

ERIE COUNTY LEGISLATURE
MEETING NO. 15
July 23, 2020

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Ms. Vinal, who offered a prayer.

The Pledge of Allegiance was led by Mr. Todaro.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MEYERS moved for the approval of the minutes for Meeting Number 14 from 2020. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. JOHNSON presented a proclamation Congratulating and Honoring Physical Education Teacher and Coach, Dave Sardo, on His Legendary High School Coaching Career.

Item 6 – CHAIR BASKIN presented a memorial resolution Remembering Lorna C. Hill, Founder and Artistic Director of Ujima Company, Inc., and Artistic and Civic Leader.

Item 7 – MR. JOHNSON presented a memorial resolution Remembering Flossie Mae Chappelle, Pillar of the Hamlin Park Community.

Item 8 – MR. GILMOUR presented a memorial resolution Remembering Daniel S. Piotrowicz, Beloved and Respected Attorney.

Item 9 – CHAIR BASKIN presented a memorial resolution Remembering Peggy Heath, Beloved Student, Activist, Cancer Survivor and Sister Warrior.

Item 10 – MS. VINAL presented a proclamation Honoring Shawn Lavin, County Civil Servant and First Lieutenant in the Air National Guard 107th Attack Wing.

Item 11 – CHAIR BASKIN, MR. LORIGO, MR. JOHNSON, MS. CHIMERA, MR. HARDWICK, MS. VINAL, MR. RATH, MR. MEYERS, MR. TODARO, MR. GILMOUR & MR.

MILLS presented a memorial resolution Remembering Frank J. McGuire, Longtime Entrepreneur and Pillar of Business, Civic, Political, and Charitable Communities.

Item 12 – MR. HARDWICK presented a proclamation titled Warmest Congratulations to Emily Bula Upon the Wonderful Occasion of Her 100th Birthday.

Item 13 – CHAIR BASKIN presented a memorial resolution Remembering Gladys Heart Carter Chestnut.

Item 14 – MS. CHIMERA presented a memorial resolution Remembering Donald "Don" Joseph Barnes, Longtime Town of Tonawanda Resident and Retired Nabisco Manager.

Item 15 – MR. MILLS presented a proclamation Honoring Holly Niefergold as the 2020-2021 Erie County Dairy Princess.

Item 16 – MR. MILLS presented a proclamation Honoring CH2M HILL BWXT West Valley, LLC as Recipient of the Springville Area 2020 Business of the Year Award.

Item 17 – MR. TODARO presented a proclamation Congratulating Nicholas Stahrr Upon Receiving the United States Department of Education's President's Education Award.

Item 18 – MR. TODARO presented a proclamation Honoring and Remembering Joan M. Gadd.

Item 19 – MR. RATH presented a proclamation Recognizing and Acknowledging Nathan Mroz and the BFLO Store in Celebrating 716 Day.

Item 20 – MR. RATH presented a proclamation Recognizing William A. Lorenz, Jr., Esq., "Buffalo's Best Batman".

Item 21 – MR. LORIGO presented a proclamation Acknowledging and Thanking John Lake for His Dedicated Career of Selfless Heroism, Duty, and Honor.

Item 22 – MR. RATH presented a proclamation Recognizing Monkey See, Monkey Do... Children's Bookstore and Owner Kim Krug.

Item 23 – MR. LORIGO presented a proclamation Acknowledging Mike and Anita Sheehan for Their Nationally Recognized World Class Garden.

Item 24 – MS. VINAL presented a memorial resolution Remembering Leigh E. Anderson, Prominent and Tenacious Attorney in Buffalo.

Item 25 – MR. GILMOUR presented a proclamation Congratulating and Honoring Captain Jim Koch for His Dedicated Service with the Hamburg Police Department.

Item 26 – MR. MEYERS presented a proclamation Honoring Frank E. Swiatek as Citizen of the Month for July 2020.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above twenty-two items by adding one for the Minority Caucus and by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-three items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 27 – CHAIR BASKIN directed that Local Law No. 9 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 29 – CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 30 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 142

July 16, 2020	PUBLIC SAFETY 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. 16M-2 (2019)
LESLIE D. BISHOP: “Letter to Chair of Legislature in Support of "Less is More" Legislation”
(Chair’s Ruling)
 - b. COMM. 13D-4 (2020)
COMPTROLLER'S OFFICE: “Report on Services Provided by EC Sheriff's Office”
(Chair’s Ruling)
 - c. COMM. 13D-5 (2020)
DEPT. OF LAW: “Local Emergency Order, Curfew - 6/2/2020”
(Chair’s Ruling)
 - d. COMM. 13D-6 (2020)
DEPT. OF LAW: “State of Emergency Declaration Issues on 5/30/2020”
(Chair’s Ruling)
 - e. COMM. 13D-7 (2020)
DEPT. OF LAW: “Local Emergency Order, Curfew - 5/31/2020”
(Chair’s Ruling)
 - f. COMM. 13D-13 (2020)
DEPT. OF LAW: “Rescission of State of Emergency Declaration Issued on 5/30/2020”
(Chair’s Ruling)
 - g. COMM. 14E-3 (2020)
JOHNSON: “Invitation to Jail Management Superintendent to Attend Informational Public Safety Committee Discussing Holding Center "Closure" Proposal”
(Chair’s Ruling)
 - h. COMM. 14E-4 (2020)

JOHNSON: “Request for Testimony/Written Comments Concerning EC Sheriff’s Proposal to “Close” EC Holding Center”
(Chair’s Ruling)

i. COMM. 14M-6 (2020)
EC CORRECTIONS SPECIALIST ADVISORY BOARD: “Request for Testimony/Written Comments Concerning ECSO’s Proposal to “Close” the EC Holding Center”
(Chair’s Ruling)

j. COMM. 14M-7 (2020)
EC CORRECTIONS SPECIALIST ADVISORY BOARD: “Community Meeting Regarding Closing & Repurposing of the EC Holding Center”
(Chair’s Ruling)

2. INTRO. 13-5 (2020)
MEYERS, JOHNSON, HARDWICK, CHIMERA & VINAL
WHEREAS, due to bail reform, criminal justice changes and other factors, the Erie County Holding Center and Correctional Facility and operating with far fewer detainees and prisoners than they are capable of holding and staffed; and

WHEREAS, the County Executive recently stated that out of a capacity of 638 detainees at the Holding Center, the facility held 300 detainees, and out of a capacity of 744 prisoners at the Correctional Facility, the facility held 223 prisoners, meaning that only 38% of the beds/cells/capacity of both facilities are being utilized (and 62% of the capacity is vacant), and continuing a trend that started in 2019; and

WHEREAS, the Erie County Holding Center and Correctional Facility, like other counties’ holding centers or jails, is required under New York State law and New York State Commission of Correction regulations to maintain certain staffing levels and posts in both facilities; and

WHEREAS, given the dramatically reduced inmate/prisoner population in the Erie County Holding Center and Correctional Facility, there are reasons and factors supporting a need for fewer posts and deputy sheriff-officer and correction officer State-mandated positions in the Erie County Sheriff’s Office Division of Jail Management; and

WHEREAS, the New York State Association of Counties and county leaders are respectfully requesting the introduction of legislation in the New York State Legislature to give flexibility and authority to county executives, managers, sheriffs and jail administrators to adjust jail staffing levels to address lower prisoner counts amid the new COVID-19 realities facing local governments across the state; and

WHEREAS, this Honorable Body accordingly wishes to go on record expressing its support for amendments to the Correction Law to help face the new situation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the introduction of amendments to the New York State Correction Law, Section 45-6 pertaining to the Commission of Correction, to give county governments flexibility with minimum staffing levels and posts at the Erie County Holding Center and Correctional Facility; and be it further

RESOLVED, that this Honorable Body requests and urges the New York State Legislature to introduce amendments to the Correction Law to support county governments with minimum staffing levels at jails and holding centers; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor, the President and Majority Leader of the State Senate, the Speaker of the State Assembly, the Erie County Sheriff, the local delegation of the New York State Legislature, the Chair of the New York State Commission of Correction, and the New York State Association of Counties.
(6-0)

3. INTRO. 13-6 (2020)
JOHNSON

WHEREAS, the Erie County Correctional Facility (ECCF) on Walden Avenue in the Town of Alden houses several hundred prisoners serving sentences of one year or less; and

WHEREAS, according to the Sheriff Office's website, the facility allows visitors on Mondays between 7:30 am–11:30 am and 1:00 pm–2:30 pm, and admits visitors on Tuesdays, Wednesdays and Thursdays between 7:30 am–11:30 am, 1:00 pm–2:30 pm, 3:30 pm–5:15 pm, and 6:30 pm–10:30 pm; and

WHEREAS, since 2014, the Niagara Frontier Transportation Authority (NFTA) has not maintained any scheduled bus service to the Village of Alden via Walden Avenue, or service to the ECCF for any person wishing to visit a prisoner; and

WHEREAS, on June 15, 2020, as part of their proposal to “close” the Erie County Holding Center and relocate detainees from that facility to the ECCF, the Erie County Sheriff Office's Superintendent of Jail Management sent a letter to the executive director of the NFTA asking the authority to “have bus service to the Erie County Correctional Facility restored immediately” and asking the NFTA to “collectively ensure that members of the public have sufficient access to their loved ones while incarcerated”; and

WHEREAS, without taking a position at this time on whether the Sheriff's proposal on the Holding Center is appropriate, satisfactory or meritorious, there is merit in requesting the NFTA to study and resume some form of bus service along Walden Avenue to the ECCF to provide equitable access to the public to see persons incarcerated in the facility.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the Niagara Frontier Transportation Authority to examine and report to this Honorable Body on the options for resuming public bus transportation to the Erie County Correctional Facility in Alden on Mondays, Tuesdays, Wednesdays and Thursdays during the hours in which the Sheriff allows visitors; and be it further

RESOLVED, that this Honorable Body urges the NFTA to resume bus service to the ECCF in the hours and days in which prisoner visitation is permitted; and be it further

RESOLVED, that certified copies of this resolution be transmitted to Kimberley Minkel, executive director of the NFTA, to the Board of Commissioners of the NFTA, to Erie County Sheriff Timothy Howard, Jail Management Superintendent Thomas Diina, and to the Erie County Corrections Specialist Advisory Board.

