COVID-19 Policy for Public Buses & Further Measures Necessary”
(Chair’s Ruling)
 - b. COMM. 10E-8 (2020)
BASKIN: “Letter to WNY Legislature Delegation Concerning NFTA Policies Regarding Buses During COVID-19 Outbreak”
(Chair’s Ruling)
2. COMM. 10E-11 (2020)

COUNTY EXECUTIVE

WHEREAS, the Mount Aaron Village Project consists of 59 units of affordable housing in the City of Buffalo located at 695 Genesee Street; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for The Mount Aaron Village LLC and /or The Mount Aaron Village Housing Development Fund Company, Inc. to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with The Mount Aaron Village LLC, The Mount Aaron Village Housing Development Fund Company, Inc., the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; 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 Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

SCHEDULE A
PILOT Payments

Year	Total	City	County
1	13,835.46	10,376.60	3,458.87
2	14,250.52	10,687.89	3,562.63
3	14,678.04	11,008.53	3,669.51
4	15,118.38	11,338.79	3,779.60
5	15,571.93	11,678.95	3,892.98
6	16,039.09	12,029.32	4,009.77
7	16,520.26	12,390.20	4,130.07
8	17,015.87	12,761.90	4,253.97
9	17,526.35	13,144.76	4,381.59
10	18,052.14	13,539.10	4,513.03
11	18,593.70	13,945.28	4,648.43
12	19,151.51	14,363.63	4,787.88
13	19,726.06	14,794.54	4,931.51

14	20,317.84	15,238.38	5,079.46
15	20,927.37	15,695.53	5,231.84

(6-0)

3. COMM. 10E-13 (2020)
COUNTY EXECUTIVE

WHEREAS, the County of Erie previously entered into an Agreement with LaBella Associates, D.P.C. to provide professional architecture and engineering services for the Buffalo & Erie County Public Library – 2017 Auditorium Renovations – Phase 2 project (herein called the “Project”); and

WHEREAS, an increase in the design contingency is required for additional professional design and construction administration services related to the Project and to complete the construction administration phase; and

WHEREAS, any allowance and A/E design contingency funds that remain unspent will be returned to the capital budget; and

WHEREAS, an Agreement Amendment is required to complete the construction administration phase of the Project; and

WHEREAS, the County Executive is requesting authorization to enter in an Agreement Amendment with LaBella Associates, D.P.C. to increase the design contingency for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment with LaBella Associates. D.P.C. to increase the A/E design contingency in the amount of \$10,000 for the Project; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from the previously approved, as adopted capital project in Fund 490, Funds Center 122 as follows:

F.17001 – Mechanical, Electrical and Plumbing Improvements – \$10,000
Buffalo and Erie County Public Library

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 Chief Financial Officer Kenneth Stone of the Buffalo and Erie County Public Library.

(6-0)

4. COMM. 10E-17 (2020)
COUNTY EXECUTIVE

WHEREAS, the Resurfacing of Wehrle Drive (CR 290) from Harlem Rad (NYS 240) to Aero Drive (CR 324), Towns of Amherst and Cheektowaga, PIN 5763.31 (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 cost share is 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 share 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 share of the costs of the Engineering Design (Phases I-VI) phase of the Project; and

WHEREAS, the total cost of the Design Engineering phase of this Project is \$300,000, the required 20% local share is \$60,000, and the 80% federal share is \$240,000, available in Capital Project B.18004, 2018 Preservation of Roads, Fund 420, Funds Center 123; and

WHEREAS, the firm of C&S Companies, after a public RFQ process, has been selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the resurfacing of the above noted segment of Wehrle Drive (CR 290).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Resurfacing of Wehrle Drive, PIN 5763.31 (the "Project"); and be it further

RESOLVED, that the County Executive be authorized to execute the Agreement with the NYSDOT, a negotiated Contract between the County of Erie and the selected Project Design Engineers, C&S Companies, for engineering design services in an amount not to exceed \$300,000, 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 \$300,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the federal 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.18004, 2018 Preservation of Roads, Fund 420, Funds Center 123, be increased by the anticipated \$240,000 in Federal revenue as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET

414000	Federal Aid	\$ 0	\$240,000	\$240,000
475000	Gen Oblig Bond Proc	<u>\$500,000</u>	<u>\$ 0</u>	<u>\$500,000</u>
TOTAL REVENUES		<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>
TOTAL APPROPRIATIONS		<u>\$500,000</u>	<u>\$240,000</u>	<u>\$740,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$300,000 for Design Engineering is hereby appropriated from Capital Project B.18004, 2018 Preservation of Roads, 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 (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 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)

HOWARD J. JOHNSON, JR.
CHAIR

Item 16 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108

May 14, 2020	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6M-6 (2020)
JAMES BANKS: “Application for Position of Commissioner of ECWA”
(Chair’s Ruling)
 - b. COMM. 8M-4 (2020)
PEGGY LAGREE: “Application for Position of Commissioner of ECWA”
(Chair’s Ruling)
 - c. COMM. 10E-10 (2020)
COUNTY EXECUTIVE: “ECSD No. 6 – Engineering Agreement – Well St. & Wilmuth St.
Pumping Stations Electrical Upgrades”
(Chair’s Ruling)
2. COMM. 6E-34 (2020)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 43 at 2:00 p.m. on April 8, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 43	Skandex Pipe Services, Inc. 753 Rowley Road	\$777,559.00

Victor, NY 14564

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects similar to Contract No. 43 for other municipalities; and

WHEREAS, the Division of Sewerage Management has determined that this 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; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 1 Capital Bond Account C.00057.

NOW, THEREFORE, BE IT

RESOLVED, that the Indian Church Road Cured In Place Pipe Lining Project, Erie County Sewer District No. 1, Contract No. 43 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 43	Skandex Pipe Services, Inc. 753 Rowley Road Victor, NY 14564	\$777,559.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, 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 County Comptroller is authorized and directed to allocate \$777,559.00 from Erie County Sewer District No. 1, Capital Bond Account C.00057 for Contract No. 43; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

3. COMM. 10E-15 (2020)
COUNTY EXECUTIVE

WHEREAS, the County of Erie must maintain countywide facilities that fall under New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) regulations; and

WHEREAS, to maintain compliance and avoid fines and penalties, the Department of Public Works must hire a qualified consultant to assist in design and construction remedies; and

WHEREAS, the Erie County Department of Public Works received professional Architectural/Engineering design services proposals for the 2020 Countywide NYSDEC Environmental Compliance Term Agreement project (herein called the “Project”) on January 10, 2020; and

WHEREAS, Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. has the necessary expertise and manpower to provide professional design and construction services for the Project; and

WHEREAS, the County Executive requests authorization to enter into an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Architectural/Engineering Services for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing the above Professional Architectural/Engineering Services for the Project for an amount not to exceed \$225,000, including a design contingency; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payments for all the above from Fund 410, Funds Center 122 as follows:

A.13007 – 2013 EPA Environmental Regulatory Compliance	\$ 225,000
Total Payment not to Exceed:	\$ 225,000

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.
(6-0)

TIMOTHY J. MEYERS
CHAIR

Item 17 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109

May 14, 2020	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10E-9 (2020)
COMPTROLLER & COUNTY CLERK: "Letter to NYS Comptroller Regarding Ventilator Expenditure"
(Chair's Ruling)
 - b. COMM. 10D-3 (2020)
COMPTROLLER'S OFFICE, DIVISION OF AUDIT: "Report on Likely Reduced Sales Tax Collections in EC"
(Chair's Ruling)
 - c. COMM. 10D-4 (2020)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending 03/2020"
(Chair's Ruling)
 - d. COMM. 10D-5 (2020)
DEPUTY COMPTROLLER: "Letter Concerning March Sales Tax Receipts"
(Chair's Ruling)

2. COMM. 2D-1 (2020)
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 220053 through 220084, 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	2020	Petition No.	220,053.00
	ASSESSOR	Refund	\$250.22
S-B-L	91.20-8-3	101 Evergreen P1143089	CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$250.22	Town/SpecialDist/School
19 Curb 19-23	\$250.22		
Charge To :	143089 CHEEKTOWAGA	\$0.00	

RPTL 550(20): Applied special district in error
Refund to be issued to Lynn Miller

FISCAL YEAR 2020 Petition No. 220,054.00

	ASSESSOR	Refund	\$338.00
S-B-L 123.28-2-5.1	118 Meadowbrook	143089 CHEEKTOWAGA	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$338.00	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$338.00	

RPTL 550(2): Error in calculating special district
Refund to be issued to Martin Gutowski

FISCAL YEAR 2020 Petition No. 220,055.00

	ASSESSOR	Refund	\$65.37
S-B-L 214.00-2-9.121	Darien Rd	143400 COLDEN	

	Acct. No. 112	\$46.98	County
	Acct. No. 132	\$18.39	Town/SpecialDist/School
Charge To :	143400 COLDEN	\$18.39	

RPTL 550(2): Failed to apply Ag exemption
Refund to be issued to Mark & Katherine Stoehr

FISCAL YEAR 2019 Petition No. 220,056.00

	ASSESSOR	Refund	\$157.64
S-B-L 214.00-2-9.121	Darien Rd	143400 COLDEN	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$157.64	Town/SpecialDist/School
Charge To :	143400 COLDEN	\$157.64	
	Relevy School	\$157.64	143801 SPRING-GRIFFITH

RPTL 550(2): Failed to apply Ag exemption
Refund to be issued to Mark & Katherine Stoehr

FISCAL YEAR 2017 Petition No. 220,057.00

 ASSESSOR Refund \$793.00
S-B-L 350.00-3-6.212 2570 Allen Rd 143689 COLLINS

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$793.00 Town/SpecialDist/School
Charge To : 143689 COLLINS \$793.00
 Relevy School \$793.00 047201 GOWANDA

CENTRAL

RPTL 550(2): Failed to apply Enhanced STAR exemption
Refund to be issued to The Chester & Shirley Grudzien Family Trust

FISCAL YEAR 2020 Petition No. 220,058.00

 ASSESSOR Refund \$481.41
S-B-L 238.00-4-33.11 9217 S State Rd 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$481.41 Town/SpecialDist/School
40050 ERIE CO SEW DST 2 \$481.41
Charge To : 144000 EDEN \$0.00

RPTL 550(2): Error in calculation of special district
Refund to be issued to Bruce Bauer

FISCAL YEAR 2019 Petition No. 220,059.00

 ASSESSOR Refund \$476.68
S-B-L 238.00-4-33.11 9217 S State Rd 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$476.68 Town/SpecialDist/School
40050 ERIE CO SEW DST 2 \$476.68
Charge To : 144000 EDEN \$0.00

RPTL 550(2): Error in calculation of special district
Refund to be issued to Bruce Bauer

FISCAL YEAR 2018 Petition No. 220,060.00

 ASSESSOR Refund \$449.51
S-B-L 238.00-4-33.11 9217 S State Rd 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$449.51 Town/SpecialDist/School

40050 ERIE CO SEW DST 2 \$449.51
Charge To : 144000 EDEN \$0.00

RPTL 550(2): Error in calculation of special district
Refund to be issued to Bruce Bauer

FISCAL YEAR 2020 Petition No. 220,061.00
ASSESSOR Refund \$316.18
S-B-L 255.00-3-3.2 3550 Yochum Rd 144000 EDEN

Acct. No. 112 \$176.49 County
Acct. No. 132 \$139.69 Town/SpecialDist/School
Charge To : 144000 EDEN \$139.69

RPTL 550(2): Error in calculating Ag exemption
Refund to be issued to Steven Gemza & Catherine Falkner-Gemza

FISCAL YEAR 2020 Petition No. 220,062.00
ASSESSOR Cancel \$1,670.65
S-B-L 220.09-1-35 462 Roat Dr 144489 EVANS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,670.65 Town/SpecialDist/School
Charge To : 144489 EVANS \$1,670.65
Relevy School \$1,670.65 144401 LAKE SHORE

CENTRAL

RPTL 550(2): Relevied school tax in error
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 220,063.00
ASSESSOR Cancel \$157.73
S-B-L 246.10-1-4 370 Main St 145000 HOLLAND

Acct. No. 112 \$88.54 County
Acct. No. 132 \$69.19 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$69.19

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

FISCAL YEAR 2019 Petition No. 220,064.00
ASSESSOR Refund \$162.23
S-B-L 246.10-1-4 370 N Main St 145000 HOLLAND

	Acct. No. 112	\$91.23	County
	Acct. No. 132	\$71.00	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$71.00

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Suzanne Draper

FISCAL YEAR 2019 Petition No. 220,065.00

	ASSESSOR	Refund	\$222.53
S-B-L 246.10-1-4	370 N Main St	145000 HOLLAND	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$222.53	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$222.53
	Relevy School	\$222.53	145001 HOLLAND

CENTRAL

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Suzanne Draper

FISCAL YEAR 2018 Petition No. 220,066.00

	ASSESSOR	Refund	\$160.90
S-B-L 246.10-1-4	370 N Main St	145000 HOLLAND	

	Acct. No. 112	\$92.96	County
	Acct. No. 132	\$67.94	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$67.94

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Suzanne Draper

FISCAL YEAR 2018 Petition No. 220,067.00

	ASSESSOR	Refund	\$233.23
S-B-L 246.10-1-4	370 N Main St	145000 HOLLAND	

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$233.23	Town/SpecialDist/School
Charge To :	145000 HOLLAND		\$233.23
	Relevy School	\$233.23	145001 HOLLAND

CENTRAL

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Suzanne Draper

FISCAL YEAR 2017 Petition No. 220,068.00

ASSESSOR Refund \$231.72
S-B-L 246.10-1-4 370 N Main St 145000 HOLLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$231.72 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$231.72
Relevy School \$231.72 145001 HOLLAND

CENTRAL

RPTL 550(2): Failed to apply veterans exemption
Refund to be issued to Suzanne Draper

FISCAL YEAR 2020 Petition No. 220,069.00

ASSESSOR Refund \$393.45
S-B-L 115.06-1-1 103 Woodlawn Ave 145201 DEPEW

Acct. No. 112 \$273.14 County
Acct. No. 132 \$120.31 Town/SpecialDist/School
Charge To : 145201 DEPEW \$120.31

RPTL 550(2): Failed to apply Aged exemption
Refund to be issued to Elizabeth J. Whiting

FISCAL YEAR 2019 Petition No. 220,070.00

ASSESSOR Refund \$1,751.01
S-B-L 128.04-4-2 11029 Clinton St 145400 MARILLA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,751.01 Town/SpecialDist/School
Charge To : 145400 MARILLA \$1,751.01
Relevy School \$1,751.01 142001 ALDEN CENTRAL

RPTL 550(2): Failed to apply Aged exemption
Refund to be issued to Adeline Hejmanowski

FISCAL YEAR 2020 Petition No. 220,071.00

ASSESSOR Cancel \$536.99
S-B-L 128.04-4-2 11029 Clinton St 145400 MARILLA

Acct. No. 112 \$510.55 County
Acct. No. 132 \$26.44 Town/SpecialDist/School
Charge To : 145400 MARILLA \$26.44

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

OWNER Cancel \$0.00
S-B-L 347.06-3-5 500 & 504 S Casca 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$0.00
Deny petition

FISCAL YEAR 2017 Petition No. 220,081.00

OWNER Cancel \$0.00
S-B-L 347.06-3-5 500 & 504 S Casca 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$0.00

Deny petition

FISCAL YEAR 2017 Petition No. 220,082.00

OWNER Cancel \$0.00
S-B-L 347.06-3-5 500 7 504 S Cascad 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$0.00

Deny Petition

FISCAL YEAR 2017 Petition No. 220,083.00

OWNER Cancel \$0.00
S-B-L 246.10-1-4 370 N Main st 145000 HOLLAND
Acct. No. 112 \$0.00 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$0.00

Deny petition

FISCAL YEAR 2016 Petition No. 220,084.00

ASSESSOR Cancel \$0.00
S-B-L 246.10-1-4 370 N Main St 145000 HOLLAND

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

Deny petition

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(6-0)

3. INTRO. 10-10 (2020)

CHIMERA, BASKIN, MEYERS,
HARDWICK, JOHNSON, GILMOUR & VINAL

WHEREAS, as a result of the COVID-19 pandemic and the resulting states of emergency issued to help stop the spread of the coronavirus, Erie County has experienced a significant loss of revenues, including sales tax, hotel occupancy tax, and others; and

WHEREAS, this revenue loss negatively affects not just the County government, but the cities, towns, villages and school districts in Erie County which cumulatively receive approximately 45% of the County's 4.75% local sales and compensating use tax; and

WHEREAS, due to New York State's underlying budget deficit – prior to the COVID-19 outbreak – and enhanced by the coronavirus, the State government is reducing State aid to local governments, including the County by 20% and perhaps as much as a 50% reduction; and

WHEREAS, on May 4, 2020, the Erie County Comptroller formally declared the County to have a 2020 Budget deficit, stating that the 2020 deficit is \$206.6 million; and

WHEREAS, the Erie County Division of Budget and Management has indicated their projection of the 2020 Budget gap to be \$230 million; and

WHEREAS, in response to the budget gap, the County Executive has already engaged in measures including a hiring freeze and directing departments to develop plans to reduce their budgets and spending for the remainder of 2020 at a time when people need services and government assistance more than ever; and

WHEREAS, this financial situation – one shared by local governments – is not due to any actions by the County government or our local government partners and will likely continue into 2021; and

WHEREAS, the federal government has already enacted several economic recovery legislative packages providing financial assistance to governments to directly provide COVID-19 assistance, as well as other relief packages for unemployed workers and small businesses; and

WHEREAS, the federal government has not yet provided any economic recovery packages to local governments to address revenue shortfalls and gaps caused by the pandemic.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature respectfully calls on the President and the Congress to develop an economic recovery program and funding for local governments to specifically address the revenue gaps created by the COVID-19 pandemic; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the President, the US Senate Majority and Minority Leaders, the Speaker and Minority Leader of the US House of Representatives, Senator Kirsten Gillibrand and Representative Brian Higgins.
(6-0)

TIMOTHY J. MEYERS
CHAIR

LEGISLATOR RESOLUTIONS

Item 18 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. RATH seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. (AYES: 4; NOES: 7)

FAILED.

INTRO. 11-1 from LORIGO, RATH, TODARO & MILLS. Opposition to Executive Order Delaying Plan to Close Budget Deficit.

Item 19 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. RATH seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. (AYES: 4; NOES: 7)

FAILED.

INTRO. 11-2 from LORIGO, RATH, TODARO & MILLS. Creation of the EC Deficit Reduction Working Group.

Item 20 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. RATH seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. (AYES: 4; NOES: 7)

FAILED.

INTRO. 11-3 from MILLS. Resuming EC Legislature Proceedings in Legislative Chambers.

Item 21 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. NOES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

RESOLUTION NO. 110

RE: Support for Federal Stimulus
Funding for EC & Local
Governments
(INTRO. 11-4)

**A RESOLUTION SUBMITTED BY
LEGISLATORS BASKIN, MEYERS, HARDWICK, JOHNSON,
CHIMERA, VINAL AND GILMOUR**

WHEREAS, among the terrible medical issues, illnesses and tragic deaths, the COVID-19 pandemic has resulted in a massive loss of revenues to Erie County and to the cities, towns, villages and school districts that receive sales tax revenue from the County; and

WHEREAS, current estimates of the size of the revenue loss for Erie County government alone are in the \$206.6 million-\$230 million range (worst case scenario); and

WHEREAS, analysts say the pandemic is the worst economic crisis to affect the United States since the Great Depression; and

WHEREAS, county and local governments across the country have requested and pled for federal financial assistance to address the crisis, similar to the federal financial assistance provided to localities after the Great Recession in 2008-2009, wherein Erie County received over \$100 million in federal stimulus funds which were provided with no conditions and helped to cover revenue gaps; and

WHEREAS, on May 12, 2020, the US House of Representatives introduced a coronavirus financial assistance bill that would allocate more than \$3 trillion to states, local governments, and health systems, as well as provide a second round of stimulus checks to millions of Americans; and

WHEREAS, the legislation, called the Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act) would allocate a proposed \$516.6 million in federal financial assistance to Erie County over two years, more than closing and addressing the 2020 budget gap and closing a certain 2021 budget gap also; and

WHEREAS, the legislation would also appropriate and allocate millions of dollars to the cities, towns and villages in Erie County, providing fiscal relief to our local partners; and

WHEREAS, for instance, as proposed, the Town of Alden would receive \$4.9 million, the Town of Aurora would receive \$6.8 million, the Town of Clarence would receive \$16.1 million, the Town of Concord would receive \$4.1 million, the Town of Elma would receive \$5.8 million, the Village of Kenmore would receive \$7.4 million, the City of Lackawanna would receive \$8.7 million, the Town of Lancaster would receive \$21.3 million, the Town of Newstead would receive \$4.2 million, the Town of Orchard Park would receive \$14.5 million, the Town of West Seneca would receive \$22.3 million, and the Village of Williamsville would receive \$2.5 million; and

WHEREAS, the bill establishes a \$200 billion “Heroes Fund” to extend hazard pay to essential workers, send a second and larger round of direct payments to individual Americans, up to \$6,000 per household, increase nutrition assistance benefits, provide \$175 billion in housing assistance, extends a \$600 weekly increase in unemployment insurance through January 2021, and directs an additional \$75 billion for coronavirus testing and contact tracing; appropriate \$850 million for states to provide child and family care for essential workers, and provide funding for personal protective equipment for emergency health care and essential workers; and

WHEREAS, the HEROES Act funding for the County would close 2020 and potential 2021 Erie County budget gaps due to the loss of state aid, sales tax, hotel occupancy tax, mortgage recording tax and transfer tax revenues, among others, and potentially forestall and prevent reductions in spending on important programs and the reductions in force of County employees via layoffs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the HEROES Act, especially its provisions for providing financial assistance to local governments to close COVID-19

revenue gaps, urges the US House of Representatives to approve said legislation, urges the US Senate to introduce and pass a companion bill, and urges the President to sign said legislation into law expeditiously; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the President, the Majority Leader of the US Senate, US Senators Charles Schumer and Kirsten Gillibrand, the Speaker of the US House of Representatives, US Representatives Brian Higgins and Thomas Reed, and the Erie County Executive and County Comptroller.

Item 22 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

RE: Support for Investigation into
NYS's Response to the COVID-
19 Outbreak at State Regulated
Nursing Homes
(INTRO. 11-5)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS RATH, LORIGO, TODARO & MILLS**

WHEREAS, NYS has seen almost 5,400 confirmed or suspected COVID-19 deaths in nursing homes and other adult care facilities; and

WHEREAS, in Erie County over half of the deaths attributable to COVID-19 infection stem from nursing facilities; and

WHEREAS, the number of infected residents in NYS is directly attributable to Cuomo's policies, the negative impacts of which have been compounded by low staffing levels, vulnerability of the target population, and insufficient supply of personal protective equipment; and

WHEREAS, NYS has enacted a mandate that nursing homes accept COVID patients who have been deemed "medically stable." This directive of the NYS Health Department was recently rescinded but not before it put many of the state's nursing home residents at unnecessary risk of infection; and

WHEREAS, Governor Cuomo has indicated he intends to have the NYS Attorney General's office investigate what happened and that the NYS Health Department would lead the investigation; and

WHEREAS, it is difficult to see how the Health Department can reasonably be expected to evaluate their own policies and decisions that could have directly resulted in the deaths of thousands more residents than would have happened had they simply not made any of the questionable directives; and

WHEREAS, there are bipartisan calls from state legislators, including Chairman of the Assembly Health Committee Assemblyman Richard Gottfried (D), Senate Health Committee Chairman Senator Gustavo Rivera (D), and Republican Senate and Assembly leadership, for an independent probe into the high rates of Covid-19 deaths at nursing homes. Local representatives have also weighed in supporting an independent investigation, including Senators Pat Gallivan, Rob Ort, and Chris Jacobs.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body is in support of, and hereby calls for, an independent inquiry and public hearings to review the circumstances regarding the high number of Covid-19 infections and fatalities at nursing homes, and make recommendations to ensure the safety and wellbeing of each resident and employee; and be it further

RESOLVED, this honorable body calls on the NYS Attorney General's Office and the Commissioner of the Department of Health to recuse themselves from any investigation into the administration's actions and the actions of the health department and to allow investigation to be conducted by an independent investigator; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Delegation to the New York State Senate and Assembly, the New York State Attorney General's office, the office of the Governor of New York, the Commissioner of the NYS Department of Health, and any other party deemed necessary and proper.

MR. MEYERS moved to amend the resolution with content, and by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Delete the 3rd, 5th and 6th Whereas Clauses and Replace with the Following:

WHEREAS, there have been many local examples and cases in which patients and staff in nursing homes, skilled nursing facilities, and assisted living facilities have contracted COVID-19, leading to many deaths of patients and at least one employee, as problems in such facilities have included staffing levels, vulnerability of the population, and insufficient supplies of personal protective equipment; and

WHEREAS, the Governor recently stated that the New York State Department of Health and New York State Attorney General's Office would conduct an investigation into the CIVID-19 deaths and outbreaks, raising questions and concerns about the propriety of the State Health Department, which regulates and oversees such facilities, conducting an investigation of itself; and

Delete the 2nd Resolve Clause in its Entirety and Replace with the Following:

RESOLVED, that the Erie County Legislature expresses its support for the establishment of an independent investigator, working with the New York State Attorney General's Office, to inquire into this matter; and be it further

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

CARRIED UNANIMOUSLY.

Item 23 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

RE: Support for Inquiry into
Processing of State
Unemployment Benefit Claims
(INTRO. 11-6)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS TODARO, LORIGO, RATH & MILLS**

WHEREAS, due to the Covid-19 pandemic, a record number of Americans are out of work, leading to the national unemployment rate increasing to 14.7% in April, 2020, according to the Bureau of Labor Statistics; and

WHEREAS, over 1.8 million New Yorkers have received more than \$7 billion in unemployment benefits since the beginning of the pandemic, while \$2.1 billion in benefits were paid in all of 2019; and

WHEREAS, thousands of individuals have been waiting numerous weeks or in many cases more than a month or two to successfully apply for unemployment benefits; and

WHEREAS, despite the NYS Department of Labor's efforts, which include (DOL) hiring an additional 3,000 employees to process and distribute unemployment benefits, implementing a new online portal for applications developed by Google Cloud after the DOL website crashed due to the volume, and a recent announcement that the DOL will begin emailing and texting applicants a status update for their claims; and

WHEREAS, the severe lag time between initially filing for unemployment and finally receiving unemployment benefits is causing major financial hardship for thousands of New York families; and

WHEREAS, it is the finding of this Honorable Body that there needs to be an efficient processing of existing and new unemployment benefit claims; and

WHEREAS, it is the finding of this Honorable Body that the state Assembly and state Senate need to hold hearings with the DOL and appropriate agency heads to seek an action plan and

additional measures that could be implemented to reduce the backlog of claims and efficiently process new claims, and this Honorable Body requests the state Comptroller's Office conduct a performance audit of DOL's procedures and processing of unemployment applications; and

WHEREAS, several state lawmakers, including state Senators Joseph Griffo and James Seward, and Assemblymembers Marianne Buttenschon and Mark Walczyk are calling for the above noted action to increase oversight and accountability, to improve DOL's management of the unemployment claims process.

NOW, THEREFORE, BE IT

RESOLVED, this Honorable Body supports a state legislature inquiry into processing delays of unemployment benefits, and to seek measures to increase the processing of new and existing unemployment benefit claims; and be it further

RESOLVED, this Honorable Body supports a performance audit to be conducted by the state comptroller of the Department of Labor's procedures and administration of the unemployment insurance program; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, State Comptroller Thomas NiNapoli, Department of Labor Commissioner Roberta Reardon, WNY delegation of the State Senate and Assembly, and all other parties deemed necessary and proper.

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. JOHNSON seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 24 – MR. MEYERS moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of INTRO. 10-11 (2020). MR. JOHNSON seconded.

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. NOES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

RESOLUTION NO. 113

RE: 2020 Budget Measures to Address

Budget Gap
(INTRO. 10-11, 2020)

**A RESOLUTION SUBMITTED BY
LEGISLATORS VINAL, BASKIN, MEYERS, HARDWICK,
JOHNSON, CHIMERA & GILMOUR**

WHEREAS, due to the COVID-19 pandemic and the state of emergency declared in New York State and Erie County, and the NY-Pause gubernatorial executive order designed to maintain social distancing and stop the spread of coronavirus, many businesses and entities have been closed; and

WHEREAS, this has helped cause a situation in which Erie County, like other local governments across the state and country, is not receiving significant revenues from sales tax, hotel occupancy taxes, and other revenues such as County Clerk fees; and

WHEREAS, the Erie County Division of Budget and Management has variously estimated a negative fiscal impact in 2020 from a loss of revenue to the County government of between \$198 million and \$230 million; and

WHEREAS, on April 30, 2020, the County Executive held a conference call with Erie County elected officials and informed them that he was asking all County departments to develop contingency plans for proposed reductions to their 2020 budgets and spending for the rest of 2020 by 13%, and to submit said plans to his office by May 14, 2020 for review; and

WHEREAS, on May 4, 2020, the Erie County Comptroller issued a letter to the Legislature declaring the existence of a \$206.6 million deficit in the County's 2020 fiscal year and this action was done without consultation with the Division of Budget and Management or the County Executive; and

WHEREAS, Section 2511 of the Erie County Charter prescribes a process and timeline for the County Executive, Comptroller, and County Legislature to follow when a deficit is formally declared; and

WHEREAS, the County's Budget Monitoring Report for the first three months of 2020, issued on May 5, 2020, shows that the County has a \$2.5 million positive variance for the first quarter as closed by the Comptroller's Office and for which all revenue and expense accruals has been completed for 2020 so far; and

WHEREAS, this suggests that while the County has a looming budget gap that needs to be addressed, for the quarterly reporting period that was just formally closed on April 30 2020, the County did not have a "deficit"; and

WHEREAS, it is clear that the County faces significant fiscal challenges due to the COVID-19 pandemic and the loss of revenues, for which the County Executive has been in a variety of discussions and dialogue with County officials concerning a variety of remedial actions to close the future budget gap; and

WHEREAS, the County Executive is engaged in discussions with the National Association of Counties and US Senator Charles Schumer, both in his role as a Senator representing New York, as well as Minority Leader of the US Senate, seeking federal economic recovery/stimulus funding for local governments to address COVID-19 revenue losses; and

WHEREAS, there are ongoing negotiations and discussions about a possible new round of federal stimulus funding for local governments designed to address revenue gaps or amendment of the CARES Act, and according to federal representatives, potential action on this may occur by the end of May 2020; and

WHEREAS, while contingency planning for possible reductions in County spending to address the COVID-19 revenue loss should begin and should be in-progress for all departments, it is premature to trigger the Section 2511 deficit provisions of the Erie County Charter and to formally act and reduce or terminate County spending, including potentially on important community services such as parks, libraries, cultural, road work, public health, and public assistance programs that the public needs, deserves and wants, until such time as the status of federal stimulus funding is determined, because such federal funding could help to offset County spending reductions, help preserve critical County services, and reduce the amount of the County's looming 2020 deficit.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature reaffirms its commitment to fiscal responsibility and the provisions in Section 2511 of the Erie County Charter requiring action to address a deficit; and be it further

RESOLVED, that this Honorable Body hereby informs the County Executive of our willingness to allow him to formally transmit a 2020 deficit reduction plan to this Body on/by June 2, 2020, to provide time for federal negotiations and discussions to continue on establishing federal stimulus plan for local governments to address the COVID-19 revenue losses; and be it further

RESOLVED, that the Erie County Division of Budget and Management and Comptroller's Offices are directed to attend upcoming meetings of the Legislature's Finance and Management Committee to discuss the looming budget gap and contingency measures which can be undertaken or considered; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to the County Executive, Comptroller, and Erie County government independent elected officials.

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

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. NOES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

Add the Following New Whereas Clauses:

WHEREAS, responding to the COVID-19 revenue gaps in state and local governments, federal representatives have proposed or adopted legislation, such as the HEROES Act and the SMART Fund, which would allocate federal stimulus/economic recovery funding to local governments to help address their revenue gaps; and

WHEREAS, on May 8, 2020, the County Executive issued an Executive Order suspending or modifying Section 2511 of the Erie County Charter, specifically its provision requiring him to submit a deficit reduction plan by May 11, 2020, and specifying he shall submit said plan by June 4, 2020.

Delete the 2nd Resolve Clause in its Entirety and Replace with the Following:

RESOLVED, that this Honorable Body hereby informs the County Executive of our willingness to allow him to formally transmit a 2020 deficit reduction plan to this Body on/by June 4, 2020, to provide time for federal negotiations and discussions to continue on establishing federal stimulus plans for local governments to address the COVID-19 revenue losses and in order for the Executive to further develop planning and proposals to forestall or mitigate devastating reductions in Erie County services, programs or positions; and be it further

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

CHAIR BASKIN directed that a roll-call vote be taken.

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS, and MS. VINAL. NOES: MR. LORIGO, MR. MILLS, MR. RATH, and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR VINAL

Item 25 – (COMM. 11E-1) Letter to Comptroller Regarding Items in the Legislature

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY CLERK

Item 26 – (COMM. 11E-2) COVID-19 Response Funding Request - Foreclosure Prevention & Relief Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 27 – (COMM. 11E-3) Letter to Legislature Regarding May Deficit Declaration Letter from Comptroller

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR GILMOUR

Item 28 – (COMM. 11E-4) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

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, below is the list of my family members employed by any government organization in any capacity:

Kristin Gilmour (spouse), Hamburg Central Schools
Brian Moran (uncle), Erie County Department of Public Works
Julie Moran (aunt), Buffalo Public Schools
Pat Moran (cousin), Buffalo Fire Department
Morgan Moran (cousin), Buffalo Public Schools
David Gilmour (uncle), City of Buffalo, Department of Inspections

Thank you in advance for your assistance.

Sincerely,

John Gilmour
Erie County Legislator

FROM LEGISLATOR VINAL

Item 29 – (COMM. 11E-5) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

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, below is the list of my family members employed by any government organization in any capacity:

Gregory Vinal, Jr. (son), teaching assistant and tutor, mathematics, University of Buffalo
One niece also works for the US Department of State (overseas)

Thank you in advance for your assistance.

Sincerely,

Jeanne Vinal
Erie County Legislator

FROM LEGISLATOR MEYERS

Item 30 – (COMM. 11E-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.

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, below is the list of my family members employed by any government organization in any capacity:

Valerie Meyers (spouse), Erie County Board of Elections
Marc Meyers (brother), Town of Cheektowaga (until 2019)
Joan Meyers (mother), Town of Cheektowaga

Thank you in advance for your assistance.

Sincerely,

Timothy J. Meyers
Erie County Legislator

FROM LEGISLATOR JOHNSON

Item 31 – (COMM. 11E-7) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

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 LEGISLATOR CHIMERA

Item 32 – (COMM. 11E-8) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

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, below is the list of my family members employed by any government organization in any capacity:

Matthew Chimera (spouse), Kenmore-Tonawanda Union Free School District (until 2019)
John Cipolla (cousin-in-law), Erie County Department of Law
Ted Rymarczyk (brother-in-law), Town of Tonawanda
Elizabeth Leifert (sister), Rye Neck, NY School District
Seri Chimera (Brother-in-law), Kenmore-Tonawanda Union Free School District

Thank you in advance for your assistance.

Sincerely,

Lisa M. Chimera
Erie County Legislator

FROM THE COMPTROLLER

Item 33 – (COMM. 11E-9) Letter to Legislature Concerning Deficit Declaration

Item 34 – (COMM. 11E-10) Interim Financial Report of EC for the First Quarter of 2020

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 35 – (COMM. 11E-11) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Clerk Graber:

Pursuant to the Local Law 2(2018), Section 5c, I am providing a list of family members employed by any government organization:

My wife Debra Flynn is a Teacher's Aide in the Ken-Ton School District.

My daughter Kelsie Flynn works Part-Time in the Town of Tonawanda personnel office, however, she is currently furloughed.

Please contact me you have further questions.

Very truly yours,

JOHN J. FLYNN
DISTRICT ATTORNEY

FROM LEGISLATOR HARDWICK

Item 36 – (COMM. 11E-12) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Mr. Graber:

The purpose of this letter is to comply with our ethics law regarding relatives who hold government positions. The only relatives who are employed by governments in Erie County of whom I am aware are:

- My wife, Deborah L. Hardwick, an elementary teacher for the Buffalo Public Schools; and
- My daughter, Aubrey Hill, who is also an elementary teacher for the Buffalo Public Schools.

In addition, I am aware of the following relatives who live outside of Erie County and are employed by government entities:

- My sister, Peggy Holmes, who is employed by Broome Community College;
- My niece, Alicia Woodard, a police officer in Norwich, NY;

- My nephew, Ricky Green, a state trooper in the State of Connecticut; and
- My nephew, Jason Woodard, who is a police officer in Jackson Township, Pennsylvania

I also have numerous cousins and other relatives who I have lost contact with over the years. To my knowledge, though, none reside in Western New York and I am unaware of any who are employed by government.

Sincerely,

Kevin R. Hardwick
4th District Legislator

FROM THE COMPTROLLER

Item 37 – (COMM. 11E-13) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Clerk Graber:

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

NAME	RELATION	EMPLOYER
Charlene Morales	Sister	US Postal Service
Christine Kowalyk	Mother In Law	Erie Community College *Part time employee *Retired from Erie County, started in 1970
Adam Kowalyk	Brother In Law *Wife's Brother	Erie County *Hired in 2001
Sean McMahon	Brother In Law *Sister's Husband	US Border Patrol
Anne Mychajliw	First Cousin	Buffalo Public Schools

FROM CHAIR BASKIN

Item 38 – (COMM. 11E-14) Rescheduling of the May 7, 2020 Legislative Session from 2:00 pm to 11:00 am Due to the Coronavirus Pandemic

Received, filed and printed.

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic and the State of Emergency declared by the County Executive and the Governor, 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 I am moving the time of the Legislature's scheduled session on May 21, 2020 from 2:00 pm to 11:00 am.

In addition, the session will be held via videoconference, and the public will be made aware of the video conference details so they may watch and monitor the legislative session.

The planned schedule for that day will start with the Legislature's work session of both caucuses at 10:00, and then follow with the legislative session at 11:00 am.

By limiting the amount of time that staff, legislators, and the public are in the work session, legislative session and in the building that day, we will engage in the "social distancing" recommended by the President, Governor, County Executive and public health experts and help to avert potential exposure.

Please immediately notify all legislators, staff, the media, and the public of this change in time and the holding of the legislative session via videoconferencing. Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM THE COUNTY EXECUTIVE

Item 39 – (COMM. 11E-15) Appointment to the EC Board of Health

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 40 – (COMM. 11E-16) Acceptance of Grant Funding - EC Climate Smart Community Food Waste Collection in Municipal Buildings

Item 41 – (COMM. 11E-17) Authorization for Continuing Activities Grants - Climate Smart Communities Certification

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

Item 42 – (COMM. 11E-18) Project Agreement w/NYS DOT & Award of Construction Contract - Resurfacing Maple Rd.

Item 43 – (COMM. 11E-19) Assignment of Easement to National Grid - 1870 Military Rd., Tonawanda

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

Item 44 – (COMM. 11E-20) ECSD No. 1 - Engineering Term Contract Agreement

Item 45 – (COMM. 11E-21) Feasibility Study for EC Seneca Bluffs Natural Habitat Park Green Infrastructure

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

Item 46 – (COMM. 11E-22) Lease Renewal of 3080 William St., Cheektowaga

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 47 – (COMM. 11E-23) ECSD No. 6 - Engineering Term Contract Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATOR HARDWICK

Item 48 – (COMM. 11E-24) Letter to Comptroller Regarding Details Surrounding Declaration of Deficit

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR BASKIN

Item 49 – (COMM. 11E-25) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Clerk Graber,

Pursuant to Section 5c, of the Code of Ethics, I am providing a list of my family members employed by any government organization in any capacity as of May 15th, 2020.

My Mother Lisa Jacobs-Watson works in the NYS Court as Assistant Court Analyst for the office of the Eighth Judicial District.

My Step-Father is a Corrections officer in Albion Correctional Facility

My Brother Maxwell V. McCants Jr. is in the U.S. Marine Corps

My Sister Seana L. McCants is in the U.S. Air Force

Respectfully,

April N.M. Baskin
Chair, Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 50 – (COMM. 11E-26) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Clerk Graber:

Pursuant to Section 5(c) of the recently enacted Code of Ethics, the undersigned hereby submits to you a list of all family members as defined in the law presently employed by any government organization in any capacity:

Name of Relative	Relation to Self	EMPLOYER
Robb Poloncarz	Brother	Erie County
Lynn Poloncarz	Sister-in-law	Orchard Park Central School District
James Jurek	First Cousin	Erie County

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If you have any questions on this filing please contact the undersigned at your earliest convenience.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

FROM THE COUNTY CLERK

Item 51 – (COMM. 11E-27) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

Dear Clerk Graber,

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

Name	Relation	Employer
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McKenna Kearns	Daughter	Erie County Sheriff's Office
Joanne Kearns	Sister	City of Buffalo Clerk
Patrick Kearns	Cousin	City of Buffalo Teacher
Eileen Ryan	Cousin	Erie County RN
Dr. Kevin Kearns	Cousin	SUNY Fredonia VP of Economic Development

If you have any questions please feel free to contact me at (716) 858.6985 or email me at michael.kearns@erie.gov.

Sincerely,

Michael P. Kearns
Erie County Clerk

FROM THE COMPTROLLER

Item 52 – (COMM. 11E-28) Report on Deficit Declaration Remediation Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPT. OF LAW

Item 53– (COMM. 11D-1) Local Emergency Orders, EC State of Emergency Declarations & Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPUTY COMPTROLLER

Item 54 – (COMM. 11D-2) Letter to Chair of Finance & Management Committee Concerning COMM. 11E-1

Item 55 – (COMM. 11D-3) Letter Concerning March Sales Tax Receipts

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPT. OF LAW

Item 56 – (COMM. 11D-4) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 57 – (COMM. 11D-5) SEQR - Negative Declaration of Demolition of Existing Highway Garage & Construction of New Facility at EC DPW Clarence District Site

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 58 – (COMM. 11D-6) Erie County Legislature - Notice on May 21, 2020 Session Time Change

Received, filed and printed.

May 4, 2020

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: Rescheduling of the May 7, 2020 Legislative Session from 2:00 pm to 11:00 am and Holding Session via Videoconferencing due to the Coronavirus Pandemic

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter, due to the Coronavirus COVID-19 pandemic and the State of Emergency declared by the County Executive and the Governor, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, that the time of the Legislature's scheduled session on May 7, 2020 is moved from 2:00 pm to 11:00 am.

In addition, the session will be held via videoconference, and the public will be made aware of the video conference details so they may watch and monitor the legislative session.

The planned schedule for that day will start with the Legislature's work session of both caucuses at 10:00 am, and then follow with the legislative session at 11:00 am.

The Chairwoman's letter attached.

Thank you.

FROM THE DEPUTY COMPTROLLER - AUDIT

Item 59 – (COMM. 11D-7) Audit of Client-Owned Assets - Adult Protective Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ECIDA

Item 60 – (COMM. 11M-1) Annual Audited Financial Statements for 2019

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 61 – (COMM. 11M-2) Public Notice - Brownfield Cleanup Program Application for 1200 Jefferson Ave., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE U.S. DEPT. OF HHS

Item 62 – (COMM. 11M-3) Receipt of Certified Resolution Regarding CARES Funding

Received and filed.

FROM THE NFTA

Item 63 – (COMM. 11M-4) Letter to Legislature Regarding Temporary Service Adjustments During the COVID-19 Outbreak

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 64 –Chair Baskin announced that committee meetings to be held on Thursday, May 28, 2020, have been scheduled and the schedule will be distributed.

MEMORIAL RESOLUTIONS

Item 65 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Dolores Sapienza, Peggy Pezzimenti-Boyd, Joan E. (Dotterer) Bruzdinski, and David L. Sweet.

Item 66 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of William D. Falkner.

Item 67 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Werner A. Stand and Diane Wolfe.

Item 68 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Robert G. Bieler.

Item 69 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Carol Ann “Cookie” Todaro and Joseph G. Giambra.

Item 70 – Legislator Gilmour requested that when the Legislature adjourns, it do so in memory of Richard C. Canazzi.

Item 71 – Legislator Chimera requested that when the Legislature adjourns, it do so in memory of Christine G. Madden and Joseph G. Giambra.

Item 72 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Chistine G. Madden.

ADJOURNMENT

Item 73 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. RATH moved that the Legislature adjourn until Thursday, June 4, 2020 at 2:00 p.m. Eastern Standard Time. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, June 4, 2020 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE