

**ERIE COUNTY LEGISLATURE  
MEETING NO. 19  
NOVEMBER 3, 2022**

The Legislature was called to order by Chair Baskin.

All members present, except Legislator Greene.

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

The Pledge of Allegiance was led by Mr. Johnson.

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 18 from 2022. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MS. VINAL presented a proclamation Congratulating and Honoring Excelsior Orthopaedics as Amherst Chamber of Commerce 2022 Business of the Year.

Item 6 – MS. CHIMERA presented a proclamation Acknowledging and Recognizing National Principals Month.

Item 7 – CHAIR BASKIN & MR. JOHNSON presented a proclamation In Remembrance of Tyrone Ronald Heard, Sr.

Item 8 – MR. JOHNSON & MR. GILMOUR presented a proclamation In Remembrance of Lucille Watkins.

Item 9 – CHAIR BASKIN & MR. JOHNSON presented a proclamation Acknowledging and Honoring National Entrepreneur's Day.

Item 10 – MR. JOHNSON presented a proclamation Honoring and Recognizing National Family Caregivers Month.

Item 11 – MS. CHIMERA presented a proclamation Recognizing National Stress Awareness Month.

Item 12 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Recognizing October as Polish Heritage Month in Erie County.

Item 13 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Honoring All Veterans for Their Service to Our Country.

Item 14 – MR. LORIGO presented a proclamation Honoring and Recognizing Gary Grote on His Retirement from the Greater East Aurora Chamber of Commerce.

Item 15 – MR. LORIGO presented a proclamation Honoring the SPCA's Paws for Love Visitation Program.

Item 16 – MR. GREENE presented a proclamation Honoring Firefighter Daniel Demerle for Being Inducted into the Wall of Honor.

Item 17 – MR. GREENE presented a proclamation Honoring Firefighter Leonard J. Fiegl for Being Inducted into the Wall of Honor.

Item 18 – MR. GREENE presented a proclamation Recognizing Roy A. Chaffee as a Clarence Veterans Memorial Wall Honoree.

Item 19 – MR. TODARO presented a proclamation Celebrating the Weimer Over Agency on Its Fortieth Anniversary.

Item 20 – MR. TODARO presented a proclamation Honoring and Celebrating Hybrid Fitness on Its Five-Year Anniversary.

Item 21 – MR. TODARO presented a proclamation Honoring and Recognizing Joan Pfeiffer Dusterhus on Becoming a Published Author.

Item 22 – MR. TODARO presented a proclamation Honoring and Recognizing Kathy Sautter on Her First Children's Book.

Item 23 – MR. MILLS presented a proclamation Honoring Aiden Reynolds on Earning the Rank of Eagle Scout.

Item 24 – MR. MILLS presented a proclamation Honoring Dillon Patrick Connell on Earning the Rank of Eagle Scout.

Item 25 – MR. MILLS presented a proclamation Honoring Bradley W. Casto on Earning the Rank of Eagle Scout.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 26 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2022 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 27 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

October 27, 2022	PUBLIC SAFETY COMMITTEE REPORT NO. 13
------------------	--

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 17-5 (2020)  
GILMOUR, CHIMERA & BASKIN: “Supporting a New Approach to Coordinating & Providing Mental Health Professionals & Social Workers for Assisting Law Enforcement in Crisis Situations & 911 Calls”  
(Chair’s Ruling)
  - b. COMM. 8E-10 (2021)  
VINAL: “Letter to Sheriff Concerning Transparency & Working with Government Partners”  
(Chair’s Ruling)
  - c. COMM. 15M-12 (2022)

ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD: “Erie County Small Business Workforce Support Via "Former Detainee to Employee" Action Plan”  
(Chair’s Ruling)

2. COMM. 18E-1 (2022)  
SHERIFF

WHEREAS, the Erie County Sheriff’s Office (ECISO) has been awarded a grant from the New York State Governor’s Traffic Safety Committee; and

WHEREAS, the grant funding is to reimburse the County \$16,149.00 for seal belt and traffic safety enforcement details throughout the county; and

WHEREAS, the goal of the grant is to reduce serious injuries and deaths from traffic crashes; and

WHEREAS, the marine unit is instrumental in maintaining safe waterways by enforcing navigation laws and educating the boating public; and

WHEREAS, the grant will have a neutral to positive fiscal impact on the 2022 and 2023 county budgets because the grant will reimburse the County \$16,149.00 for traffic safety enforcement details.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff’s Office to enter into an agreement with the New York State Governor’s Traffic Safety Committee to accept \$16,149.00 in grant funding for ECISO traffic safety enforcement activities; and be it further

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

ERIE COUNTY SHERIFF'S OFFICE  
FY 22-23 NYS Governor’s Traffic Safety Grant

<u>REVENUE</u>		<u>DECREASE</u>
409020	NYS - Miscellaneous	<u>\$16,149.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
501000	Overtime	<u>\$16,149.00</u>
Total Revenue		<u>\$16,149.00</u>

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, that certified copies be forwarded to the County Executive’s Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff.

(5-0) Chair Baskin not present for vote.

3. COMM. 18E-5 (2022)  
SHERIFF

WHEREAS, the Erie County Sheriff’s Office along with the Department of Homeland Security and

WHEREAS, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$14,700.00 to the Erie County Sheriff’s Office in funding specifically allocated for integration training of an explosives detection K9s; and

WHEREAS, as part of the grant application process, the NYSDHSES approved D-Co Leaders as the training vendor; and

WHEREAS, there will be no fiscal impact on the 2022 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize authorization for the County Executive and the Erie County Sheriff to enter into an agreement to accept a grant from the State of New York Office of Homeland Security and Emergency Services in the amount of \$14,700.00 for integration training of an explosives detection K9s; and be it further

RESOLVED, that the Erie County Sheriff’s Office is authorized to enter into agreements with the NYSDHSES approved vendor, D-CO.US, 26 Pinecrest Plaza, Southern Pines, North Carolina, for the described training; and be it further

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

ERIE COUNTY SHERIFF'S OFFICE  
FY 20 NYS Department of Homeland Security and Emergency Services

<u>REVENUE</u>		<u>DECREASE</u>
414000	Federal Revenue	<u>\$14,700.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
510200	Training and Educations	\$7,500.00
561410	Lab and Tech	\$7,200.00

Total Revenue

\$14,700.00

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, that certified copies be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Purchasing Department, the Office of the Comptroller, and the Office of the Sheriff.

(5-0) Chair Baskin not present for vote.

4. COMM. 18E-6 (2022)  
SHERIFF

WHEREAS, the US Department of Homeland Security, through the NYS Division of Homeland Security and Emergency Services, has awarded \$140,000.00 to the Erie County Sheriff's Office in funding specifically allocated to agencies with established Bomb Squads Units; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$140,000.00 in federal resources to provide funds for specialized training and equipment to protect the residents of Erie County and the State of New York from terrorist attacks involving explosive devices; and

WHEREAS, at the time of the grant application, the Erie County Sheriff's Office must submit a specific list of training modules and the NYSDHSES approved consultants; and

WHEREAS, the NYSDHSES must approve the training vendors prior to the award of the grant; and

WHEREAS, the NYSDHSES approved training and vendors for this grant are as follows:  
Texas A&M Engineering TEEX- Advanced Ordnance Recognition for Law Enforcement  
Tactical Electronics- Advanced X-Ray Diagnostic Training; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security to accept grant funding in the amount of \$140,000.00 for FY20 for the Erie County Sheriff's Office; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding for FY20 in the Grant Fund 281 and budget those funds; and be it further

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

ERIE COUNTY SHERIFF'S OFFICE  
FY 2020 Bomb Squad Grant  
October 1, 2022 to August 31, 2023

<u>REVENUE</u>		<u>DECREASE</u>
414000	Federal Revenue	<u>\$140,000.00</u>
 <u>APPROPRIATION</u>		 <u>INCREASE</u>
561410	Lab and Tech	\$5,000.00
506200	Repair & Maintenance	\$85,000.00
510200	Training and Education	\$40,000.00
510100	Out of Area Travel	\$10,000.00
Total Revenue		<u>\$140,000.00</u>

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, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State and Federal approved funding levels; 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, that certified copies be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Purchasing Department, the Office of the Comptroller, and the Office of the Sheriff.

(5-0) Chair Baskin not present for vote.

5. COMM. 18E-12 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Probation Department is mandated to supervise probationers through the use of home visits, and for Probation Officer safety, they are equipped with firearms in the field; and

WHEREAS, the Probation Department desires to exchange their current firearms and purchase a newer model which is more cost effective than performing preventative maintenance on the department's current firearms; and

WHEREAS, the Probation Department plans to enhance training related to the use of deadly force for its Probation Officers, through the utilization of a firearm simulator; and

WHEREAS, these purchases will not facilitate an increase in County funding of the existing Probation 2022 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the following budgetary transfers in the 2022 Budget of the Probation Department, fund center 12610 Fund 110:

APPROPRIATION	Change
501000 Overtime	(\$94,500)
506200 Maintenance and Repair	\$43,000
516020 Professional Services Contracts & Fees	\$ 4,500
561410 Lab & Technical Equipment	\$12,000
561420 Office Equipment	<u>\$35,000</u>
	\$0

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 required to effectuate these transfers should there be any unforeseen issues; and be it further

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

6. COMM. 18E-15 (2022)  
COUNTY EXECUTIVE

WHEREAS, on behalf of the Federal Bureau of Investigation (FBI), the Erie County Sheriff's Office has requested assistance from the Department of Public Works (DPW) to pave the back-area lot and pave between shooting ranges at the Erie County Shooting Range at 11250 Genesee Street in Alden, NY; and

WHEREAS, the FBI has offered to reimburse Erie County for the costs of materials required for these improvements and the Sheriff's Office has offered to cover any expenses that exceed the FBI's contribution; and

WHEREAS, the DPW Highways staff will provide minimal labor for the requested improvements; and



WHEREAS, the improvements being made at the facility as described is fully funded by the FBI and the Sheriff's Office upon acceptance of their respective contributions; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to accept the reimbursement from the FBI in an amount not to exceed \$57,071.32 along with the Sheriff's Office transfer not to exceed \$19,181.25 and be added to the budget in Capital Project A.21105 – 2021 Preservation of County Buildings and Facilities, Funds Center 122, Fund 410.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute any and all agreements to accept the reimbursement from the FBI for the cost of materials required to pave the back-area lot, pave between shooting ranges, and drainage in an amount not to exceed \$57,071.32 from the FBI and not to exceed \$19,181.25 from a transfer from the Sheriff's Office; 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 reimbursement and increase the budget in Capital Project A.21105 – 2021 Preservation of County Buildings and Facilities, Funds Center 122, Fund 410; and be it further

RESOLVED, 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, the Office of the Comptroller, the Erie County Sheriff's Office, and the Federal Bureau of Investigation.

(6-0)

7. COMM. 18E-28 (2022)  
SHERIFF

WHEREAS, the Erie County Sheriff's Division of Correctional Health provides daily care to the incarcerated population at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, the division has conducted recruitment efforts and open interviews throughout the year for registered nurses and licensed practical nurses, but the staffing levels have remained below the minimum standards for care; and

WHEREAS, the Division of Correctional Health has negotiated with Pinnacle Travel Staffing, LLC., (Pinnacle) of Grand Island, New York, to supplement the current nurse staffing levels; and

WHEREAS, Pinnacle currently provides staffing services to the New York State Department of Corrections and Community Supervision; and

WHEREAS, the agreement will commence upon the necessary County signatures; and

WHEREAS, it is a two-year contract, and it allows for three (3) one-year extensions; and

WHEREAS, the Sheriff's Office and the Division of Budget and Management have identified funds in the 2022 County Budget to fund the agreement; and

WHEREAS, \$453,000.00 will be transferred from Full-Time Salaries and Fringe Benefits to the Professional Services/Fees account; and

WHEREAS, this will not have an impact on the 2022 county budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Sheriff to enter into an agreement with Pinnacle Travel Staffing, 2620 Grand Island Boulevard, Grand Island, New York 14072, for healthcare personnel at the Erie County Holding Center and the Erie County Correctional Facility; and be it further

RESOLVED, this is a two (2) year agreement and it may be terminated by either party at any time with 90-day written notice; and be it further

RESOLVED, the contract allows for three (3) one-year extensions; and be it further

RESOLVED, the Division of Budget and Management and the Erie County Sheriff's Office are authorized to transfer \$453,000.00 from Fund 110, Business Area 11650, from the following accounts:

G/L Account	Description	Amount
500000	Full Time - Salaries	(\$303,840.00)
502000	Fringe Benefits	(\$149,160.00)

and be it further

RESOLVED, the offices are authorized to transfer the following amount to the listed account:

G/L Account	Description	Amount
516020	Professional Services	\$453,000.00

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 required 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, that certified copies shall be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff.

(5-0) Chair Baskin not present for vote.

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

October 27, 2022	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 17
------------------	--

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-16 (2022)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the SUNY Erie Community College City Campus Burt Flickinger Athletic Center 2021 Natatorium Improvements project on Thursday, October 28, 2021; and

WHEREAS, the lowest responsible bidder for the general construction work was Patterson-Stevens, Inc. and for the electrical construction work was CIR Electrical Construction Corporation per the previously approved resolution (COMM. 21E-13 (2021) on December 16, 2021); and

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

WHEREAS, there is a need to increase the construction contingency fund to help enable the completion of the construction project to address pool grounding work, additional electrical work, and numerous other unforeseen existing conditions; and

WHEREAS, the County Executive is requesting authorization to increase the construction contingency fund for the SUNY Erie Community College City Campus Burt Flickinger Athletic Center 2021 Natatorium Improvements project by \$75,000 from \$150,120 to \$225,120.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the construction contingency fund for the SUNY Erie Community College City Campus Burt Flickinger Athletic Center 2021 Natatorium Improvements project by \$75,000 from \$150,120 to \$225,120 and to approve change orders in an amount not to exceed the contingency fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the construction contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved 2020 Capital Budget, Fund 480, Funds Center 122, E.20001 - Erie Community College Collegewide Improvements and Renovations, in an amount not to exceed \$75,000; 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)

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

October 27, 2022	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 14
------------------	---

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

1. COMM. 18E-11 (2022)  
COUNTY EXECUTIVE

WHEREAS, Erie County businesses are experiencing an acute worker shortage in particular for certain "mid-skill" jobs which require increased education and training; and

WHEREAS, providing training and services to help individuals on public assistance transition to gainful full-time employment will save taxpayer dollars in the long term; and

WHEREAS, funding for these services have been included in the 2022 Adopted budget under the Community/Neighborhood Account; and

WHEREAS, the Department of Social Services would like to transfer the funding to the Live Well Erie Account; and

WHEREAS, Erie County Department of Social Services entered into contracts with Goodwill of Western New York, Elim Christian Fellowship, Inc., Karen Society of Buffalo, Polish Community Center of Buffalo, Inc., and the Research Foundation for SUNY on Behalf of University at Buffalo; and

WHEREAS, the Department of Social Services would like to efficiently process payments to these vendors for their services.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget and Management is authorized to move funding from the Community/Neighborhood Account under the Department of Environment and Planning to the Live Well Erie Account under the Department of Social Services; and be it further

RESOLVED, that sufficient funding is available for this purpose in the 2022 Adopted Budget in Fund 110, Funds Center 1332010, Accounts 516330 Live Well Erie Innovation Fund and 516335 Workforce Development Action; and be it further

RESOLVED, that the funds be transferred to Fund 110, Funds Center 1209070, Accounts 516330 Live Well Erie Innovation Fund and 516335 Workforce Development Action; and be it further

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

(6-0)

2. COMM. 18E-13 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has declared opioid addiction a public health crisis; and

WHEREAS, for every fatal opioid overdose there are dozens of overdoses where the victim is revived with naloxone; and

WHEREAS, the hours and days after a non-fatal overdose are often when the individual with opioid use disorder is most open to beginning a path to recovery; and

WHEREAS, Erie County has begun a pilot program to link persons to medication assisted treatment (MAT) after non-fatal overdoses and before they have a chance to occur; and

WHEREAS, the Department of Health and Human Services has decided to fund an expansion of the MATTERSNY linkage to MAT in Erie County for first responder and peer referral after an overdose situation; and

WHEREAS, this program will allow the Erie County Department of Health to support local first responder outreach to individuals with opioid use disorder to address the challenge of repeat overdoses through linkage to treatment on the spot and connection to a peer in recovery for ongoing support; and

WHEREAS, the University of Buffalo Primary Care Research Institute (PCRI) has agreed to continue evaluation efforts on the project; and

WHEREAS, this grant in the amount of \$2,000,000 and requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into agreement with Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) to accept a \$2,000,000 grant award in the Division of Health, Fund 281, Fund Center 12710 and to be budgeted as follows:

Department of Health  
First Responder Opioid Epidemic Task Force Support Program  
127FR-CARA2226  
9/30/2022 – 9/29/26

SAP	REVENUE	BUDGET
414000	Federal Aid	<u>\$2,000,000</u>
	TOTAL	<u>\$2,000,000</u>
	EXPENSES	BUDGET
500000	Full Time - Salaries	\$746,713
502000	Fringe Benefits	410,692
505000	Office Supplies	25,348
505800	Medical & Health Supplies	50,000
510000	Local Mileage Reimbursement	12,000
516020	Professional Svcs Contracts & Fees	440,447
530000	Other Expenses	250,000
561410	Lab & Technical Equipment	20,000
980000	ID DISS Services	<u>\$44,800</u>
	Total	<u>\$2,000,000</u>

and be it further

RESOLVED, that authorization is hereby given to create three (3) full-time Peer Navigator SUD, Job Group 3, Step 0, CSEA (B-100 # 13219); and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Project Coordinator SUD, Job Group 11, Step 0, CSEA (B-100 # 13218); and be it further

RESOLVED, that authorization is hereby given for the County Executive to enter into contract with State University at Buffalo, Primary Care Research Institute for project evaluation as approved by the funder, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to implement any budget adjustments as required to comply with the grantor funding requirements provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Personnel, Department of Law and Department of Health.  
(6-0)

3. COMM. 18E-14 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health ("ECDOH") has responsibility to ensure that residents of Erie County have access to quality healthcare services; and

WHEREAS, Erie County Office of Health Equity has the expertise to look at unmet needs and disparities that exist in Erie County; and

WHEREAS, the New York State Department of Health ("NYSDOH") grant will provide the money to ensure that appropriate personnel, and programs are in place; and

WHEREAS, the money from this grant will enable the office of health equity to establish proper outreach and to identify unmet needs within our community; and

WHEREAS, Erie County in providing the above-mentioned services will be able to identify gaps in services and unmet needs that exist for children and youth with special health care needs; and

WHEREAS, NYSDOH has awarded ECDOH \$624,279 for the remaining three (3) years of a five (5) year grant cycle, with each of the three (3) remaining grant years funded for \$208,093 annually; and

WHEREAS, due to timing issues related to preparation and adoption of the 2023 Erie County Budget, authorization is also sought for the 2023-2024 successor grant period.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with NYSDOH to accept grant funding in the amount of \$208,093 into ECDOH Fund 281, Fund Center 12710 as 127CYSHCN2223 for the initial grant period of 10/1/22 -9/30/23 to be budget follows:

Erie County Department of Health  
127CYSHCN2223  
10/01/2022-9/30/2023

<u>SAP</u>	<u>REVENUE</u>	<u>BUDGET</u>
409000	State Aid Revenues	<u>\$208,093</u>
	Total	<u>\$208,093</u>

<u>SAP</u>	<u>EXPENSES</u>	<u>BUDGET</u>
500000	Full Time - Salaries	\$ 61,682
502000	Fringe Benefits	33,925
505000	Office Supplies	10,000
510000	Local Mileage Reimbursement	5,000
516020	Professional Svcs, Contracts and Fees	69,134
530000	Other Expenses	16,168
561410	Lab and Technical Equipment	3,800
561420	Office Equipment, Furniture & Fixtures	5,000
980000	ID DISS Services	<u>\$3,384</u>
	Total	<u>\$208,093</u>

and be it further

RESOLVED, that authorization is hereby given to create one (1) full-time Project Coordinator - Health Equity, Job Group 11, Step 0, CSEA (B-100 #13371); and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with NYSDOH to accept grant funding in the amount of \$208,093 into ECDOH Fund 281, Fund Center 12710 as 127CYSHCN2324 for the grant period of 10/1/23 -9/30/24 to be budget follows:

Erie County Department of Health  
127CYSHCN2324  
10/01/2023 - 9/30/2024

<u>SAP</u>	<u>REVENUE</u>	<u>BUDGET</u>
409000	State Aid Revenues	<u>\$208,093</u>



	Total	<u>\$208,093</u>
<u>SAP</u>	<u>EXPENSES</u>	<u>BUDGET</u>
500000	Full Time - Salaries	\$ 67,033
502000	Fringe Benefits	36,868
505000	Office Supplies	10,000
510000	Local Mileage Reimbursement	5,000
516020	Professional Svcs, Contracts and Fees	69,134
530000	Other Expenses	7,874
561410	Lab and Technical Equipment	3,800
561420	Office Equipment, Furniture & Fixtures	5,000
980000	ID DISS Services	<u>\$3,384</u>
	Total	<u>\$208,093</u>

and be it further

RESOLVED, that the Director of Division of Budget and Management is hereby authorized to implement any budget adjustments to revenues or expenses as required to comply with the grantor funding requirements so long as there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the County Attorney's Office, and the Department of Health.

(6-0)

4. COMM. 18E-26 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department (ECDMH) is responsible for the delivery of a comprehensive range of mental and behavioral health services for the residents of Erie County; and

WHEREAS, ECDMH would like to build a mobile application to help parents and educators that work with children dealing with increased anxiety and depression, school violence and safety concerns, increased stress at home, unstable housing and increased homelessness, and greater financial stressors; and

WHEREAS, the Legislature previously authorized Phase 1 of the project to solicit community input, identify features and functionality, organize and assemble content for the mobile application. The recipient of that contract, Community Connections of New York, has been working diligently on that phase of the project. The information collected and gathered is ready to be handed off to the developer to build the mobile application; and

WHEREAS, ECDMH issued a Request for Proposal (RFP), entitled Mobile App Development Services (RFP # 2022-046VF) to solicit proposals, and a review process, consistent with Erie County Administrative Code, was completed; and

WHEREAS, upon completion of the review process, the Review and Selection Committee recommended that V3IT Consulting, Inc. be awarded the funding to provide the services as outlined in the RFP. V3IT Consulting, Inc. was the consensus choice of the members of the Review and Selection Committee; and

WHEREAS, funding for this contract was previously authorized per 2021's Budget Balancing Resolution Comm. 8E-1 (2022) as amended; and

WHEREAS, no additional County funds are necessary for this request.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or his designee is hereby authorized to enter into contract with V3IT Consulting, Inc. for an amount not to exceed \$50,000; and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, Division of Information and Support Services, the Office of the Comptroller, and the Division of Budget and Management.  
(6-0)

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

Item 30 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

October 27, 2022	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 14
------------------	--

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

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-4 (2022)  
COUNTY EXECUTIVE: "ECSD No. 3 - Engineering Term Contract Agreement"  
(Chair's Ruling)

- b. COMM. 17E-5 (2022)  
COUNTY EXECUTIVE: “ECSD No. 4 - Engineering Term Contract Agreement”  
(Chair’s Ruling)
- c. COMM. 17E-6 (2022)  
COUNTY EXECUTIVE: “ECSD Nos. 1, 4, & 5 – Construction Inspection Term Contract Agreement”  
(Chair’s Ruling)
- d. COMM. 18E-20 (2022)  
COUNTY EXECUTIVE: “ECSD No. 8 – East Aurora Water Resource Recovery Facility – Control Building Improvements”  
(Chair’s Ruling)
- e. COMM. 18E-21 (2022)  
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Term Contract Agreement”  
(Chair’s Ruling)

2. COMM. 18E-17 (2022)  
COUNTY EXECUTIVE  
WHEREAS, pursuant to Legislative Comm. 15E-8 (2021), Arcadis of New York, Inc. (Arcadis) was retained to complete engineering services related to the Southtowns Advanced Wastewater Treatment Facility (AWTF) Phase 1 and Phase 2 Expansion project; and

WHEREAS, as part of the Arcadis’s scope of services, an “additional facility needs evaluation” was completed, identifying key electrical system components that require replacement to provide reliable service into the future; and

WHEREAS, the request for proposals for this project noted a revised scope and budget could be advanced with the selected engineering firm to incorporate recommendations from the “additional facility needs evaluation”; and

WHEREAS, the Erie County Division of Sewerage Management wishes to issue Amendment No. 1 to Arcadis to provide engineering services to replace critical electrical components at the Southtowns AWTF.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Division of Sewerage Management is authorized to execute Amendment No. 1 with Arcadis of New York, Inc. (50 Fountain Plaza – Suite 600, Buffalo, New York, 14202), in an amount not to exceed \$721,700, for professional services associated with engineering design to replace key electrical system components identified in the “additional facility needs evaluation”; and be it further

RESOLVED, that \$721,700 be allocated in Erie County Sewer District No. 3 Bond Account C.17301 for Amendment No. 1; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this action; 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, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Division of Sewerage Management.  
(5-0) Chair Baskin not present for vote.

3. COMM. 18E-18 (2022)  
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 8E-22 (2021), Contract No. 42 was awarded to Kandey Company, Inc. to construct the Rowley Road Sanitary Sewer Replacement Project, in Erie County Sewer District No. 1; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 42, in the final contract amount of \$464,532.19 which includes Change Order No. 1 and Change Order No. 2 (final), an increase of \$49,962.19 and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 42 between the County of Erie and Kandey Company, Inc. (19 Ransier Drive, West Seneca, NY 14224) is accepted in the final contract amount of \$464,532.19 which includes Change Order No. 1 and Change Order No. 2 (final), an increase of \$49,962.19, to be allocated in Capital Account C.21150 (American Rescue Plan); and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate an additional \$49,962.19 in Capital Account No. C.21150 (American Rescue Plan funds) to fully fund the final costs for Contract No. 42; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 42, to Kandey Company, Inc. for a total contract amount of \$464,532.19; 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, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.  
(5-0) Chair Baskin not present for vote.

4. COMM. 18E-19 (2022)

COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District (ECSD) No.4 maintains an overflow retention facility at 317 Borden Road adjacent to the Village of Depew Department of Public Works facility; and

WHEREAS, the overflow retention facility is presently operated pursuant to State Pollutant Discharge Elimination System (SPDES) Permit No. NY0110698; and

WHEREAS, while the overflow retention facility has provided environmental benefits through the elimination of sanitary sewer overflows, the facility was not designed to provide “effective secondary treatment” as noted in New York State Environmental Conservation Law §17-0509(2); and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) issued draft Order on Consent CO 9-20190630-40 with the intention of terminating SPDES Permit No. NY0110698; and

WHEREAS, after a series of negotiation sessions and subsequent revisions of the draft Order on Consent, it is the recommendation of the Division of Sewerage Management and its legal counsel that ECSD No. 4 proceed with Order on Consent CO 9-20190630-40.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute Order on Consent CO 9-20190630-40 for the ECSD No. 4 overflow retention facility, 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 Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the County Comptroller, the Director of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Division of Sewerage Management. (6-0)

5. COMM. 18E-22 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) in partnership with the Western New York Stormwater Coalition, sponsors an annual rain barrel and compost bin sale; and

WHEREAS, the New York State Department of Environmental Conservation solicited grant proposals for rain barrel distribution projects to reduce the volume of stormwater generated from rooftops in the following communities: Town of Cheektowaga; Town of Grand Island; Village of Kenmore; Village of Sloan; City of Tonawanda; City of Niagara Falls; and, Village of Lewiston; and

WHEREAS, the New York State Department of Environmental Conservation awarded Erie County \$152,400 in grant funding to provide a 75% subsidy to residents in the targeted municipalities to offset the cost of purchasing a rain barrel; and

WHEREAS, the acceptance of this funding necessitates the execution of an agreement and creation of a grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept \$152,400 in grant funding from the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the grant budget and project period for the Western New York Stormwater Coalition: Rain Barrel Subsidy 2 Project is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

Western NY Stormwater Coalition: Rain Barrel Subsidy 2 Project  
(Grant Period: 6/1/2022 - 6/30/2026)  
SAP Grant 1 62WNYSC75%RS2

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
409000	State Aid Revenue	\$152,400.00
TOTAL REVENUE:		\$152,400.00

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
516020	Professional Services	\$152,400.00
TOTAL APPROPRIATIONS:		\$152,400.00

and be it further

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

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

- 6. COMM. 18E-23 (2022)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Low Income Program for Sustainable Energy (ECLIPSE) will support the County and New York State’s respective energy and environmental goals, including those outlined in the New York State Climate Leadership and Community Protection Act; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) Cleaner, Greener Communities Program granted Erie County \$1,500,000.00 to conduct ECLIPSE; and

WHEREAS, Erie County and NYSERDA entered into a contract (SAP grant #162ECLIPSE1922) authorized by COMM. 3E-9 (2018), and later amended on July 7, 2022 as authorized by COMM. 13E-26 (2022) and COMM. 15E-30 (2022); and

WHEREAS, the grant contract period is November 12, 2019 to March 31, 2025; and

WHEREAS, continued execution of the project work plan necessitates adding one Seasonal Intern (JG 1) as a grant funded staff position.

NOW, THEREFORE, BE IT

RESOLVED, that the following grant-funded position will be created under the Erie County Low Income Program for Sustainable Energy (ECLIPSE) grant, SAP# 162ECLIPSE1922, business area 162:

Seasonal Intern (JG 1)  
B-100—No. 13306  
Budgeted Annual Salary: \$12,731

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; Daniel R. Castle, Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

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

Item 31 – MS. VINAL presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

October 27, 2022	SMALL BUSINESS COMMITTEE REPORT NO. 1
------------------	--

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

1. RESOLVED, all items are hereby tabled.

**JEANNE M. VINAL  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 32 – CHAIR BASKIN directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 19-1 from CHIMERA & GILMOUR. Support for the Donor-Conceived Person Protection Act.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

RE: Authorization for Special Charge  
of Downtown Pedestrian/Transit  
Mall District  
(INTRO. 19-2)

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

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022; and

WHEREAS, the said Local Law requires that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and



WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2023 annual budget on October 25, 2022; and

WHEREAS, on October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2023 budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2023 shall be the sum of \$1,796,526 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2023, \$18,000 in payment in lieu of service charges for KeyBank Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$35,715 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$53,715 as set forth in said budget; and be it further

RESOLVED, that the Erie County Director of Real Property Tax Services shall, not later than November 17, 2022, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2023 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Director of Budget and Management.

Item 34 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

RE: Designation of Tourism  
Promotion Agency for  
2022-2023  
(INTRO. 19-3)

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

WHEREAS, the development, expansion and promotion of tourist travel to Erie County are of great benefit to the citizens of Erie County; and

WHEREAS, tourism spending in Erie County is reflected in bed and sales tax collections, as well as spurring a positive economic impact on amateur and professional sporting events, shopping, arts and culture and the hospitality industry; and

WHEREAS, this positive impact helps hold down property taxes and spurs economic growth and job creation; and

WHEREAS, in 1977, the New York State Legislature enacted the New York State Tourism Promotion Act to enable counties in the state to draw down funds to support their marketing and advertising campaigns; and

WHEREAS, the Tourism Promotion Act authorizes the state's Department of Economic Development to operate a program of matching state funds for non-profit tourism promotion agencies designated by county legislative bodies as agencies that are authorized to apply for and receive grants for recognized media advertising programs; and

WHEREAS, Visit Buffalo Niagara (VBN) – formerly known as the Buffalo Niagara Convention and Visitors Bureau – has done a commendable job bringing together a diverse array of non-profit organizations, attractions, retail businesses and members of the hospitality industry to work collaboratively for the benefit of our entire region.

NOW, THEREFORE, BE IT

RESOLVED, that Visit Buffalo Niagara (VBN), having served as Erie County's tourism promotion agency since 1974, is hereby re-designated as such for 2022-2023; and be it further

RESOLVED, that this Honorable Body requests that Visit Buffalo Niagara submit the appropriate application to the New York State Department of Economic Development for state matching funds to assist VBN to finance its tourism marketing, media relations and advertising campaigns as set outlined in the New York State Tourism Promotion Act; and be it further

RESOLVED, that officials of Visit Buffalo Niagara are hereby requested to appear at a future meeting of the Legislature's Community Enrichment Committee to discuss the status of the aforementioned state matching fund grants and other matters relating to the promotion of tourist visitation in Erie County and the Buffalo Niagara Region; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the New York State Department of Economic Development, Patrick Kaler and Judy Smith of Visit Buffalo Niagara, the tourism committees of both the New York State Assembly and Senate, County Executive Mark Poloncarz, the Erie County Department of Environment and Planning, and all other deemed necessary and proper.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 35 – MR. MEYERS moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 17E-9 (2022). MR. JOHNSON seconded. MS. VINAL voted in the negative.

CARRIED. (9-1)

RESOLUTION NO. 166

RE: Document Management Agreement  
with ComDoc, Inc.  
(COMM. 17E-9, 2022)

WHEREAS, the Erie County Legislature must approve SUNY Erie contracts in excess of \$50,000; and

WHEREAS, the College's Duplicating Center has provided the college community with the production of curriculum fliers, course manuals, workbooks, posters, post cards, business cards and other printed marketing and course materials by producing approximately 9 million pages of print per year for the faculty and staff of the College; and

WHEREAS, an RFP was issued in the summer of 2022 for duplicating equipment,  
and

WHEREAS, after a review of the three submitted proposals, as well as a site visit to a Ricoh installation to see the potential replacement equipment in production; and

WHEREAS, the College has utilized Xerox equipment for approximately the last 20 years, it was the College's recommendation to continue its relationship with Xerox through a Document Management Agreement with ComDoc, Inc., a Xerox Company for a five-year lease; and

WHEREAS, in the past several years, we have seen the average monthly lease expense reduced from \$27,000 for the lease ending in 2017 to approximately \$13,500 per month for the lease now expiring, and then down to \$2,772 monthly for this new five-year lease; and

WHEREAS, the base equipment expense with service charge is \$33,264 per year, and the Cost per copy charges will be as follows per unit: (1) Xerox Versant 4100 and Fiery Controller- \$0.028 per color copy up to 13" by 19", \$0.0029 per black and white copy up to 13" by 19", \$0.058 per extra-large color copy, (2) Xerox PrimeLink B9125 Digital Black/White Press- \$0.0029 per

black and white copy; (3) Xerox PrimeLink B9125 Digital Black/White Press- \$0.0029 per black and white copy, (4) Xerox PrimeLink C9070 Light Production Color Press- \$0.028 per color copy and \$0.0029 per black and white color copy; and

WHEREAS, the College has budgeted funds to cover this expense.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize entering into a Document Management Agreement with ComDoc, Inc., a Xerox Company, for a five-year lease at a base equipment expense of \$33,264 per year, with print images at \$.0028 for color and \$.0029 for black and white; and be it further

RESOLVED, that the President of SUNY Erie is authorized to enter a Document Management Agreement with ComDoc, Inc., a Xerox Company, for a five-year lease at a base equipment expense of \$33,264 per year, with print images at \$.0028 for color and \$.0029 for black and white; and be it further

RESOLVED, that the Clerk of the Legislature of the County of Erie shall forward certified copies of this resolution to the County Executive of the County of Erie, to the Chairman of the Board of Trustees of SUNY Erie, and to the President of SUNY Erie.

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

MR. LORIGO moved to return the item to committee for further consideration. MR. TODARO seconded.

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

AYES: MR. LORIGO, MR. MILLS, MR. TODARO and MS. VINAL. NOES: MR. BARGNESI, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON and MR. MEYERS. (AYES: 4; NOES: 6)

FAILED.

CHAIR BASKIN moved the previous question (the motion to amend). MR. LORIGO, MR. MILLS and MR. TODARO voted in the negative.

CARRIED. (7-3)

Delete the First Two Resolve Clauses and Replace with the Following:

RESOLVED, that the Legislature of the County of Erie does hereby authorize entering into a Document Management Agreement with ComDoc, Inc., a Xerox Company, for a five-year lease at a base equipment expense of \$33,264 per year, with print images at \$0.028 for color and \$0.0029 for black and white; and be it further

RESOLVED, that the President of SUNY Erie is authorized to enter a Document Management Agreement with ComDoc, Inc., a Xerox Company, for a five-year lease at a base equipment expense of \$33,264 per year, with print images at \$0.028 for color and \$0.0029 for black and white; and be it further

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

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

AYES: MR. BARGNESI, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 3)

CARRIED.

Item 36 – MR. MEYERS moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 18E-10 (2022). MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

RE: DSS - Non-Temporary Assistance  
Residential Domestic Violence  
Adjustments  
(COMM. 18E-10, 2022)

WHEREAS, the Department of Social Services is mandated by Federal and State governments to provide residential shelter and services to domestic violence victims; and

WHEREAS, the Department of Social Services currently contracts with Child and Family Services to provide residential shelter and services to victims of domestic violence; and

WHEREAS, in order to stay in compliance with Federal and State guidelines; and

WHEREAS, due to the COVID-19 outbreak and the followed confinement measures there were significant increases in instances of domestic violence; and

WHEREAS, additional funding in the amount of \$305,356 is necessary to pay the contractor for services provided.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the increase of \$305,356 in funding in the 2022 Department of Social Services Adopted budget; and be it further

RESOLVED, that the County Executive and the Commissioner of Social Services are hereby authorized to amend the contract with Child and Family Services to increase funding in the amount of \$305,356; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2022 Adopted Budget:

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	INCREASE/ (DECREASE)
516410	Title XX Domestic Violence Contracts	\$305,356
407680	Services for Recipients	\$149,624
	County Share Contribution	<u>\$155,732</u>
	Total	\$0.00

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 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.

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

CARRIED UNANIMOUSLY.

Delete the First Three Resolve Clauses, and Replace with the Following:

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept \$149,624 in additional State Aid and amend the 2022 General Fund Budget (Fund 110, Fund Center 120) as follows:

Department of Social Services  
Fund 110, Fund Center 120

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
407680	State Aid – Services for Recipients	\$149,624
	TOTAL	\$149,624

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516400	Title XX Preventative & Protective Svcs	(\$155,732)
516410	Title XX Domestic Violence Svcs	\$305,356
	TOTAL	\$149,624

and be it further

RESOLVED, that authorization is hereby given to the County Executive to amend the contract with Child and Family Services to increase funding in the amount of \$305,356; and be it further

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

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

None.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE SHERIFF**

Item 37 – (COMM. 19E-1) Notification to Civilian Governing Body & Local Community

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 38 – (COMM. 19E-2) Reappointment of Erie Community College Trustee

Received, filed and printed.

October 26, 2022

Erie County Legislature  
92 Franklin St. – Fourth Floor  
Buffalo, New York 14202

RE: Reappointment of Trustee – Erie Community College

Dear Honorable Members:

Pursuant to the powers vested in me by Title 7, Article 126, Section 6306 of The Laws of New York, I hereby submit the following individual for reappointment to serve on the Erie Community College Board of Trustees.

**NAME AND ADDRESS**  
Carrie Phillips

**TERM EXPIRATION**  
June 30, 2027

17 Anderson Place  
Buffalo, New York 14222

If you have any questions, please do not hesitate to contact my office.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

Item 39 – (COMM. 19E-3) Reappointment to the Erie County Fair Housing Board

Received, filed and printed.

October 26, 2022

Erie County Legislature  
92 Franklin St. – Fourth Floor  
Buffalo, New York 14202

RE: Reappointment of Trustee – Erie Community College

Dear Honorable Members:

Pursuant to the powers vested in me by Title 7, Article 126, Section 6306 of The Laws of New York, I hereby submit the following individual for reappointment to serve on the Erie Community College Board of Trustees.

<u>NAME AND ADDRESS</u>	<u>TERM EXPIRATION</u>
Carrie Phillips 17 Anderson Place Buffalo, New York 14222	June 30, 2027

If you have any questions, please do not hesitate to contact my office.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

Item 40 – (COMM. 19E-4) Department of Social Services - Authorization to Enter into Contract with Triple Track HR Partners

Item 41 – (COMM. 19E-5) Department of Social Service - Authorization to Enter into Contract with Language Line Solutions



Item 42 – (COMM. 19E-6) Authorization to Accept Funding and Enter into Contract to Provide Outreach & Application Assistance for the NYS Rental Supplement Program

Item 43 – (COMM. 19E-7) Department of Social Services - Administration for Community Living - Adult Protective Services Grant

Item 44 – (COMM. 19E-8) Department of Social Services - Authorization to Enter into Contract with Kulik Strategic Advisors, Inc.

Item 45 – (COMM. 19E-9) Department of Social Services - Safe Harbor for Sexually Exploited Children

Item 46 – (COMM. 19E-10) Authorization to Accept Grant Funding and Enter into Contract Due to BJA Award for CRT Program

Item 47 – (COMM. 19E-11) Authorization to Accept Grant Funding and Enter into Contract Due to BJA Award for Adult Drug Treatment Courts Project

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

Item 48 – (COMM. 19E-12) Bergmann Associates Cartegraph Highway Assets Project

Item 49 – (COMM. 19E-13) PILOT Agreement for the Cigar Factory Project - City of Buffalo

Item 50 – (COMM. 19E-14) PILOT Agreement for DePaul Properties, Inc. Project - City of Buffalo

Item 51 – (COMM. 19E-15) PILOT Agreement for Magnolia Housing Buffalo Project - City of Buffalo

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

Item 52 – (COMM. 19E-16) Approval of Dresher & Malecki Contract with SUNY ECC for Annual Audit Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (COMM. 19E-17) ECSD Nos. 1-6 & 8 - Construction Inspection Services Term Agreements

Item 54 – (COMM. 19E-18) ECSD No. 2 - Big Sister Creek WRRF Secondary Aeration Blowers Replacement Project

Item 55 – (COMM. 19E-19) Erie County Community Climate Action Plan Term Contract Agreement Work Order

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

Item 56 – (COMM. 19E-20) Purchase of 2022 and Any Unsold Tax Lien Certificates

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR GREENE**

Item 57 – (COMM. 19E-21) Letter of Absence for Session 19 - November 3, 2022

Received, filed and printed.

November 1, 2022

Robert Graber  
Clerk of the Erie County Legislature  
92 Franklin St – 4th Floor  
Buffalo, NY 14202

Re: Absence from Session 19

Dear Clerk Graber,

Please be advised I will absent for Session 19 on November 3rd. I have an unavoidable trip out-of-town. Please enter the aforementioned in the Legislature's official record. I appreciate your attention to this matter.

Sincerely,

Christopher D. Greene  
Erie County Legislator

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COMMISSIONER OF**  
**ENVIRONMENT & PLANNING**

Item 58 – (COMM. 19D-1) Appointments to the EC Agricultural & Farmland Protection Board

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 59 – (COMM. 19D-2) Update on Planned Campaign to Address the Opioid Epidemic  
Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF  
BUDGET & MANAGEMENT

Item 60 – (COMM. 19D-3) Request for Technical Adjustment to Tentative 2023 EC Budget  
Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE EXECUTIVE DIRECTOR OF NFTA

Item 61 – (COMM. 19M-1) NFTA Cash Flow Statements  
Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE CHAIR OF  
EC AGRICULTURAL & FARMLAND PROTECTION BOARD

Item 62 – (COMM. 19M-2) EC Agricultural Districts Inclusion of Viable Agricultural Land  
- 2022 Report

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE CHAIR OF  
EC AGRICULTURAL & FARMLAND PROTECTION BOARD

Item 63 – (COMM. 19M-3) EC Agricultural Districts Eight-Year Review & District  
Consolidation Report

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BOARD OF SUPERVISORS  
OF FULTON COUNTY

Item 64 – (COMM. 19M-4) Resolution Objecting to Recent NYS Gun Legislation  
Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE TOWN OF CONCORD

Item 65 – (COMM. 19M-5) Resolution Objecting to Recent NYS Gun Legislation

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 66 – (COMM. 19M-6) Extract from the Minutes of the Meeting of the ECWA - October 29, 2022

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EXECUTIVE DIRECTOR  
OF BUFFALO PLACE

Item 67 – (COMM. 19M-7) Documents Concerning Special Charge Levy

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 68 – (COMM. 19M-8) Quarterly Report of the Assigned Counsel Program for the 3rd Quarter of 2022

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EPISCOPAL CHURCH HOME  
AND AFFILIATES, INC.

Item 69 – (COMM. 19M-9) Letter to Legislator Vinal Regarding Shaarey Zedek Apartments

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE..

**ANNOUNCEMENTS**

Item 70 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, November 10, 2022, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, November 17, 2022.

Chair Baskin also announced that is a public hearing scheduled for this afternoon, Thursday, November 3, 2022, at 2:15 p.m., in the Chambers of the Legislature, concerning proposed modification to agricultural districts. Immediately following that public hearing, another hearing is scheduled for 2:30 p.m., also in the Chambers of the Legislature, concerning proposed consolidation and modification to agricultural districts.

Finally, Chair Baskin announced that on Tuesday, November 15, 2022, the Legislature will conduct hearings concerning the County Executive's tentative 2023 Erie County budget, also in the legislative chambers.

**MEMORIAL RESOLUTIONS**

Item 71 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Leonard Weglarski.

Item 72 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Brad L. Cummings.

**ADJOURNMENT**

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

MR. JOHNSON moved that the Legislature adjourn until Thursday, November 17, 2022 at 12:00 Noon Eastern Standard Time. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, November 17, 2022 at 12:00 Noon Eastern Standard Time.

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