(6-0)

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

WHEREAS, on June 12, 2020, Governor Cuomo signed Executive Order 203 – New York State Police Reform and Reinvention Collaborative; and

WHEREAS, within the executive order, the governor recommends law enforcement agencies should implement implicit bias awareness training; and

WHEREAS, the Erie County Sheriff's Office has consulted with the principals of the Ragan and Amos Consulting firm, MWBE certified, to implement and conduct implicit bias awareness training; and

WHEREAS, the firm's proposal will provide for training in 4-hour blocks for all sworn personnel of the Erie County Sheriff's Office, as well as personnel from the Division of Correctional Health, and the Department of Mental Health – Forensic Mental Health; and

WHEREAS, this Implicit Bias and Policing training aims to increase fairness in officer decision-making to enhance the outcome of police/citizen interactions to promote public trust in the police as well as increase officer safety; and

WHEREAS, the training sessions engage the participants in:

- Learning about stereotypes and biases, how those traits develop and provide insights into the officer's perspectives and how those impact their work;
- Gaining effective strategies for recognizing and managing bias;
- Learning the importance of non-verbal communication, in both of one's own and that of others;
- Gaining skills and knowledge to serve community members from diverse cultures and optimize outcomes effectively;

and

WHEREAS, due to the COVID-19 pandemic, the Sheriff's Office was forced to eliminate 2020 operating budget funds, and, therefore, the agency does not have training funds within the 2020 Budget; and

WHEREAS, the Telephone Revenue account has a balance of \$807,472.00; and

WHEREAS, the Sheriff's Office and the County Executive agree implicit bias awareness training is an appropriate use of the funds; and

WHEREAS, the Erie County Sheriff's Office would utilize Telephone Revenue funds for the training which will eliminate any burden to the taxpayer or affect the 2020 Erie County Budget; and

WHEREAS, the Erie County Sheriff's Office seeks to waive Section 19.08 of the Erie County Administrative Code; and

WHEREAS, this use of funds complies with COMM. 6E-24, 2013, which states that telephone revenue "shall be dedicated to the general operation of the Holding Center and Correctional facility."

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Erie County Sheriff's Office and the Division of Budget and Management to transfer \$70,500.00 in available Telephone Revenue funds to the appropriate Erie County Sheriff's Office accounts:

ERIE COUNTY SHERIFF'S OFFICE

Sheriff – SAFS Funded Program

REVENUE

415622

Jail Telephone Revenue Funds

DECREASE

\$72,500.00

APPROPRIATION

510200

Training and Education

INCREASE

\$72,500.00

Total Revenue

\$72,500.00

and be it further

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the services Ragan and Amos Consulting; and be it further

RESOLVED, the Legislature authorizes the County Executive and the Erie County Sheriff's Office to enter into an agreement with Ragan and Amos Consulting, 40 Waterfront Circle, Suite 402, Buffalo, New York 14202 to conduct forty-three sessions of Implicit Bias and Policing Training workshops for all sworn personnel of the Erie County Sheriff's Office, the Division of Correctional Health, as well as personnel from the Department of Mental Health – Forensic Mental Health; and be it further

RESOLVED, the training is to be completed with 120-days of the signed contract and shall not exceed \$72,500.00; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funds either remain in or returned to Telephone Revenue account; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer 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's Office, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.
(6-0)

5. COMM. 14E-18 (2020)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is required by the US Department of Homeland Security Federal Management Agency (FEMA) to update their hazard mitigation plan every five years to maintain eligibility to receive federal disaster assistance; and

WHEREAS, the Department of Homeland Security & Emergency Services requires the services of a consultant to assist with the mitigation plan update; and

WHEREAS, the Department of Homeland Security & Emergency Services issued a request for proposal (RFP #2020-027VF) on May 20, 2020 seeking consultant services to assist with updating the Multi-Jurisdictional All Hazard Mitigation Plan; and

WHEREAS, four (4) proposals were submitted by various consulting firms on June 12, 2020; and

WHEREAS, a selection committee met and graded the four (4) proposals on June 22, 2020; and

WHEREAS, Tetra Tech was deemed to have submitted the best overall proposal by the selection committee and should be awarded the contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with Tetra Tech to provide consulting services to Erie County to update the Multi-Jurisdictional All Hazard Mitigation Plan; and be it further

RESOLVED, that the contract with Tetra Tech will not exceed the \$225,000.00 in funds currently available in the FY18 Hazard Mitigation Planning Grant; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 33 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 143

July 16, 2020	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11
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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. 13D-10 (2020)
COMPTROLLER'S OFFICE: "Report on Recurring Bonded Capital Projects for SUNY Erie"
(Chair's Ruling)
 - b. COMM. 14M-1 (2020)
NFTA: "Letter to Legislature Regarding Resumption of Fare Collection"
(Chair's Ruling)
 - c. COMM. 14M-2 (2020)
VISIT BUFFALO NIAGARA: "First Quarter Reports for 2020"
(Chair's Ruling)
 - d. COMM. 14M-5 (2020)
NFTA: "NFTA Board Minutes for Meeting Held on 5/28/2020"
(Chair's Ruling)
2. COMM. 12E-11 (2020)
COUNTY EXECUTIVE
WHEREAS, the County of Erie received bids for the Erie Community College Campus-wide 2019 Replacement of Emergency Generators project on Tuesday, March 31, 2020; and

WHEREAS, the lowest responsible bidder for the Electrical Construction Work is Ferguson Electric Construction Co. Inc., and the lowest responsible bidder for the Plumbing Construction Work is MKS Plumbing Corp.; and

WHEREAS, this work is being performed to address code compliance issues as well as safety concerns related to old equipment beyond its useful life; and

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

WHEREAS, the Department of Public Works and Labella Associates DPC 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 Campus-wide 2019 Replacement of Emergency Generator project for an amount not to exceed as follows:

Electrical Construction Work

Ferguson Electric Construction Co. Inc.	Base Bid:	\$ 654,000
	Add Alternate No. E-1	\$ 3,300
	Add Alternate No. E-2	\$ 3,000
	Add Alternate No. E-3	\$ 10,800
	Add Alternate No. E-5	\$ 49,200
	Add Alternate No. E-6	\$ 51,600

Total Award of Electrical Construction Contract: \$ 771,900

Plumbing Construction Work

MKS Plumbing Corp.	Base Bid:	\$ 118,000
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Total Award of Plumbing Construction Contract: \$ 118,000

and be it further

RESOLVED, that the sum of \$110,100 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 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.17006	Erie Community College Mechanical, Electrical, Plumbing and Miscellaneous Improvements (Collegewide)	\$445,000
E.18007	Erie Community College – College wide Preservation of Buildings & Facilities	\$555,000

and be it further

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

(6-0)

3. COMM. 14E-13 (2020)
COUNTY EXECUTIVE

WHEREAS, it is necessary to address legal land issues within the operations of a highway division and in conjunction with the County Attorney’s office; and

WHEREAS, Greenman Pedersen Inc. was selected via the County’s RFP process and approved via COMM. 6E-5 (April 26, 2019) for the provision of On-Call General Civil and Geotechnical Engineering Services; and

WHEREAS, it is desired to amend the agreement with Greenman Pedersen Inc. for the land surveying, legal descriptions and mapping services required for these legal transactions; and

WHEREAS, it is desired to also establish a budget of \$30,000 for this term agreement; and

WHEREAS, the funding required is available from Project B. 18051, 2018 Capital Right of Way.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the subject actions for various legal land issues; and be it further

RESOLVED, that the County Executive be authorized to execute a term contract for land surveying services with Greenman Pedersen Inc. with a budget of \$30,000; and be it further

RESOLVED, that funding for this project be made available in Project B.18051 –2018 Capital Right of Way, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways, 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)

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

WHEREAS, a project for the replacement of the Chestnut Ridge Park Culverts, Erie County Department of Public Works (ECDPW) Project PK-CRC-12, in the Town of Orchard Park, Erie County was previously authorized by your Honorable Body via Communication 14E-14 (2015); and

WHEREAS, the US Army Corps of Engineers permit for the Project requires that the Stone Parapet Walls at the two culvert locations be completed within 5 years of the completion of construction of the culverts; and

WHEREAS, bids will be taken for the Construction of the Stone Parapet Walls at Chestnut Ridge Park Culverts PK-27 and PK-28, ECDPW Project CAP-PK-27-28-20 (the Project) in the Town of Orchard Park in early summer 2020; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary to execute the construction contract with the lowest responsible bidder, and establish a construction contingency, for a total project construction phase allowance of \$375,643.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract for ECDPW Project CAP-PK-27-28-20 with the lowest responsible bidder, and establish a construction contingency for a total project cost not to exceed \$375,643; and be it further

RESOLVED, that funding for this Project is available in Fund 420, Fund Center 123, as follows:

B.15018 – 2015 Chestnut Ridge Culvert Replacement	\$ 75,643
B.19018 – 2019 Chestnut Ridge Park Culverts	\$ 300,000
TOTAL PROJECT	\$ 375,643

and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(6-0)

5. COMM. 14E-15 (2020)
COUNTY EXECUTIVE

WHEREAS, the County of Erie is interested in the improvement of the Shoreline Trail system; and

WHEREAS, Erie County owns or is responsible for capital maintenance of the Shoreline Trail in Town of Tonawanda and a portion in the City of Tonawanda; and

WHEREAS, periodically capital improvements are needed to provide for a safe trail surface and provide amenities which are desired by trail users on this heavily utilized trail section; and

WHEREAS, Erie County applied and was awarded a total of \$1,014,785 in two separate grants from the Buffalo and Erie County Greenway Standing Committee for the purposes of undertaking capital improvements on the Shoreline Trail in the Town and City of Tonawanda; and

WHEREAS, Erie County is desirous of constructing the Shoreline Trail Enhancement Project in the Town and City of Tonawanda; and

WHEREAS, in compliance with the relevant sections of the Erie County Administrative Code, a public bidding of the construction contract will occur prior to the awarding of the construction contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to Capital Project Account A.19075:

Increase Revenue/ Appropriations totaling \$514,785 as follows:

<u>Revenue</u>	
420499 (Other Local Source Revenue)	\$514,785
<u>Appropriation</u>	
516020 (Professional Services – Contractual Fees)	\$514,785

Increase Revenue/Appropriations totaling \$500,000 as follows:

<u>Revenue</u>	
420499 (Other Local Source Revenue)	\$500,000
<u>Appropriation</u>	
516020 (Professional Services – Contractual Fees)	\$500,000

RESOLVED, that authorization is hereby provided for the County Executive to enter into all agreements necessary to accept funding and accept reimbursement of these funds in an amount not to exceed \$1,014,785 from the Buffalo and Erie County Greenway Standing Committee, New York Power Authority or Community Foundation for Greater Buffalo; and be it further

RESOLVED, that authorization is hereby provided for the County Executive to enter into all agreements necessary to implement the construction of the Shoreline Trail Project; and be it further

RESOLVED, that an amount of \$1,214,785 be allocated from Capital Project Account A.19075 with authorization from the County Executive to execute agreements necessary to implement construction of the Shoreline Trail Enhancement Project; and be it further

RESOLVED, that the County Executive be authorized to execute a Contract for construction services for the Shoreline Trail Enhancement Project in an amount not to exceed \$1,214,785 with the lowest responsible bidder; 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 State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Public Works and the Commissioner of Department of Parks, Recreation and Forestry.

(6-0)

6. COMM. 14E-16 (2020)
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 administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the habitat restoration work at the 61 Smith Street site requires monitoring and maintenance; and

WHEREAS, the DEP requires access to the site to continue work, necessitating extension of the Limited Access Agreement with the Niagara Frontier Transportation Authority.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to extend the Limited Access Agreement for 5 years beginning January 27, 2020 through December 31, 2024; 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 Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

7. COMM. 14E-22 (2020)

COUNTY EXECUTIVE

WHEREAS, the Legislature authorized a construction contract with Destro & Brothers Concrete Co., Inc. for the 2018 Capital Road Overlay Contract A project (“the Project”) via Comm. 13E-17 (2018); and

WHEREAS, asphalt prices were higher than expected in 2018 and 2019 resulting in the need to increase the Project budget in the amount of \$36,315.87 and amend Destro Brothers Concrete Co., Inc. construction contract for the \$36,315.87 asphalt price adjustment; and

WHEREAS, there are funds available in Capital Project B.18006 – 2018 Turn Back of Roads, Fund 420, Funds Center 123.

NOW, THEREFORE, BE IT

RESOLVED, that the Project budget be increased by \$36,315.87 from \$2,499,088.95 to \$2,535,404.82 from available funds in Capital Project B.18006 – 2018 Turn Back of Roads, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Erie County Executive is authorized to amend the 2018 Capital Road Overlay Contract A construction contract with Destro Brothers Concrete Co., Inc. due to higher than expected costs for asphalt; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, Department of Parks, Recreation, and Forestry 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 34 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 144

July 16, 2020	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 10
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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. 14E-17 (2020)
COUNTY EXECUTIVE: “ECSD Nos. 1-6 & 8 - Board of Managers Resolutions”
(Chair’s Ruling)
- b. COMM. 14E-19 (2020)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineer Term Contract Agreement”
(Chair’s Ruling)
- c. COMM. 14M-3 (2020)
NYSDEC: “Invitation for Public Comment - Brownfield Cleanup Proposed Remedy for 170
Jamison Rd., Elma”
(Chair’s Ruling)
- d. COMM. 14M-4 (2020)
NYSDEC: “Fact Sheet - Brownfield Cleanup Program Draft Supplemental Investigation
Work Plan & Interim Remedial Measure - 1001 East Delavan Ave., Buffalo”
(Chair’s Ruling)

2. COMM. 13E-4 (2020)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 54 at 10:00 a.m. on June 25, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 54	Lupini Construction, Inc. 6081 Trenton Road Utica, NY 13502	\$118,019.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar work 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. 4 Capital Account C.17401.

NOW, THEREFORE, BE IT

RESOLVED, that the Depew ORF Rehabilitation, Erie County Sewer District No. 4, Contract No. 54 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
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Contract No. 54	Lupini Construction, Inc. 6081 Trenton Road Utica, NY 13502	\$118,019.00
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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 \$118,019.00 from Erie County Sewer District No. 4, Capital Bond Account C.17401 for Contract No. 54; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one 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 L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.

(6-0)

3. COMM. 13E-5 (2020)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 55 at 2:00 p.m. on June 25, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 55	Pinto Construction Services, Inc. 132 Dingens Street Buffalo, NY 14206	\$48,000.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar work 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. 4 Capital Account C.17401.

NOW, THEREFORE, BE IT

RESOLVED, that the Bowmansville Pump Station Flow Meter Replacement, Erie County Sewer District No. 4, Contract No. 55 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 55	Pinto Construction Services, Inc. 132 Dingens Street Buffalo, NY 14206	\$48,000.00

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 \$48,000.00 from Erie County Sewer District No. 4, Capital Bond Account C.17401 for Contract No. 55; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one 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 L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

4. COMM. 13E-6 (2020)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 82 at 2:00 p.m. on June 26, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 82	Kandey Company Inc. 19 Ransier Drive West Seneca, NY 14224	\$829,999.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; 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. 3 Capital Reserve Account No. C.00007, Erie County Sewer District No. 6 Capital Reserve Account No. C.00006, and Erie County Sewer District No. 8 Capital Reserve Account No. C.11801.

NOW, THEREFORE, BE IT

RESOLVED, that Sanitary Sewer Replacement Project, Erie County Sewer District Nos. 3, 6, and 8, Contract No. 82 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 82	Kandey Company Inc. 19 Ransier Drive West Seneca, NY 14224	\$829,999.00

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 Director of Budget and Management and the County Comptroller are authorized and directed to establish a Sewer Management Capital Project combining costs from Erie County Sewer District No. 3, Erie County Sewer District No. 6, and Erie County Sewer District No. 8 (C.20001) with budgeted Appropriations and estimated Revenues as follows:

Appropriations	\$829,999.00
Transfer in from Capital Reserve SD3	\$469,932.00
Transfer in from Capital Reserve SD6	\$323,200.00
Transfer in from Capital Reserve SD8	\$ 36,867.00

and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer up to \$469,932.00 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Sewer Management Capital Account C.20001 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 transfer up to \$323,200.00 from Erie County Sewer District No. 6 Capital Reserve Account C.00006 to Sewer Management Capital Account C.20001 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 transfer up to \$36,867.00 from Erie County Sewer District No. 8 Capital Reserve Account C.11801 to Sewer Management Capital Account C.20001 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that any unused funds for this Contract will be returned to the Erie County Sewer District Capital Reserve Account from which they came based on guidance from the Division of Sewerage Management and budgets for the Capital Reserve Accounts will be adjusted accordingly; 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)

5. COMM. 14E-20 (2020)
COUNTY EXECUTIVE

WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals to perform professional services associated with the Lackawanna Water Resource Recovery Facility (WRRF) – Ammonia Removal Pilot Study in Erie County Sewer District (ECSD) No. 6; and

WHEREAS, this project is necessary to address requirements in the State Pollutant Discharge Elimination System (SPDES) permit for ECSD No. 6; and

WHEREAS, a review committee was established by the Erie County Division of Sewerage Management to evaluate all responses to the County's Request for Proposals for this project, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends GHD Consulting Services, Inc. (GHD) be retained to complete the requested consulting services; and

WHEREAS, the Ammonia Removal Pilot Study has been awarded a \$50,000.00 grant from the New York State Department of Environmental Conservation to partially fund the engineering work associated with this project; and

WHEREAS, ECSD No. 6 has adequate authorization in Bond Account C. 17601 to fund the local share of this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with GHD, 285 Delaware Ave, Suite 500, Buffalo, New York 14202 for professional services associated with this project in an amount not to exceed \$500,000.00, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the Director of Budget and the County Comptroller be authorized to increase estimated revenues and appropriations in Bond Account C.17601 for the \$50,000.00 grant from the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the costs associated with this project be allocated in Bond Account C.17601; and be it further

RESOLVED, that the Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Division of Sewerage Management.
(6-0)

6. COMM. 14E-21 (2020)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, pursuant to Legislative Comm. 14E-11(2019), Contract No. 18-A (General/Mechanical) was awarded to STC Construction, Inc. and Contract No. 18-D was awarded to CIR Electrical Construction Corporation to construct the East Aurora Water Resource Recovery Facility (WRRF) Influent Building and Screen Replacement project, in Erie County Sewer District No. 8; and

WHEREAS, the Erie County Division of Sewerage Management has advised that additional contract time is needed to complete contract work (with no cost implications); and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Change Order No. 1 to extend the contract times by 114 days.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 18-A (General/Mechanical) between the County of Erie and STC Construction, Inc. (63 Zoar Valley Road, P.O. Box 459 Springville, NY 14141-0459) and Contract No. 18-D (Electrical) between the County of Erie and CIR Electrical Construction Corporation (400 Ingham Ave Buffalo, NY 14218) be amended to add 114 days of contract time; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie 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)

TIMOTHY J. MEYERS
CHAIR

Item 35 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 145

	COMMITTEE REPORT NO. 5
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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. 14E-7 (2020)
COUNTY CLERK: “EC Clerk's Office Annual Report for 2019”
(Chair’s Ruling)
 - b. COMM. 14E-24 (2020)
HARDWICK: “GA Committee Discussion on Tonawanda Coke - 7/16/2020”
(Chair’s Ruling)
 - c. COMM. 14D-7 (2020)
DEPT. OF LAW: “Transmittal of New Claims Against EC”
(Chair’s Ruling)

KEVIN R. HARDWICK
CHAIR

Item 36 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

July 16, 2020	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR JOHNSON.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6E-3 (2020)
COMPTROLLER: “Audit of Buffalo & EC Public Library”
(Chair’s Ruling)
 - b. COMM. 9M-4 (2020)
AFRICAN AMERICAN VETERANS MONUMENT COMMITTEE: “Letter Thanking
Legislature for Support of the African American Veterans Monument”

(Chair's Ruling)

- c. COMM. 9M-6 (2020)
BUFFALO & EC PUBLIC LIBRARY: "Proposed Agenda for Meeting to be Held on 04/16/2020"
(Chair's Ruling)
- d. COMM. 13M-3 (2020)
BUFFALO & EC PUBLIC LIBRARY: "Proposed Agenda for Meeting to be Held on 6/18/2020"
(Chair's Ruling)
- e. COMM. 14D-2 (2020)
COMPTROLLER'S OFFICE: "A Report on Enrollment at SUNY Erie"
(Chair's Ruling)

KEVIN R. HARDWICK
CHAIR

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

RE: Re-Appropriation of 2020 Public
Benefit Funding
(INTRO. 15-1)

A RESOLUTION SUBMITTED BY
LEGISLATOR GILMOUR

WHEREAS, Lakeview Athletics was awarded \$1,500 in public benefit funding by the Erie County Legislature in the adopted 2020 Budget in Fund Center 1332010 – Community/Neighborhood Development, Account 518593; and

WHEREAS, Lakeview Athletics no longer operates 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 \$1,500 of 2020 public benefit funding to Lackawanna Yemen Soccer Club; 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 38 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

RE: Support for Creating a
Community Advisory Board for
the Brownfield Remediation of
the Tonawanda Coke Site
(INTRO. 15-2)

**A RESOLUTION SUBMITTED BY
LEGISLATORS HARDWICK & CHIMERA**

WHEREAS, Erie County has recognized environmental justice zones, areas where residents are burdened disproportionately by environmental pollution; and

WHEREAS, one of these recognized communities is in the Town of Tonawanda bordering the Tonawanda Coke property, located at 3875 River Rd, Tonawanda, NY 14150 and at 3800 River Rd in Tonawanda, NY 14150; and

WHEREAS, in 2014 Tonawanda Coke was found guilty of 14 separate criminal violations of federal laws regulating air pollution and hazardous contamination of soil; and

WHEREAS, in October 2018, after decades of polluting the air in Western New York and other environmental degradations and showing little to no regard for the community and those living around and near the plant, Tonawanda Coke Corporation suspended operations; and

WHEREAS, following that action, the US Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (NYSDEC) entered the site and began measures to address stabilizing the site and its chemicals and facilities; and

WHEREAS, the site is currently owned by Riverview Innovation and Technology Campus, Inc., which purchased the property after the former owner filed for bankruptcy protection and abandoned the site; and

WHEREAS, Riverview Innovation and Technology Campus, Inc. and a former site owner, Honeywell, are participating in the New York State Department of Environmental Conservation's Brownfield Remediation program to address the many contaminants and hazards on the property; and

WHEREAS, on July 16, 2020, the Erie County Legislature held a hearing about the site and ongoing remediation process, featuring speakers from the Clean Air Coalition of Western New York, its environmental consultant, the NYS Department of Environmental Conservation, the US Environmental Protection Agency, and Riverview Innovation and Technology Campus, Inc. (site owner) and its consultant; and

WHEREAS, at the hearing, Jon Williams, the owner and principal of Riverview Innovation and Technology Campus said that it is in every party's interest that the issues and hazards be identified and addressed, saying: "'We want this site to have a hundred years of productive use and we want it to be an economically sustainable part of real estate for the town. And to do that, we have to clean it up. We have to get this right. So, we have no issue working together;" and

WHEREAS, the Clean Air Coalition of Western New York is recommending and requesting the implementation of a Community Advisory Group for community members, public and private stakeholders, elected officials and other concerned parties to convene for the purpose of ensuring transparency as the cleanup and remediation of the Tonawanda Coke site continues.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the environmental advocacy work of the Clean Air Coalition, and urges the NYS Department of Environmental Conservation to adopt and implement the Clean Air Coalition's technical comment regarding the Brownfield Remedial Investigation Work Plan; and be it further

RESOLVED, that this Honorable Body thanks Riverview Innovation and Technology Campus, Inc. for its commitment and promise to fully remediate the site and to work with the community in an open and transparent way; and be it further

RESOLVED, that the Erie County Legislature urges the NYS Department of Environmental Conservation to create a Community Advisory Group in line with Environmental Protection Agency standards for the entirety of the Tonawanda Coke site; and be it further

RESOLVED, that the Erie County Legislature expresses its opposition to any remediation plan put forth by the NYS Department of Environmental Conservation for the site unless community input is incorporated into the Remedial Investigation Work Plan and a formal community advisory group is established; and be it further

RESOLVED, that this resolution, upon its adoption, shall be transmitted to the NYS Department of Environmental Conservation before its July 31, 2020 deadline for public comment on the Tonawanda Coke plan; and be it further

RESOLVED, that certified copies of this resolution be transmitted to NYSDEC Commissioner Basil Seggos, Region 9 DEC Administrator Abby Snyder, Erie County Executive Mark Poloncarz, Town of Tonawanda Supervisor Joseph Emminger, Rebecca Newberry of the Clean Air Coalition, Jackie James-Creedon of Citizen Science Community Resources, and Jon Williams of Riverview Innovation and Technology Campus, Inc.

Item 39 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

RE: Support for Community
Advisory Group for 1001 East
Delavan's Environmental
Remediation
(INTRO. 15-3)

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

WHEREAS, 1001 East Delavan Avenue in The City of Buffalo is a former automobile manufacturing plant; and

WHEREAS, in 1922 General Motors started vehicle assembly on the site, during World War II the site was used to manufacture parts for aircraft engines, and until 2007 site produced automobile parts for GM and American Axle; and

WHEREAS, in the early 1990s, GM reported an oil spill on the property that led to the discovery of PCB (Polychlorinated Biphenyls) in the soil and in the City's main sewer tunnel that flows into Scajaquada Creek; and

WHEREAS, PCBs were banned by the Environmental Protection Agency in 1979 as a known carcinogen; and

WHEREAS, after many years of planning environmental cleanup of the property, it is currently in the New York State Brownfield Cleanup Program; and

WHEREAS, 1001 East Delavan is located in an NY State Department of Environmental Conservation (NYSDEC) Environmental Justice Zone, which is defined as a neighborhood with a majority population that are people of color and at least 25% of residents who live in poverty; and

WHEREAS, environmental justice zones are areas where residents are burdened disproportionately by environmental pollution, due to income and racial segregation; and

WHEREAS, the continual input of these residents on the cleanup of the site is vital to ensuring the remediation of 1001 East Delavan prioritizes the health and safety of those who live next door and are most impacted by the pollution.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature is requesting the implementation of a Community Advisory Group for community members, public and private stakeholders, elected officials and other concerned parties for the purpose of transparency of the NYSDEC and private entities in the cleanup and remediation of 1001 East Delavan Avenue as essential for ensuring the public health; and be it further

RESOLVED, the Erie County Legislature expresses its support for the environmental advocacy work of the Clean Air Coalition, and urges the NYS Department of Environmental Remediation adopt and implement Clean Air Coalition's technical comment regarding the Brownfield Remedial Investigation Work Plan; and be it further

RESOLVED, that certified copies of this resolution be sent to the NY State Department of Environmental Conservation, the Erie County Department of Environment and Planning, and any other party 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. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

MR. JOHNSON moved to send the following resolution to committee. MS. VINAL seconded.

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

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

FAILED.

*****CHAIR BASKIN entered the Legislature into recess at 2:52 P.M.

*****CHAIR BASKIN reconvened the legislature at 2:57 P.M.

All members present.

MR. LORIGO requested a separation of the third resolve clause.

CHAIR BASKIN directed that a roll-call vote be taken on the balance of the resolution.

AYES: MR. LORIGO, MR. MILLS, MR. RATH, MR. TODARO, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK and MR. MEYERS. NOES: MR. JOHNSON and MS. VINAL. (AYES: 9; NOES: 2)

CARRIED.

CHAIR BASKIN directed that a roll-call vote be taken on the approval of the third resolve clause.

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.

RESOLUTION NO. 150

RE: Calling for County Attorney to Sue NYS to Prohibit Imposition of New Regulations Targeted at Bars & Restaurants (INTRO. 15-4)

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

WHEREAS, Section 29-a of Article 2-B of NYS's Executive Law grants the Governor certain authority to address disaster scenarios that occur in New York State; and

WHEREAS, the first COVID-19 case in New York State was confirmed on March 1st of this year. The rapid spread of the disease led the governor to issue dozens of Executive Orders effectively shutting down the entire state and putting severe restrictions on the movement of residents in order to buy time for hospitals to prepare for the overwhelming number of sick residents; and

WHEREAS, by May of this year, the Governor had acted unilaterally to change more than 262 laws and regulations, and in the time since he has not returned any of his emergency-granted authority back to the people of New York; and

WHEREAS, the Governor's most recent order mandates that bars, restaurants, breweries, and wineries may only sell alcohol if a customer is also ordering food items. It also mandates that all bar service is to be reserved for seated patrons who are socially distanced by six feet or separated by physical barriers; and

WHEREAS, these restrictions will force the closure of many smaller establishments and those that do not sell "food items," defined by the New York State Liquor Authority as soups and sandwiches, not pretzels and chips. Many of these establishments do not have the equipment to provide prepared food items to patrons, nor do they have the seating capacity to allow that many people to be seated; and

WHEREAS, the frequent changes and constant arbitrary updates to the Governor's Executive Orders and New York's laws create confusion, leave restaurants out of the discussion, force them to interpret the Orders without guidance, and expose many of them to the whims of local county health departments; and

WHEREAS, as the pandemic stretches on, the ability of these small business to remain open and in operation under these regulations becomes more difficult; and

WHEREAS, in addition to the scores of small business owners losing their livelihood, these frequent, arbitrary, and spontaneous Executive Orders also force thousands of hard-working New Yorkers into unemployment; and

WHEREAS, Governor Cuomo's continued usurpation of legislative powers is far in excess of what is allowed by law or warranted by the situation in New York and his actions need to be properly reviewed and discussed in a more democratic process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its opposition to the latest Executive Order that further limits maximum seating capacity, restricts the ability of even cohabitating groups to congregate together, and arbitrarily requires anyone looking to purchase alcohol at a bars, restaurant, breweries, and wineries to simultaneously purchase food; and be it further

RESOLVED, that this honorable body further urges the New York State Legislature to properly act as a check on the Governor's use of Executive Authority as authorized by §24(8) of New York's Executive Law; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Attorney's Office, the Western New York Delegation to the New York State Senate and Assembly, Governor Andrew Cuomo, and any other party deemed necessary and proper.

Item 41 – CHAIR BASKIN directed that INTRO. 15-5 be tabled.

GRANTED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151

RE: Legislature Appointment to
Western Regional Off-Track
Betting Corporation Board of
Directors
(INTRO. 15-6)

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

WHEREAS, the State of New York formed the Western Regional Off-Track Betting Corporation (WROTB) as a public benefit corporation on May 16, 1973; and

WHEREAS, the governing body of the WROTB consist of seventeen (17) members, one from each of the 15 participating counties and one each from the Cities of Buffalo and Rochester; and

WHEREAS, as a participating county of the WROTB, the Erie County Legislature has the authority to make an appointment to the Board of Directors and desires to do so to replace Beverly Mazur, the current Legislature representative since 2010.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby appoint Francis Warthling of 346 Willett Road, Lackawanna, New York 14219 as the Erie County representative to the Western Regional Off-Track Betting Corporation Board of Directors, effective August 30, 2020; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Governor, to the Chair of the Board of Directors of the Western Regional Off-Track Betting Corporation and Francis Warthling.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 43 – MR. MEYERS moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 12E-15 (2020). MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 152

RE: Authorization to Extend Contract -
WNY Law Center, Inc. - Zombie

Property Outreach Service
(COMM. 12E-15, 2020)

WHEREAS, the County Clerk is an independently elected official responsible for recording, filing and maintaining a central repository of legal documents and records affecting property titles, including land and real estate transactions; and

WHEREAS, the County Clerk, as an agent of the State, collects mortgage and real estate transfer taxes that are then apportioned between the State, State agencies, the County, and cities, towns and villages located within Erie County; and

WHEREAS, A “Zombie Property” is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner; and

WHEREAS, upon vacating the properties, the structures experience: damage from weather, scavenging, squatters, and criminal activity and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties; and

WHEREAS, further, the prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect; and

WHEREAS, the Erie County Clerk recognizes that grappling with the blight of Zombie Properties transcends all communities and impacts all County taxpayers, regardless of the property location and believes this initiative will fill the much-needed gap caused by exclusions under State funding; and

WHEREAS, the intended effect of combating Zombie Properties is to put them in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues, as well as securing value in the County’s tax base; and

WHEREAS, the Erie County Clerk issued RFP #1919VF seeking proposers for Zombie Property Outreach Services, and the Legislature awarded a contract (19-396-CC) to the Western New York Law Center (the “WNYLC”) (*see* COMM.7E-29 (2019)); and

WHEREAS, the contract term with the WNYLC expires on June 2, 2020 and it continues to monitor thirty (30) properties, approximately half of which have pending New York State Department of Financial Services investigations; and

WHEREAS, it is important that these services be restored with this vendor to ensure continuity and preserve the best value for County funds; and

WHEREAS, the funds necessary to cover the costs of this contract are available in the Registrar-Professional Services line (Fund Center 11310 – Account Number 516020) of the Erie County Clerk’s 2020 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk is hereby authorized to amend its contract (19-396-CC) with Western New York Law Center, Inc., for zombie property outreach services, extending services for another 365 days in exchange for payment in the amount of \$150,000; 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 County Attorney and the Erie County Clerk.

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

CARRIED UNANIMOUSLY.

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

RESOLVED, the Erie County Clerk's Office is authorized to amend and extend its contract (19-396-CC) with the Western New York Law Center, Inc., to provide zombie property outreach services for five (5) additional months, and to receive an additional \$40,000 in compensation from the 2020 Budget of the Erie County Clerk Registrar Division; and be it further

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

CARRIED UNANIMOUSLY.

Item 44 – MR. MEYERS moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 14E-9 (2020). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 153

RE: Authorization to Enter into Agreement
to Accept FY 2019 Operation
Stonegarden Grant
(COMM. 14E-9, 2020)

WHEREAS, the US Department of Homeland Security, through the NYS Division of Homeland Security and Emergency Services, has awarded \$258,519.00 for FY19 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 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 \$258,519.00 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 \$258,519.00 for FY19:

ERIE COUNTY SHERIFF'S OFFICE
FY 2019 Operation Stonegarden Grant

<u>REVENUE</u>		<u>DECREASE</u>
414000	Federal Revenue	<u>\$258,519.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
501000	Overtime	\$33,000.00
502000	Fringe Benefits	\$10,800.00
516010	Contractual Payments	\$170,719.00
561410	Lab and Tech	\$44,000.00
	Total Revenue	<u>\$235,920.00</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 police departments from the cities of Buffalo and Tonawanda, and the towns of Brant, Evans, and Hamburg to reimburse the expenses the agencies 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 are 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.

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

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Replace with the Following:

WHEREAS, the US Department of Homeland Security, through the NYS Division of Homeland Security and Emergency Services, has awarded \$258,519.00 for FY19 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 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 \$258,519.00 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 \$258,519.00 for FY19:

ERIE COUNTY SHERIFF'S OFFICE
FY 2019 Operation Stonegarden Grant

<u>REVENUE</u>		<u>DECREASE</u>
414000	Federal Revenue	<u>\$258,519.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
501000	Overtime	\$33,000.00
502000	Fringe Benefits	\$10,800.00
516010	Contractual Payments	\$170,719.00
561410	Lab and Tech	\$44,000.00
	Total Revenue	<u>\$258,519.00</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 police departments from the cities of Buffalo and Tonawanda, and the towns of Brant, Evans, and Hamburg to reimburse the expenses the agencies 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 are 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.

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

CARRIED UNANIMOUSLY.

Item 45 – MR. MEYERS moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 14E-12 (2020). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

RE: SUNY Erie 2020-2021 Budget
Placeholder
(COMM. 14E-12, 2020)

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

Insert the Following:

RESOLVED, that the Erie County Legislature does hereby approve the 2020-2021 Budget of SUNY Erie Community College as adopted by the ECC Board of Trustees, and submitted to this Honorable Body by the County Executive on July 2, 2020, with no changes.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 46 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15D-7 from DIRECTOR OF BUDGET & MANAGEMENT Re: Update Concerning Albright-Knox Art Gallery Funding

Received and referred to the FINANCE & MANAGEMENT.

Item 47 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15D-8 from DEPUTY COMPTROLLER Re: Follow-Up Letter Regarding Albright-Knox Art Gallery Funding

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 48 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15E-22 from BASKIN Re: Letter to Clerk of Legislature Calling Special Meeting

Received, filed and printed.

July 23, 2020

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

Re: Calling a Special Meeting of the Legislature

Dear Mr. Graber:

Please be advised that there is a pressing matter before the Erie County Legislature that needs immediate attention. Therefore, there is a need to call a Special Meeting of the Legislature.

Accordingly, pursuant to Rule 2.02 of the Rules of Order of the Erie County Legislature, you are hereby directed to call a SPECIAL MEETING of the Erie County Legislature to be held on Thursday, July 30, 2020 at 11:00 am in the Chambers of the Legislature, 4th Floor of Old County Hall, 92 Franklin Street, Buffalo, New York.

The purpose of the Special Meeting will be to discuss and potentially act on Intro. 15-5 concerning "Overtime for Managerial-Confidential Employees During States of Emergency", as may be amended.

The items on the agenda of the Special Meeting will include Intro. 15-5, which has been kept on the table at Session 15 on July 23, 2020, my letter to you directing the calling of the Special

Meeting, and your Memo as clerk of the Legislature to members of the Legislature calling the Special Meeting.

Thank you for your attention to this matter.

Sincerely,

April N.M. Baskin
Chair of the Legislature

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 49 – (COMM. 15E-1) Letter to DPW Commissioner Regarding Cleaning Services in the Rath Building

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIR BASKIN

Item 50 – (COMM. 15E-2) Appointment to the EC Agricultural & Farmland Protection Board

Received, filed and printed.

July 20, 2020

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

Re: Appointment to the Erie County Agricultural and Farmland Protection Board

Dear Clerk Graber:

Pursuant to my authority as Chair of the Erie County Legislature, and under Article 25-AA of the New York Agriculture and Markets Law, Section 302 which establishes the provisions for a county agricultural and farmland protection board, I hereby appoint Legislator John Gilmour as a member of the Erie County Agricultural and Farmland Protection Board for a term coterminous with his term in the Erie County Legislature.

Thank you in advance for your assistance and courtesies.

Sincerely yours,

April N.M. Baskin
Chair

FROM THE COUNTY EXECUTIVE

Item 51 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

RE: Training Services & Learning
Management System Contract
(COMM. 15E-3)

WHEREAS, Erie County is required to provide specific legally mandated training courses to all county employees; and

WHEREAS, this mandated training includes employee workplace violence and harassment prevention, privacy and safety courses; and

WHEREAS, following a request for proposal process the County Legislature on June 30, 2011 approved Comm.13E-16 authorizing the county administration to retain Skillsoft to provide online training for employees; and

WHEREAS, on July 12, 2012 (Comm. 13E-8), and July 19, 2013 (Comm. 13E-19), the County Legislature approved authorizing contract extensions with Skillsoft to provide on-line training for employees for additional one (1) year terms; and

WHEREAS on July 26, 2014 (Comm 12E-29), the County Legislature authorized a contract extension with Skillsoft to provide on-line training for employees for three (3) years; and

WHEREAS on July 27, 2017 (Comm 13E-29), the County Legislature authorized a contract extension with Skillsoft to provide on-line training for employees for three (3) years; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is included as Attachment A to this resolution; and

WHEREAS, the selection process has determined that Skillsoft is the most appropriate and cost-effective firm to provide content for web-based (on-line) training and learning management system services; and

WHEREAS the Departments of Personnel and Social Services share in the costs of the web-based training and learning management system services; and

WHEREAS the Departments of Personnel and Social Services desires to continue contracting with Skillsoft for an additional three (3) year contract period; and

WHEREAS, the Departments of Personnel and Social Services have funds available within their 2020 Budget to pay for the remaining 2020 portion of the employee training contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract for three (3) years with Skillsoft for the provision of web-based (on-line) training content and access to a learning management system in an amount not to exceed \$45,000 total per year; and be it further

RESOLVED, that funding in an amount not to exceed \$45,000 already exists within the 2020 Adopted Budget, Funds Center 16110 Personnel, Account 516020 Professional Services Contracts & Fees and Funds Center 120, Social Services, Account 516020 Professional Services Contracts & Fees; and be it further

RESOLVED, that funding in the amount of \$45,000 per year be made available from Funds Center 16110 Personnel, Account 516020 Professional Services Contracts & Fees and Funds Center 120, Social Services, Account 516020 Professional Services Contracts & Fees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of Personnel, the County Comptroller, the County Attorney, the Director of Budget and Management, and the County Executive's Office.

Item 52 – (COMM. 15E-4) ECSD Nos. 2, 3 & 8 - Construction Inspection Term Contract Agreement

Received and filed.

Item 53 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156

RE: Lakeshore Rd. Rehabilitation &
Drainage Improvements
(COMM. 15E-5)

WHEREAS, it is desired to initiate a project to rehabilitate Lakeshore Road between Bennett Beach Rd. and the entrance to Evans Town Park, including full replacement of the drainage between Hickory Rd. and Big Sister Creek, the two outlet points to Lake Erie waters, (the Project); and

WHEREAS, the completion of construction of the section of Lakeshore Shoreline Trail between Bennett Beach Rd. and the entrance to Evans Town Park is on hold pending the subject road rehabilitation and replacement of the drainage between Hickory Rd. and Big Sister Creek; and

WHEREAS, Wendel is the consultant of record for the Shoreline Trail between Bennett Beach Rd. and the entrance to Evans Town Park; and

WHEREAS, Wendel is familiar with the road, the utilities, the town, and ultimately will be responsible for marrying the Shoreline Trail to the rehabilitated road and new drainage system; and

WHEREAS, it is in the County's best interest to avoid duplication of effort and expense in furthering both the Project and the completion of the Shoreline Trail; and

WHEREAS, it is desired to contract with Wendel for the necessary design engineering services for the Project.

NOW, THEREFORE, BE IT

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

RESOLVED, that the County Executive be authorized to execute a contract with Wendel for design engineering services for the Project in an amount not to exceed \$185,000; and be it further

RESOLVED, that funding for this Project is hereby appropriated from Capital Project B.18004 - 2018 Preservation of Roads Design, Fund 420, Funds Center 123, and made available for the project; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

Item 54 – (COMM. 15E-6) ECSD No. 3 - Southtowns Solids Handling Area Repairs

Received and filed.

Item 55 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 157

RE: Acceptance of National Grid & National Fuel Energy Initiative Rebates – Public Safety Campus
(COMM. 15E-7)

WHEREAS, energy conservation measures implemented in the Public Safety Campus – Retro-Commissioning project will allow for continued energy savings for the building and preserve the building for a longer useful life; and

WHEREAS, annual electric and natural gas savings for the Public Safety Campus were calculated to be 856,049 kWh and 5,831 Mcf, respectively, with a cost savings of approximately \$40,000 per year; and

WHEREAS, the Department of Public Works applied for and was awarded both a \$34,634 National Grid Energy Initiative Rebate and a \$47,096 National Fuel Conservation Incentive as a result of the implementation project; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to accept the rebates and apply the proceeds to Fund 410, Funds Center 122, as follows, to reduce Erie County's spending burden on capital projects:

A.16008	2016 Energy Conservation	\$50
A.17007	2017 Energy Conservation	\$72,283
A.19015	2019 Mech, Elec, Plumb, & Misc Imp	\$9,397
<u>Total Rebates</u>		<u>\$81,730</u>

and

WHEREAS, authorization is also being requested to increase the budget in A.19015 by the \$9,397 portion of the rebate that was applied to this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute any and all agreements to enter into a contract with both National Grid and National Fuel to accept the Energy Incentive Rebates in the total amount of \$81,730; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller's Office to accept the incentive awards and apply the proceeds to Fund 410, Funds Center 122, as follows:

A.16008	2016 Energy Conservation	\$50
A.17007	2017 Energy Conservation	\$72,283
A.19015	2019 Mech, Elec, Plumb, & Misc Imp	\$9,397
<u>Total Rebates</u>		<u>\$81,730</u>

and be it further

RESOLVED, that authorization is hereby provided to increase the project budget in A.19015 by \$9,397, from, \$1,500,000 to \$1,509,397, to allow for spending of the portion of the rebate that was applied to this project; and be it further

RESOLVED, that all expenditures meet the requirements of the incentive guidelines by both National Grid and National Fuel, and that the Director of the Division of Budget and Management is

hereby authorized to implement any budget adjustments as required to comply with County funding requirements; 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.

Item 56 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158

RE: Safe Harbor for Exploited Children –
Contract w/International Institute
(COMM. 15E-8)

WHEREAS, a key provision of the Preventing Sex Trafficking and Strengthening Families Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, International Institute of Buffalo has been the lead agency for this program since its inception and is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, International Institute of Buffalo was re-awarded this contract in 2018 after a request-for-proposal, and the next scheduled request for proposal for this program is scheduled for 2021; and

WHEREAS, a gradual decrease in State funding over the past few years has required additional county funding to operate this valuable program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York to accept funding for the Safe Harbor for Exploited Children program; and be it further

RESOLVED, the County Administrative Code requirement in Section 19.08 for a RFP is hereby waived; and be it further

RESOLVED, that the Commissioner of Social Services and the County Executive are hereby authorized to enter into contract with the International Institute of Buffalo in the amount of \$150,000 for the provision of services for the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2020 Adopted Budget in order to establish State funding for the Safe Harbor program:

Department of Social Services - 2020 Budget	
Fund 110	
Revenue	Increase
409000 State Aid	\$43,350
Expense	
516400 Preventive Agencies - International Institute	\$43,350
Net County Cost	0

and be it further

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

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

Item 57 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

RE: Agreement w/WNY Land Conservancy
for Trail Connections Between Hunters
Creek County Park & Mossy Point
Preserve
(COMM. 15E-9)

WHEREAS, the Western New York Land Conservancy (“WNY Land Conservancy”) recently obtained ownership of a parcel of land, known as the “Mossy Point Preserve”, situate adjacent to the County’s Sgt. Mark A. Rademacher Memorial Park, commonly referred to as Hunters Creek Park; and

WHEREAS, the WNY Land Conservancy has requested permission to construct trail connections between Hunters Creek Park and the Mossy Point Preserve; and

WHEREAS, an expanded connected trail system will not only be beneficial to the public, but also, aid in lessening the wear and tear of the Hunters Creek Park trails; and

WHEREAS, the County Land Advisory Review Committee (“ARC”) has reviewed the proposal and recommends the construction and maintenance by WNY Land Conservancy of a connecting trail between Hunters Creek County Park and the Mossy Point Preserve.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to enter into an agreement, as well as any ancillary documents, with the Western New York Land Conservancy to allow for trail connections between Hunters Creek Park and the Mossy Point Preserve; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Erie County Executive, the Commissioner of Parks, Recreation & Forestry and the Erie County Department of Law.

Item 58 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

RE: Right-of-Way Acquisition - Back Creek
Road Slide Remediation
(COMM. 15E-10)

WHEREAS, it is desired to acquire the Right-of-Way (ROW) necessary for the remediation of the slide on Back Creek Road (CR 4381) in the Town of Boston, the “Project”; and

WHEREAS, in order to facilitate construction of the Project it will be necessary for the County to acquire by easement and/or fee, such parcels as may become necessary for construction, including parcels that are portions of real property in the vicinity of the project as follows:

<u>PORTIONS OF TAX MAP SBL NUMBER</u>	<u>TOWNSHIP</u>
SBL 241.00-3-23.1	Boston
SBL 241.00-3-14.2	Boston
SBL 242.17-2-4	Boston
SBL 242.17-2-5	Boston
SBL 242.17-2-6	Boston

Such property necessary to be acquired by the County is herein referred to as the “Subject Properties”; and

WHEREAS, the acquisition of the portions of the Subject Properties is expected to be de minimis in nature so the public interest will not be prejudiced by the construction of the Project; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be

necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that a sum not to exceed \$20,000 from Fund 420, Funds Center 123, Project B.16012 - 2016 Road Slide ROW be made available to cover all costs of ROW acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Properties for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by easement and/or fee, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring easement and/or fee interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; 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 also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

Item 59 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

RE: Right-of-Way Acquisition - Trevett
Road Slide Remediation
(COMM. 15E-11)

WHEREAS, it is desired to acquire the Right-of-Way (ROW) necessary for the remediation of the slide on Trevett Road (CR 420) in the Town of Concord, the “Project”; and

WHEREAS, in order to facilitate construction of the Project it will be necessary for the County to acquire by easement and/or fee, such parcels as may become necessary for construction, including parcels that are portions of real property in the vicinity of the project as follows:

<u>PORCTIONS OF TAX MAP SBL NUMBER</u>	<u>TOWNSHIP</u>
SBL 346.00-1-3.12	Concord
SBL 346.00-1-4	Concord
SBL 346.00-1-5	Concord
SBL 346.00-1-6.11	Concord
SBL 346.00-1-8	Concord
SBL 346.00-1-10	Concord

Such properties necessary to be acquired by the County are herein referred to as the “Subject Properties”; and

WHEREAS, the acquisition of the portions of the Subject Properties is expected to be de minimis in nature so the public interest will not be prejudiced by the construction of the Project; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that a sum not to exceed \$40,000 from Fund 420, Funds Center 123, Project B.16012 - 2016 Road Slide ROW be appropriated and made available to cover all costs of ROW acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Properties for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by easement and/or fee, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring easement and/or fee interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; 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 also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

Item 60 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

RE: Rehabilitation of Borden Rd. - Towns of
W. Seneca & Cheektowaga
(COMM. 15E-12)

WHEREAS, it is desired to initiate a multi-year phased project to rehabilitate Borden Road (CR322), including complete replacement of the deteriorated storm drainage system and rehabilitation of the pavement (the Project); and

WHEREAS, Bergmann Associates was selected under the County's selection process to provide design engineering services for the project through final design for all phases of the project; and

WHEREAS, the full funding of \$545,519 for the proposed design engineering services for all project phases is not available due to current fiscal restrictions; and

WHEREAS, the County desires to begin the project by contracting with Bergmann Associates in an amount not to exceed \$195,519 utilizing existing funding which is available from Fund 420, Fund Center 123, B.17003 – 2017 Preservation of Roads Design; and

WHEREAS, contingent on the availability of funding it is the County's intent to amend the initial contract with Bergmann Associates in the amount of \$350,000 to fully fund the project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the subject Project including all project phases; and be it further

RESOLVED, that the County Executive is hereby authorized to execute a contract with Bergmann Associates for design engineering services in an initial amount not to exceed \$195,519; and be it further

RESOLVED, that contingent upon the availability of funding the County Executive is authorized to amend the initial contract in the amount of \$350,000 for the engineering design services required for all project phases; and be it further

RESOLVED, that funding for this Project is hereby appropriated from Fund 420, Funds Center 123, as follows:

B.17003	2017 Preservation of Roads Design	\$195,519
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and made available for the project; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

Item 61 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

RE: Agreement w/NYS DOT for Federal-Aid Highway Local Project & Engineering

Design Services for Congestion
Mitigation Air Quality
(COMM. 15E-13)

WHEREAS, the Installation of Electric Vehicle Charging Stations PIN 5763.49, (the “Project”) is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds, and a 20% local share; and

WHEREAS, under the Congestion Mitigation Air Quality (CMAQ) Program, the Federal cost share is limited to the amount set forth in the agreement with the New York State Department of Transportation (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 \$70,000, the required 20% local share is \$14,000, and the 80% federal share is \$56,000, available in Capital Project A.18017 - 2018 Shelter, Building, and Comfort Station Rehab, Fund 410, Funds Center 164; and

WHEREAS, after an RFQ process in January 2020, the firm of LaBella P.C., was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the electrical engineering design and site plan mapping for each charging station location.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Installation of Electric Vehicle Chargers, PIN 5763.49 (the “Project”); and be it further

RESOLVED, that the County Executive be authorized to execute the agreement with the New York State Department of Transportation (NYSDOT), execute a negotiated agreement between the County of Erie and the selected Project Design Engineers, LaBella P.C., for engineering design services in an amount not to exceed \$70,000, 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 \$70,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the federal revenue that is available under the Congestion Mitigation Air Quality (CMAQ) Program administered by the NYSDOT; and be it further

RESOLVED, that Capital Project A.18017 - 2018 Shelter, Building, and Comfort Station Rehab, Fund 410, Funds Center 164, be increased by the anticipated \$56,000 in federal revenue as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
414000	Federal Aid	\$ 0	\$ 56,000	\$ 56,000
475000	Gen Oblig Bond Proc	<u>\$350,000</u>	<u>\$ 0</u>	<u>\$350,000</u>
TOTAL REVENUES		<u>\$350,000</u>	<u>\$ 56,000</u>	<u>\$406,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$350,000</u>	<u>\$ 56,000</u>	<u>\$406,000</u>
TOTAL APPROPRIATIONS		<u>\$350,000</u>	<u>\$ 56,000</u>	<u>\$406,000</u>

and be it further

RESOLVED, that the estimated total Project cost of \$70,000 for Design Engineering is hereby appropriated from Capital Project A.18017 - 2018 Shelter, Building, and Comfort Station Rehab, Fund 410, Funds Center 164 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 Parks, Recreation, and Forestry, and 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.

Item 62 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

RE: Countywide Hazardous Materials
Design and/or Sample Testing & Air
Monitoring
(COMM. 15E-14)

WHEREAS, Watts Architecture and Engineering was previously approved to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring services per COMM. 21E-36 (2017); and

WHEREAS, the Commissioner of Public Works desires to engage in the continuation of an existing contract with Watts Architecture and Engineering to provide services related to Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring on various County projects; and

WHEREAS, the Department of Public Works previously selected Watts Architecture and Engineering for Countywide Hazardous materials Design and/or Sample Testing and Air Monitoring through a RFQ/ RFP initially advertised on 6/23/17; and

WHEREAS, per the terms of the RFQ/ RFP, the Department of Public Works is exercising the option to extend the term contract for Watts Architecture and Engineering by one (1) of the two (2) one-year term extensions available as described in the RFP/ RFQ; and

WHEREAS, Watts Architecture and Engineering has proven they have the necessary expertise, experience, and manpower to continue to provide the required services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to extend the existing Agreement with Watts Architecture and Engineering PC to continue to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring; and be it further

RESOLVED, that additional funds in the sum of \$25,000 be allocated for said Countywide Hazardous Materials and Testing services; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved capital budget, Fund 410, Fund Center 122, A.19006 – Preservation of County Buildings and Facilities (Countywide) for a total amount not to exceed \$25,000; 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.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

RE: Contract w/Boys & Girls Clubs of Buffalo - Capital Improvements at Masten Boys & Girls Club (COMM. 15E-15)

WHEREAS, the County of Erie recognizes the critical public need for support in the areas of education, nutrition, and life skills for the youth of the East Side of Buffalo; and

WHEREAS, the Masten Boys and Girls Clubhouse located 397 Northland Avenue, Buffalo currently provides the aforementioned needed services to the East Side of Buffalo; and

WHEREAS, the Masten Boys and Girls Club is highly utilized within the Community; and

WHEREAS, the Masten Boys and Girls Clubhouse built in the 1950s is in need of capital improvements to address the aging nature of the current facility; and

WHEREAS, the proposed capital improvements will enable the Boys and Girls Clubhouse to meet the public need for the services; and

WHEREAS, Erie County desires to fund a portion of the renovation of the Masten Boys and Girls Clubhouse; and

WHEREAS, the Boys and Girls Club of Buffalo is the owner of the Masten Boys and Girls Clubhouse; and

WHEREAS, the County of Erie has allocated \$75,000 for the Masten Boys and Girls Clubhouse Renovation in the approved 2020 Capital Budget in account A.20063.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts, easements and agreements with the Boys and Girls Club of Buffalo, Masten Clubhouse or Boys and Girls Club of Buffalo in amounts not to exceed a total of \$75,000 for the purpose of capital improvements and associated activities at the Masten Boys and Girls Club; and be it further

RESOLVED, that the source of these funds shall be \$75,000 available in the approved 2020 Erie County Capital Budget within SAP account A.20063; and be it further

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

Item 64 – MR. MEYERS presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166

RE: 2020 Summer Primetime Funding - EC
Youth Bureau
(COMM. 15E-16)

WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2020 summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2020 adopted budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult-supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevents delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposal was distributed for this program and Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and the Commissioner of Social Services are hereby authorized to execute contracts with the following providers for Operation Primetime from available 2020 funds in Fund Center 12530, Account 517749 (Operation Primetime) in the Youth Bureau:

Agency	Amount
Arab-American Community Center for Economic and Social Services (ACCESS) of WNY	\$9,000
Be A Friend Program Inc.	\$9,000
BestSelf Behavioral Health	\$9,000
Boys & Club of Orchard Park	\$7,500
Boys & Girls Club East Aurora	\$9,000
Boys & Girls Club Northtowns	\$7,500
Boys & Girls Club of Eden- Lakeshore	\$9,000
Boys & Girls Club of Elma, Marilla, & Wales	\$9,000
Boys & Girls Club of Buffalo	\$9,000
Buffalo Center for Arts and Technology	\$9,000
Buffalo Engineering Awareness for Minorities (BEAM)	\$5,000
Buffalo Police Athletic League	\$9,000
Buffalo Urban League	\$9,000
Compeer of Greater Buffalo	\$9,000
Computers For Children / Mission Ignite	\$9,000
Cornell Cooperative Extension	\$9,000
Cradle Beach	\$9,000
Enlightenment Bookstore & Literary Arts Center	\$9,000
Erie Reg Housing Dev Corp	\$9,000
Gay & Lesbian Youth Services of WNY	\$5,000
Girls Sports Foundation	\$5,000
Greater Niagara Frontier Council/ Boy Scouts	\$7,500
Karen Society	\$5,000
Lackawanna Sports and Education	\$7,500
Lackawanna Youth Empowerment/ Global Concepts	\$9,000
Native American Community Services (NACS)	\$7,500
Northwest Buffalo Community Center	\$9,000
Old First Ward	\$9,000
Peace of the City	\$9,000
Research Foundation for SUNY/ Buffalo State	\$7,500
Seneca Babcock Comm Association	\$9,000
Seneca Street CDC	\$9,000
Springville Club for Boys & Girls	\$5,000
Springville Youth, Inc.	\$5,000
Town of Hamburg	\$9,000
Tru Way Community Center	\$9,000
University District CDC/ Gloria J Parks	\$9,000

Valley Community Association	\$9,000
Village of Hamburg	\$7,500
West Side Community Services	\$9,000
Westminster Economic Development Initiative (WEDI)	\$9,000
Willie Hutch Jones Educational and Sports Programs	\$9,000
Young Audiences of WNY	\$9,000
YWCA Western NY	\$7,500

and be it further

RESOLVED, that after contracts are executed and filed, the Department of Social Services, Division of Budget and Management and Office of the Comptroller are authorized to effectuate future 2020 payments for these agencies for providing Operation Primetime 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.

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

CARRIED UNANIMOUSLY.

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

RESOLVED, that the County Executive and the Commissioner of Social Services are hereby authorized to execute contracts with the following providers for Operation Primetime from available 2020 funds in Fund Center 12530, Account 517749 (Operation Primetime) in the Youth Bureau:

Agency	Amount
Arab-American Community Center for Economic and Social Services (ACCESS) of WNY	\$9,000
Be A Friend Program Inc.	\$9,000
BestSelf Behavioral Health	\$9,000
Boys & Club of Orchard Park	\$7,500
Boys & Girls Club East Aurora	\$9,000
Boys & Girls Club Northtowns	\$7,500
Boys & Girls Club of Eden- Lakeshore	\$9,000
Boys & Girls Club of Elma, Marilla, & Wales	\$9,000
Boys & Girls Club of Buffalo	\$9,000
Buffalo Center for Arts and Technology	\$9,000
Buffalo Engineering Awareness for Minorities (BEAM)	\$5,000

Buffalo Police Athletic League	\$9,000
Buffalo Urban League	\$9,000
Compeer of Greater Buffalo	\$9,000
Computers For Children / Mission Ignite	\$9,000
Cornell Cooperative Extension	\$9,000
Cradle Beach	\$9,000
Delavan Grider (MCDC)	\$7,500
Enlightenment Bookstore & Literary Arts Center	\$9,000
Erie Reg Housing Dev Corp	\$9,000
Gay & Lesbian Youth Services of WNY	\$5,000
Girls Sports Foundation	\$5,000
Greater Niagara Frontier Council/ Boy Scouts	\$7,500
Karen Society	\$5,000
Lackawanna Sports and Education	\$7,500
Lackawanna Youth Empowerment/ Global Concepts	\$9,000
Native American Community Services (NACS)	\$7,500
Northwest Buffalo Community Center	\$9,000
Old First Ward	\$9,000
Peace of the City	\$9,000
Research Foundation for SUNY/ Buffalo State	\$7,500
Seneca Babcock Comm Association	\$9,000
Seneca Street CDC	\$9,000
Springville Club for Boys & Girls	\$5,000
Springville Youth, Inc.	\$5,000
Town of Hamburg	\$9,000
Tru Way Community Center	\$9,000
Valley Community Association	\$9,000
Village of Hamburg	\$7,500
West Side Community Services	\$9,000
Westminster Economic Development Initiative (WEDI)	\$9,000
Willie Hutch Jones Educational and Sports Programs	\$9,000
Young Audiences of WNY	\$9,000
YWCA Western NY	\$7,500

and be it further

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

CARRIED UNANIMOUSLY.

Item 65 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

RE: Senior Services Education & Public
Messaging Campaign - Dept. of Senior
Services
(COMM. 15E-17)

WHEREAS, the Department of Senior Services has developed a four-Year Plan with the New York State Office for Aging; and

WHEREAS, as a part of this plan there is a need to expand the number and variety of elderly communities that are aware of and receive services from the Department of Senior Services; and

WHEREAS, as a part of this plan there is a need to expand the number and variety of disabled communities, that are aware of and are linked with the Department of Senior Services and its NYConnects unit; and

WHEREAS, the Department issued a 2019 RFP to select a consultant to assist in developing a marketing plan which includes an assessment of past print, social media and radio communications efforts to create an improved and inclusive plan; and

WHEREAS, Townsquare Media August/Waterville LLC, an experienced, media agency with a strong background in developing strategic communications plans and campaigns, was selected through the RFP process; and

WHEREAS, the Department desires to continue to contract with Townsquare Media August/Waterville LLC , at a cost not to exceed \$43,659 to function as the consultant to implement the communication plan for the Department for the period July 1, 2020 through September 29, 2020; and

WHEREAS, appropriations are available to pay for these services in the 163MIPPA/ADRC1920 and 163BEC1920 grants, both of which are 100% are federally funded.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to enter into a consultant contract, not to exceed \$43,659 with Townsquare Media August/Waterville LLC to assist in developing a marketing and education plan for the Department during the period July 1, 2020 through September 29,2020; and be it further

RESOLVED, that available appropriations in the 163MIPPA/ADRC1920 and 163BEC1920 grants' Professional Services Contracts and Fees account be utilized to pay for these consulting services; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department of Senior Services.

Item 66 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168

RE: Acceptance of Extended Senior SNAP Enrollment 2018-2020 Grant Funding (COMM. 15E-18)

WHEREAS, the National Council on Aging's (NCOA) Senior SNAP Enrollment Initiative is a national program that supports efforts by community-based organizations and agencies to assist older adults (i.e. age 60 and over) in applying for and enrolling in the Supplemental Nutrition Assistance Program (SNAP); and

WHEREAS, NCOA had previously awarded the Erie County Department of Senior Services, a \$50,000 Senior SNAP Enrollment Initiative Grant, for the period of July 15, 2018 to April 30, 2020, to increase current SNAP outreach and enrollment assistance to people ages 60 and older with focus in rural and refugee communities in Western New York; and

WHEREAS, NCOA has recently awarded the Department an additional \$4,500 of Senior SNAP Enrollment Initiative grant funds and has extended the grant period to August 15, 2020; and

WHEREAS, the grant is 100% funded and does not require a local share; and

WHEREAS, the Department of Senior Services had previously contracted with various not-for profit agencies, including the Network of Religious Communities Inc., to assist in determining SNAP eligibility and provide assistance with applying and utilizing benefits; and

WHEREAS, the Department of Senior Services desires to contract, at a cost not to exceed \$3,000, with Network of Religious Communities to extend the Senior SNAP Enrollment Initiative program in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to extend the grant contract with the National Council on Aging (NCOA) to August 15, 2020 and accept the additional \$4,500 of funding; and be it further

RESOLVED, the County Executive be and is hereby authorized to amend and extend the contract with the Network of Religious Communities Inc. at a cost not to exceed \$3,000; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with the NCOA, and Network of Religious Communities Inc., Food For All Program to effectuate adjusted funding levels; and be it further

RESOLVED, that the budget for the 163SRSNAP1820 grant, be extended and adjusted as follows:

REVENUES		CURRENT BUDGET	CHANGE	AMENDED BUDGET
Account	Description			
417060	Other Income Senior Srvc	\$50,000	\$4,500	\$54,500
APPROPRIATIONS				
Account	Description			
516020	Professional Svcs	\$10,000	\$3,000	\$13,000
916390	ID Senior Services Grant	\$8,000	\$ 1,500	\$9,500
	TOTAL APPROPRIATIONS		\$ <u>4,500</u>	

and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive Office, Division of Budget and Management, Comptroller's Office and the Department of Senior Services.

Item 67 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169

RE: EC Charge Back - Corrected Tax
Billings and/or Refunds
(COMM. 15E-19)

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 220085 through 220097, 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.	220,085.00
ASSESSOR		Refund	\$184.32
S-B-L	129.00-3-22	Four Rod Rd 142089 ALDEN	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$184.32 Town/SpecialDist/School
Charge To :	142089 ALDEN		\$184.32

RPTL 550(2): Failed ot remove refuse collection
Refund to be issued to Warren Bippert Jr

FISCAL YEAR	2020	Petition No.	220,086.00
ASSESSOR		Refund	\$813.54
S-B-L	82.05-9-14	122 Berkley Rd 142289 AMHERST	
	Acct. No. 112		\$461.29 County
	Acct. No. 132		\$352.25 Town/SpecialDist/School
Charge To :	142289 AMHERST		\$352.25

RPTL 550(2): Failed to apply vet exemptions
Refund to be issued to Alexandra Pepper

FISCAL YEAR	2019	Petition No.	220,087.00
ASSESSOR		Refund	\$1,300.91
S-B-L	82.05-9-14	122 Berkley Rd 142289 AMHERST	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,300.91 Town/SpecialDist/School
Charge To :	142289 AMHERST		\$1,300.91
	Relevy School		\$1,300.91 143201 CLARENCE

CENTRAL

RPTL 550(2): Failed to apply vet exemptions
Refund to be issued to Alexandra Pepper

FISCAL YEAR	2020	Petition No.	220,088.00
ASSESSOR		Cancel	\$121.32
S-B-L	200.00-1-18.2	1797 Center St 142489 AURORA	

Acct. No. 112		\$0.00	County
Acct. No. 132		\$121.32	Town/SpecialDist/School
24 Fire Hydrant Charge	\$43.00		
24 Fire Hydrant Charge	\$44.00		
Charge To :	142489 AURORA		\$34.32

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

FISCAL YEAR 2020 Petition No. 220,089.00

ASSESSOR	Cancel	\$99.39
S-B-L 187.03-1-1	1556 Mill Rd	142489 AURORA

Acct. No. 112		\$0.00	County
Acct. No. 132		\$99.39	Town/SpecialDist/School
24 Fire Hydrant Charge	\$43.00		
24 Fire Hydrant Charge	\$44.00		
Charge To :	142489 AURORA		\$12.39

RPTL 550(2): Applied special districts in error
New tax bill to be issued

FISCAL YEAR 2020 Petition No. 220,090.00

ASSESSOR	Cancel	\$320.55
S-B-L 92.20-1-6	110 Lee St	143003 DEPEW

Acct. No. 112		\$0.00	County
Acct. No. 132		\$320.55	Town/SpecialDist/School
Charge To :	143003 DEPEW		\$320.55

Relevy Village	\$320.55	Village of DEPEW
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RPTL 550(2): Failed to apply vet exemption
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 220,091.00

ASSESSOR	Refund	\$870.00
S-B-L 275.20-1-16	Abbott Hill Rd	143889 CONCORD

Acct. No. 112		\$0.00	County
Acct. No. 132		\$870.00	Town/SpecialDist/School
38121 KB Sewer 2	\$870.00		
Charge To :	143889 CONCORD		\$0.00

RPTL 550(2): Error in calculation of special district

Refund to be issued to Scott & Stephanie Bacon

FISCAL YEAR 2020 Petition No. 220,092.00

 ASSESSOR Cancel \$3,237.30
S-B-L 335.12-2-1.111 290 Elm St 143801 SPRINGVILLE

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$3,237.30 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$3,237.30

 Relevy Village \$3,237.30 Village of SPRINGVILLE
RPTL 550(2): Duplicate parcel
Delete entire parcel from tax roll

FISCAL YEAR 2020 Petition No. 220,093.00

 ASSESSOR Refund \$485.92
S-B-L 23.18-1-15 3022 Westwood Dr 144600 GRAND ISLAND

 Acct. No. 112 \$323.08 County
 Acct. No. 132 \$162.84 Town/SpecialDist/School
Charge To : 144600 GRAND ISLAND \$162.84

RPTL 550(2): Failed to apply vet exemption
Refund to be issued to Michael Tuohy & Racheal Steckelberg

FISCAL YEAR 2019 Petition No. 220,094.00

 ASSESSOR Refund \$730.88
S-B-L 23.18-1-15 3022 Westwood Dr 144600 GRAND ISLAND

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$730.88 Town/SpecialDist/School
Charge To : 144600 GRAND ISLAND \$730.88
 Relevy School \$730.88 144601 GRND ISLN

CENTRAL

RPTL 550(2): Failed to apply vet exemption
Refund to be issued to Michael Tuohy & Racheal Steckelberg

FISCAL YEAR 2019 Petition No. 220,095.00

 ASSESSOR Refund \$5,147.50
S-B-L 183.13-2-6.111 5999 South Park Av 144889 HAMBURG

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$5,147.50 Town/SpecialDist/School
Charge To : 144889 HAMBURG \$5,147.50

RPTL 550(2): Applied sewer charge in error
Refund to be issued to Benchmark Hamburg Plaza Assoc LLC

FISCAL YEAR 2020 Petition No. 220,096.00

 ASSESSOR Cancel \$63.41
S-B-L 47.16-2-25 33 Front St 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$63.41 Town/SpecialDist/School
Charge To : 145601 AKRON \$63.41

 Relevy Village \$63.41 Village of AKRON
RPTL 550(2): Error in calculation of aged exemption
New tax bill to be issued

FISCAL YEAR 2020 Petition No. 220,097.00

 ASSESSOR Cancel \$1,823.54
S-B-L 78.33-6-7 14 Hiler Ave 146401 KENMORE

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,823.54 Town/SpecialDist/School
Charge To : 146401 KENMORE \$1,823.54

 Relevy Village \$1,823.54 Village of KENMORE
RPTL 550(2): Village tax relevied in error
New tax bill to be issued

and be it further

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

Item 68 – (COMM. 15E-20) Documents Relating to Overtime During COVID-19 Outbreak

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR HARDWICK

Item 69 – (COMM. 15E-21) WROTB Receipt of Paycheck Protection Program Funds & Furloughs

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPUTY COMPTROLLER

Item 70– (COMM. 15D-1) Letter to Legislature Concerning Second Round of May Sales Tax Receipts

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 71 – (COMM. 15D-2) Update of Child Protective Caseloads for 06/2020

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 72 – (COMM. 15D-3) Fund 252 Consumption Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPT. OF LAW

Item 73 – (COMM. 15D-4) Local Emergency Order Extension

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DEPUTY COMPTROLLER

Item 74 – (COMM. 15D-5) Letter Concerning Albright Knox Funding

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMMISSIONERS, BOARD OF ELECTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 170

RE: EC BoE Cyber Security Remediation
Grant
(COMM. 15D-6)

WHEREAS, on December 21, 2019, NYS Senate (S. 01102) and Assembly (A.780) bills, which relate to cyber security remediation in New York State, were signed into law; and

WHEREAS, New York State has provided funding to Erie County in the amount of \$316,592.86 to purchase New York State-approved cyber security services; and

WHEREAS, the Erie County Board of Elections (ECBOE) must enter into a contract with the New York State Board of Elections in order to access these funds to help remediate cyber security.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the Board of Elections to enter into an agreement with the NYS Board of Elections in an amount not to exceed \$316,592.86; and be it further

RESOLVED, that the ECBOE will submit necessary paperwork for State reimbursement for 100% of the purchase price of eligible expenditures; and be it further

RESOLVED, that the Erie County Legislature approves that the ECBOE executive all necessary contracts with approved in Erie County; and be it further

RESOLVED, that authorization is hereby granted to the Division of Budget and Management to create a new grant and make the following adjustments to the 2020 Budget of the ECBOE:

Erie County Board of Elections
Fund 281, Funds Center 1500020
150CYBERSECURITY1921
12/21/2019 – 12/31/2021

REVENUE		Amount
Account 409000	State Aid Revenues	\$316,592.86
TOTAL REVENUE		\$316,592.86
APPROPRIATIONS		Amount
Account 516020	Professional Services	\$316,592.86
TOTAL APPROPRIATIONS		\$316,592.86

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust budget lines as needed in order to comply with the conditions and purpose outlines in the Cyber Security Remediation Grant contract; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the ECBOE, one (1) certified copy be forwarded to Division of Budget and Management, the Office of the Comptroller, the County Attorney Office and the Division of Purchase.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EC CORRECTIONS SPECIALIST ADVISORY BOARD

Item 76 – (COMM. 15M-1) Addendum Request for Testimony/Written Comments Concerning ECSO's Proposal to "Close" the ECHC

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SUNY ERIE BOARD OF TRUSTEES

Item 77 – (COMM. 15M-2) SUNY Erie 2020-21 Amended Operating Budget

Received and filed.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 78 – (COMM. 15M-3) Financial Report & Cash Basis for the Period 1/1/20 - 6/30/20

Item 79 – (COMM. 15M-4) Quarterly Report for 2nd Quarter of 2020

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

FROM THE CSEA

Item 80 – (COMM. 15M-5) Letter to Public Safety Committee Regarding ECSO's 2020 Budget Proposal

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NYSDEC

Item 81 – (COMM. 15M-6) Invitation for Public Comment - Brownfield Cleanup Draft Investigation Work Plan at 3077 Union Road, Orchard Park

Item 82 – (COMM. 15M-7) Invitation for Public Comment - Brownfield Cleanup Program Application for 1100 Michigan Ave., Buffalo

Item 83 – (COMM. 15M-8) Invitation for Public Comment - Brownfield Cleanup Program Application for 951 Ellicott St., Buffalo

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

ANNOUNCEMENTS

Item 84 – Chair Baskin announced that the Legislature will be holding two meetings on Thursday, July 30, 2020. The first an Informational Meeting of the Finance & Management Committee, at 10:00 a.m., in order to discuss INTRO. 15-5, followed by a Special Meeting of the Legislature, at 11:00 a.m., in the Chambers of the Legislature, 4th Floor of Old County Hall, 92 Franklin St., Buffalo, New York.

MEMORIAL RESOLUTIONS

Item 85 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Gladys Heart Carter Chestnut.

Item 86 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Joan Gadd and Robert Guenther.

Item 87 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Elizabeth J. (Pritchard) LaGree-Murray, and Frank J. McGuire.

ADJOURNMENT

Item 88 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. MEYERS moved that the Legislature adjourn until Thursday, July 30, 2020 at 11:00 a.m. Eastern Standard Time. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, July 30, 2020 at 11:00 a.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE