

ERIE COUNTY LEGISLATURE
MEETING NO. 5
MARCH 3, 2022

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Greene, who requested a moment of silence and for those affected by the invasion of Ukraine.

The Pledge of Allegiance was led by Mr. Gilmour.

Item 1 – No tabled items.

Item 2 – MR. MEYERS moved to reconsider INTRO. 3-4 as Amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS, BASKIN, MEYERS, CHIMERA, JOHNSON, GILMOUR,
VINAL, BARGNESI, LORIGO, MILLS, TODARO, & GREENE

WHEREAS, New York State Real Property Tax Law (RPTL) Section 467 allows local municipalities to offer a senior property tax exemption based on income; and

WHEREAS, state law was amended in 1997 to allow municipalities to “opt out” of including certain income when calculating and providing for said property tax exemptions on seniors; and

WHEREAS, veteran disability compensation is provided by the US Department of Veterans Affairs to former military service members who have a chronic condition that is connected to their service and such payments are intended to compensate them for a decreased quality of life due to their service connected disability; and

WHEREAS, that the Erie County Legislature hereby applies aforesaid exemption schedule to all taxable status dates for the 2023 assessment rolls in Erie County, applying to such tentative assessment rolls prepared on taxable status dates occurring on or after December 1, 2022; and be it further

WHEREAS, the US Department of Veterans Affairs, Internal Revenue Service, and New York State Department of Taxation and Finance do not consider veteran disability compensation as income; and

WHEREAS, under state law, if allowed by local option, property that (1) is owned by persons 65 years of age or older, or by certain other persons whose income does not exceed the maximum established by local option, (2) is used exclusively for residential purposes, and (3) has

been owned by at least one of its owners for a minimum of 12 consecutive months prior to application for exemption or for a period of time considered to be the equivalent of 12 consecutive months is partially exempt from general municipal taxes; and

WHEREAS, on July 7, 1970, the Erie County Legislature approved Item 16, a resolution opting into state legislation creating a property tax exemption for Erie County tax purposes for the Senior Citizen Real Property Tax Exemption; and

WHEREAS, that action did not contemplate, nor provide for an exemption or opt-out for those seniors who are veterans who receive disability compensation as defined in Title 38 of the United States Code; and

WHEREAS, the Erie County Department of Real Property Tax Services has identified 356 properties in Erie County that have a disabled veteran exemption (either Alternative or Cold War) and a senior exemption for county tax purposes; and

WHEREAS, these disabled veterans who are senior citizens could lose their senior property tax exemption without action to address this compensation issue and to exclude disabled veteran payments as income when assessors calculate the senior citizen exemption; and

WHEREAS, this resolution is intended to address that issue and to allow for veterans who receive veteran disability compensation to not have that income included in the calculation for an Erie County senior citizen property tax exemption; and

WHEREAS, periodically since July 1970, the maximum income level exemption has been reviewed and updated by the Erie County Legislature; and

WHEREAS, because the Senior Citizen Real Property Tax Exemption has not been reviewed or revised since 2018, it is necessary to also review and revise the County's exemption threshold based on maximum income eligibility for senior citizens.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, does hereby declare and find that for the purposes of such senior citizen property tax exemption, any such senior citizen who is a service-connected disabled veteran and receives disability compensation from the US Department of Veterans Affairs as defined in Title 38 of the United States Code, shall not have said payments/compensation included in the calculation by any assessor for the purposes of the exemption from the County of Erie real property taxes as initiated and approved by this Honorable Body in Item 16 on July 7, 1970; and be it further

RESOLVED, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, is interested in participating in the local option to increase the maximum income eligibility for senior citizens to receive a real property tax exemption; and be it further

RESOLVED, upon public hearing, the maximum allowable income levels for the Senior Citizen Real Property Tax Exemption for the County property tax purposes are hereby revised to the following levels:

Percentage of Exemption (%)	Minimum Income	Maximum Income
50	\$0.00	\$29,000.00
45	\$29,000.01	\$29,999.99
40	\$30,000.00	\$30,999.99
35	\$31,000.00	\$31,999.99
30	\$32,000.00	\$32,899.99
25	\$32,900.00	\$33,799.99
20	\$33,800.00	\$34,699.99
15	\$34,700.00	\$35,599.99
10	\$35,600.00	\$36,499.99
5	\$36,500.00	\$37,399.99

and be it further

RESOLVED, that the Erie County Legislature hereby applies aforesaid exemption schedule to all taxable status dates for the 2023 assessment rolls in Erie County, applying to such tentative assessment rolls prepared on taxable status dates occurring on or after December 1, 2022; and be it further

RESOLVED, that a public hearing concerning these partial exemption from taxation and ad valorem levies was held to consider public input; and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Mark Poloncarz, Budget Director Robert Keating, Director of Real Property Tax Services Scott Bylewski, County Attorney Michael Siragusa, Acting Senior Services Commissioner Timothy Hogues, Veterans Service Officer Shawn Lavin, and to the Assessors of each city and town in Erie County.

MR. MEYERS moved for amend INTRO. 3-4 as Amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Amend the Fourth Whereas Clause in its Entirety as Follows:

WHEREAS, veterans who receive veteran disability compensation are not issued a W-2 or 1099 for such payments; and

Amend the Fourth Resolve Clause in its Entirety as Follows:

RESOLVED, that the Erie County Legislature hereby applies aforesaid exemption schedule to all taxable status dates for the 2023 assessment rolls in Erie County, applying to such tentative assessment rolls prepared on taxable status dates occurring on or after December 1, 2022; and be it further

MR. MEYERS moved for approve INTRO. 3-4 as Amended, as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. MEYERS moved for the approval of the minutes for Meeting Number 4 from 2022. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. BARGNESI, CHAIR BASKIN, MS.CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS & MS. VINAL presented a proclamation Remembering Joan C. Meyers.

Item 6 – MR. BARGNESI, CHAIR BASKIN, MS.CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS & MS. VINAL presented a proclamation Remembering John A. Bargnesi, Sr.

Item 7 – MR. GREENE presented a proclamation Honoring Debbie Komosinski and the Akron Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 8 – MR. GREENE presented a proclamation Honoring Kimberly Stachowski and the Akron Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 9 – MR. MILLS & MR. TODARO presented a proclamation Honoring Alan and Colin Getter on the Growth of Getter Tax & Consulting.

Item 10 – MR. TODARO presented a proclamation Honoring Andale 2 Mexican Restaurant & Bar Upon the Occasion of Its Recent Opening.

Item 11 – MR. MILLS presented a proclamation Honoring the Opening of Azalia's Juicery.

Item 12 – MR. GREENE presented a proclamation Honoring Brenden Bardo and the Akron Middle and High School Music Departments During 2022 National Music in Our School Month.

Item 13 – MR. MILLS presented a proclamation Honoring Orchard Park Police Chief Patrick Fitzgerald.

Item 14 – MR. GREENE presented a proclamation Honoring Kimberly Linza and Christian Central Academy Music Department During 2022 National Music in Our Schools Month.

Item 15 – MR. GREENE presented a proclamation Honoring Clarence High School's Music Department During 2022 National Music in Our Schools Month.

Item 16 – MR. GREENE presented a proclamation Honoring Clarence Middle School's Music Department During 2022 National Music in Our Schools Month.

Item 17 – MR. GREENE presented a proclamation Honoring Courtney Saville and the Akron Middle and High School Music Departments During 2022 National Music in Our Schools Month.

Item 18 – CHAIR BASKIN presented a proclamation Remembering Daisy Nolley.

Item 19 – MR. GREENE presented a proclamation Honoring Dana Bennett and the Clarence Center Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 20 – MR. GREENE presented a proclamation Honoring Daniel Denecke and the Ledgeview Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 21 – MR. GREENE presented a proclamation Honoring Dawn Vullo and the St. Gregory the Great Music Department During 2022 National Music in Our Schools Month.

Item 22 – MR. LORIGO presented a proclamation Honoring and Recognizing Hayden Herbold for Athletic Achievement.

Item 23 – MR. LORIGO presented a proclamation Honoring Holly Schiferle for 40 Years with The Bee Newspaper.

Item 24 – MS. VINAL presented a proclamation Honoring and Recognizing International Mother Language Day in the State of New York.

Item 25 – MR. GREENE presented a proclamation Honoring and Congratulating Detective James Jackson Upon the Occasion of His Retirement.

Item 26 – MR. GREENE presented a proclamation Celebrating and Honoring Jennifer Curtis for Raising Awareness of Mental Health and Suicide Prevention Services as a Participant in the Boston Marathon.

Item 27 – MR. LORIGO presented a proclamation Celebrating Jennifer Zizzi Upon the Occasion of Her Graduation from Immaculate Conception.

Item 28 – MR. LORIGO presented a proclamation Honoring and Recognizing Kaylin Kline for Athletic Achievement.

Item 29 – MR. GREENE presented a proclamation Honoring Kristen Grajek and the Sheridan Hill Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 30 – MS. VINAL presented a proclamation Congratulating Lawley Insurance on Their Business Expansion.

Item 31 – MR. GREENE presented a proclamation Honoring Linda Calandra and the Nativity of Mary School Music Department During 2022 National Music in Our Schools Month.

Item 32 – MR. JOHNSON & CHAIR BASKIN presented a proclamation In Remembrance of Linda Jean Freidenberg.

Item 33 – MR. TODARO presented a proclamation Honoring Magruder's Restaurant & Pub for Irish American Heritage Month.

Item 34 – MR. GREENE presented a proclamation Honoring Marnie Salvatore and the Maple East Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 35 – MR. GREENE presented a proclamation Honoring Marissa Devoe and the Harris Hill Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 36 – MR. GREENE presented a proclamation Honoring Meghan Pitts and the Akron Middle and High School Music Department During 2022 National Music in Our Schools Month.

Item 37 – MS. CHIMERA presented a proclamation Congratulating Michael James Burke Upon the Occasion of Receiving His High School Diploma.

Item 38 – MS. CHIMERA presented a proclamation Recognizing National Cancer Prevention Month.

Item 39 – MS. CHIMERA presented a proclamation Celebrating and Recognizing National Hospitality Workers Appreciation Day.

Item 40 – MR. TODARO presented a proclamation Honoring Olive Tree Family Restaurant for Greek Heritage Month.

Item 41 – MR. MILLS presented a proclamation Honoring Patti Smith on the Opening of Forever Nu Thrift Shop.

Item 42 – MR. TODARO presented a proclamation Honoring Shawn Ely Upon the Occasion of His 20th Anniversary at Starbucks.

Item 43 – MR. GREENE presented a proclamation Honoring Sean Polen and the St. Mary School Music Department During 2022 National Music in Our Schools Month.

Item 44 – CHAIR BASKIN presented a proclamation Congratulating and Recognizing Steve K. Stoute.

Item 45 – MR. GREENE presented a proclamation Honoring Sweet Home High School Music Department During 2022 National Music in Our Schools Month.

Item 46 – MR. GREENE presented a proclamation Honoring Sweet Home Middle School Music Department During 2022 National Music in Our Schools Month.

Item 47 – MR. GREENE presented a proclamation Honoring Thomas Furminger and the Ledgeview Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 48 – MR. GREENE presented a proclamation Honoring Transit Middle School Music Department During 2022 National Music in Our Schools Month.

Item 49 – MR. GREENE presented a proclamation Honoring Valerie Acee and the Clarence Center Elementary School Music Department During 2022 National Music in Our Schools Month.

Item 50 – MR. GREENE presented a proclamation Honoring Williamsville East High School Music Department During 2022 National Music in Our Schools Month.

Item 51 – MR. GREENE presented a proclamation Honoring Williamsville North High School Music Department During 2022 National Music in Our Schools Month.

MR. MEYERS moved for consideration of the above forty-seven items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above forty-seven items by including Et Al Sponsorship. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above forty-seven items as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

None.

COMMITTEE REPORTS

Item 52 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

February 24, 2022	PUBLIC SAFETY COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3M-3 (2022)
HERON SIMMONDS: “Resignation from ECCSAB”
(Chair’s Ruling)
 - b. COMM. 3M-5 (2022)
CENTER FOR EMPLOYMENT OPPORTUNITIES: “Nomination for Appointment to the ECCSAB”
(Chair’s Ruling)

2. COMM. 4E-6 (2022)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Department of Homeland Security & Emergency Services in responding to emergencies throughout Erie County recognizes the need at times for a Chaplain to provide support to emergency first responders and their families; and

WHEREAS, Erie County Resolution COMM 2E-25, February 24, 2003, establishes the need for such a Chaplains Corps; and

WHEREAS, Reverend Galen M. Purpura Jr. exhibits the experience and willingness to join such Chaplains Corps; and

WHEREAS, the County of Erie’s Department of Purchasing is seeking to allow a small portion of the County surplus warehouse to be used for temporary storage of said art kits; and

WHEREAS, in order for the County to allow the warehouse space to be used for the temporary storage of said art kits, the Legislature of the County of Erie must deem it as such.

NOW, THEREFORE, BE IT

RESOLVED, Reverend Galen M. Purpura Jr., is hereby appointed as a Chaplain in the Chaplain Corps; and be it further

RESOLVED, that the Department of Homeland Security & Emergency Services’ Chaplains, shall be included within the coverage provided by the Workers’ Compensation Law when engaged

in rendering services at the direction of the Commissioner of the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive, the Erie County Attorney, the County Comptroller, the Erie County Personnel Commissioner, and the Commissioner of Homeland Security & Emergency Services.
(5-0)

3. COMM. 4E-11 (2022)
SHERIFF

WHEREAS, Sergeant Casey is leaving the Sheriff's Office; and

WHEREAS, since the handler/canine relationship is special and unique, it is appropriate to transfer ownership to the handler; and

WHEREAS, the Sheriff's Office, the County, and the Legislature have granted K9 transfers in the past, allowing the dog to remain with the family it has lived with for many years.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Sergeant for the consideration of one (1) U.S. Dollar for the transfer of ownership of Drago; and be it further

RESOLVED, the aforementioned Sergeant shall assume full responsibility for the canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff's Office harmless against any and all liability; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, and the Sheriff's Administration Division for implementation.
(5-0)

4. COMM. 4E-12 (2022)
SHERIFF

WHEREAS, the Erie County Sheriff Office is the lead local law enforcement agency for the Western District of New York Human Trafficking Task Force; and

WHEREAS, the Erie County Sheriff's Office recognizes the importance of assigning a full-time Deputy Sheriff – Criminal to the Human Trafficking Task Force and has done so for the past eight years; and

WHEREAS, in the 2021-2024 Human Trafficking grant, it specifies the Erie County Sheriff's Office position shall be a Detective Deputy, Job Group 9; and

WHEREAS, the position funding is detailed and approved within the accepted grant by all parties to the grant; and

WHEREAS, the creation of a Detective Deputy, Job Group 9, is necessary to fulfill the Erie County Sheriff's Office obligations for the 2021-2024 Human Trafficking grant.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to the Erie County Sheriff's Office and the Erie County Personnel Department to create a Human Trafficking Unit Detective Deputy, Job Group 9; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to make any necessary changes to the Sheriff's 2022 budget; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive's Office, the Department of Personnel, the Division of Budget & Management, and the Erie County Sheriff's Office.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

February 24, 2022	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4M-2 (2022)
VISIT BUFFALO NIAGARA: "Submission Pursuant to Budget Accountability Act"
(Chair's Ruling)
 - b. COMM. 4M-3 (2022)
BUFFALO NIAGARA CONVENTION CENTER: "Submission Pursuant to Budget Accountability Act"
(Chair's Ruling)

c. COMM. 4M-4 (2022)
CORNELL COOPERATIVE EXTENSION: “Submission Pursuant to Budget Accountability Act”
(Chair’s Ruling)

2. COMM. 4E-7 (2022)
COUNTY EXECUTIVE
WHEREAS, the County of Erie is interested in the fostering of tourism and the preservation of its historical heritage; and

WHEREAS, tourism is a significant contributor to the Erie County economy; and

WHEREAS, the Roycroft Campus Corporation owns the property and is currently restoring the Copper Shop building on said property; and

WHEREAS, Erie County desires to fund a portion of the restoration of the Copper Shop building at the Roycroft Campus; and

WHEREAS, the Roycroft Campus Corporation has extensive experience in contracting and managing historical restoration projects; and

WHEREAS, the County of Erie has allocated \$210,000 for the restoration of the Copper Shop building at the Roycroft Campus in the approved 2022 Capital Budget in SAP account A.22058.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts, easements and agreements with the Roycroft Campus Corporation, and any other municipal, state and federal agencies, in amounts not to exceed a total of \$210,000 for the purpose of restoration of the Copper Shop building; and be it further

RESOLVED, that the source of these funds shall be \$210,000 available in the approved 2022 Erie County Capital Budget within SAP account A.22058; 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.

(4-0-1) Legislator Lorigo Abstained.

3. COMM. 4E-8 (2022)
COUNTY EXECUTIVE

WHEREAS, the high-rise Rath Building elevator numbers 1 through 8 are the main vertical transportation to all floors in the Rath Building for County employees, as well as the public, and have not been modernized since 1999; and

WHEREAS, the loading dock elevator (elevator number 13) and the high-rise freight elevator (elevator number 9) have never been upgraded, are original to the building, and are essential for the operations of the Rath Building to move large materials, supplies, equipment, etc. about the building; and

WHEREAS, existing equipment for all elevators is well beyond their useful life and replacement parts associated with all elevators are worn, outdated, and obsolete with replacement parts becoming harder to find, in some cases, not available at all; and

WHEREAS, the scope of the work includes upgraded equipment for all elevators as well as an upgraded and centralized elevator emergency panel for all elevators in the Rath Building (elevator numbers 1 through 13); and

WHEREAS, the County of Erie received bids for the Rath Building Elevator Modernization project on December 21, 2021 in accordance with General Municipal Law 103; and

WHEREAS, the Department of Public Works will be rebidding the electrical contract associated with the project as no bid proposals were received on the above-referenced date; and

WHEREAS, it has been determined that Bison Elevator Service, Inc is the lowest responsible for the general construction contract and DVBrown and Associates Inc. was the lowest responsible bidder for the mechanical contract; and

WHEREAS, the County previously entered into an agreement with Architectural Resources to provide engineering design services through the bidding phase for the Rath Building Elevator Modernization project, per COMM. 15E-23 (2019); and

WHEREAS, the County requested a proposal from Architectural Resources for construction administration services during construction to review, approve, and assist the County to facilitate the construction of the project; and

WHEREAS, the County is seeking to amend its agreement with Architectural Resources, as the engineer of record, to allow for the construction administration services of the project; and

WHEREAS, the Department of Public Works and Architectural Resources are recommending award of the contracts to the lowest responsible general construction and mechanical bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter in contracts with the lowest responsible bidders for the Rath Building Elevator Modernization project for an amount not to exceed as follows:

General Construction Work
Bison Elevator Services, Inc

Base Bid: \$2,466,840.00

<u>Mechanical Construction Work</u>		
DV Brown and Associates	Base Bid:	\$ 64,000.00
<u>Construction Inspection</u>		
Architectural Resources		\$ 69,600.00
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Total Construction Cost		\$2,600,440.00

and be it further

RESOLVED, that the sum of \$205,000 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 any allowance and contingency funds that remain unspent will be returned to the capital budgets as applicable; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from the projects previously approved in the 2017-2021 Capital Budgets, Fund 410, Funds Center 122 as follows:

A.17004 DPW (B&G) – Code and Environmental Compliance (Countywide)	\$21,661.38
A.18004 DPW (B&G) – Code and Environmental Compliance (Countywide)	\$125,072.80
A.19006 Preservation of County Buildings & Facilities (Countywide)	\$223,451.19
A.19008 Rath Building Improvements	\$337,597.37
A.20004 DPW (B&G) - Rath Building Improvements – General	\$1,000,000.00
A.20058 DPW (B&G) – Code and Environmental Compliance (Countywide)	\$22,657.26
A.21110 DPW (B&G) - Rath Building Improvements	\$750,000.00
<u>A.21103 DPW (B&G) – Code and Environmental Compliance (Countywide)</u>	<u>\$325,000.00</u>
Total	\$2,805,440.00

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 Buffalo Niagara Convention Center, Financial Officer.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 54 – MS. CHIMERA presented the following report and moved for immediate consideration and approval. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

February 24, 2022	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4D-2 (2022)
COMMISSIONER OF SOCIAL SERVICES: “Child Protective Caseloads for 1/2022”
(Chair’s Ruling)
 - b. COMM. 4D-3 (2022)
COMPTROLLER'S OFFICE: “Audit of Senior Services Grant Revenues & Expenditures”
(Chair’s Ruling)
 - c. COMM. 4D-7 (2022)
DEPARTMENT OF LAW: “Local Emergency Order Extensions”
(Chair’s Ruling)

LISA M. CHIMERA
CHAIR

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 35

RE: Extending the Vacant &
Abandoned Homes Contract with
the Western New York Law
Center into 2022
(INTRO. 5-1)

A RESOLUTION TO BE SUBMITTED BY
CHAIR BASKIN

WHEREAS, in the amended and adopted 2021 Erie County Budget, the Legislature appropriated \$200,000 to in funding in the Community/Neighborhood Development Fund Center for the purpose of providing assistance to combat vacant & abandon homes in Erie County; and

WHEREAS, the Western New York Law Center has not utilized all of the funds as they sought to exhaust other sources of funds and they wish to continue the work into 2022 with the unspent 2021 funds; and

WHEREAS, the Department of Law has determined that in order for use of the funds to continue into 2022 and to extend the contract with the Western New York Law Center, legislative assent via legislative resolution is necessary.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby expresses its support for, and approval for the extension of a contract with the Western New York Law Center in the Community/Neighborhood Development Fund Center, Fund Center #1332010, Account #518616; and be it further

RESOLVED, that at year end 2021, the 2021 contract and appropriation for the Western New York Law Center for the vacant and abandoned home initiative had approximately \$174,637 available of unutilized funds, which are available for carry-forward and use on the initiative in 2022 under an extended/contract which would allow the Western New York Law Center to continue providing services under these funds to address current and prevent future vacant properties in Erie County; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, the Director of Budget and Management, the Commissioner of Environment and Planning, and the Western New York Law Center.

Item 56 – CHAIR BASKIN directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO. 5-2 from JOHNSON. Calling on NFTA to Halt Bus Route Cuts.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 36

RE: Extending the Public Benefit Contract with the Research Foundation for SUNY into 2022 (INTRO. 5-3)

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

WHEREAS, in the amended and adopted 2021 Erie County Budget, the Legislature

appropriated \$25,000 to Amherst 2021 Summer Math Camp in funding in the Community/Neighborhood Development Fund Center (Account #518629) for the purpose of providing a summer camp to enhance math skills for our youth in a fun, engaging way; and

WHEREAS, the Amherst 2021 Summer Math Camp was administered by The Research Foundation for SUNY (Buffalo State Campus) and the agency has not utilized all of the funds and wishes to continue the work into 2022 with the unspent 2021 funds; and

WHEREAS, the Department of Law has determined that in order for use of the funds to continue into 2022 and to extend the contract with The Research Foundation for the State University of New York, legislative assent via legislative resolution is necessary.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby expresses its support for, and approval for the extension of a contract with The Research Foundation for the State University of New York for its Amherst 2021 Summer Math Camp in the Community/Neighborhood Development Fund Center, Fund Center #1332010, Account #518629; and be it further

RESOLVED, that at year-end 2021, the 2021 contract and appropriation for The Research Foundation for the State University of New York for its Amherst 2021 Summer Math Camp had approximately \$4,756.77 available of unutilized funds, which are available for carry-forward and use on the initiative in 2022 under an extended/amended contract; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, the Director of Budget and Management, the Commissioner of Environment and Planning, and The Research Foundation for the State of University of New York (Buffalo State Campus).

Item 58 – CHAIR BASKIN directed that the following resolution be referred to the SMALL BUSINESS COMMITTEE.

GRANTED.

INTRO. 5-4 from VINAL. Expanding the Postal Non-Bank Financial Services Pilot Program to Erie County.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

RE: Appointment to the Erie County
Corrections Specialist Advisory
Board
(INTRO. 5-5)

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

WHEREAS, the Erie County Corrections Specialist Advisory Board was created in 2019 via Local Law 3-2019; and

WHEREAS, the law established a variety of appointing authorities for candidates seeking to serve on the Advisory Board; and

WHEREAS, based on the vacancy created by the resignation of the board member recommended by an organization that is dedicated to restorative justice, there is a need to fill that position, and the Center for Employment Opportunities, an organization that specializes in re-entry services and restorative justice, has recommended a candidate.

NOW, THEREFORE, BE IT

RESOLVED, that based on the recommendation of the Center for Employment Opportunities, Ms. Dixie Farr is appointed to fill the position of Member of the Corrections Specialist Advisory Board as the member with demonstrated experience in restorative justice, for a two-year term; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the members of the Erie County Corrections Specialist Advisory Board, the Center for Employment Opportunities and Ms. Dixie Farr.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 60 – MR. MEYERS moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 4E-9 (2022). MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

RE: Authorization of Foreclosure
Proceedings
(COMM. 4E-9, 2022)

WHEREAS, the Real Property Tax Services Director has transmitted to this Legislature transcripts of tax delinquencies and tax delinquent real properties for foreclosure pursuant to the In Rem provisions of the Erie County Tax Act, which will be known as In Rem Action No. 170, and has furnished this Legislature with the necessary abstracts from the Real Property Tax Services records of such delinquencies.

NOW, THEREFORE, BE IT

RESOLVED, that the In Rem provisions of the Erie County Tax Act be applied to such real property and the delinquent taxes set forth in said transcripts, as determined by the Real Property Tax Services Director from the transcripts of properties upon which the County of Erie owns a tax sale certificate which has been due and unpaid for a period of at least two years; and be it further

RESOLVED, that the County Attorney or his designee conduct and consummate such foreclosure proceeding known as In Rem Action No. 170 as directed by this Legislature and determined by the Real Property Tax Services Director; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Office of the County Executive, the Office of Budget and Management, the County Attorney, the Office of the Comptroller and the Office of Real Property Tax Services.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 61 – (COMM. 5E-1) Notification to the Legislature on Appointment of Commissioner of Senior Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 62 – (COMM. 5E-2) One Year Contract Extension for Correctional Health Pharmaceutical Services

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 63 – (COMM. 5E-3) Dept. of Law Risk Retention Fund Spending - 12/2021

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 64 – (COMM. 5E-4) SRO Agreement for Holland Center School District

Item 65 – (COMM. 5E-5) SRO Agreement for Alden Center School District

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHAIR BASKIN

Item 66 – (COMM. 5E-6) Letter to Clerk Reinstating In-Person Meetings of the Legislature

Received, filed and printed.

February 28, 2022

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

Dear Mr. Graber:

Please be advised that the Erie County Legislature will be changing the venue of its Session this week to meet in-person at 92 Franklin Street, 4th Floor, Buffalo, NY 14202 in the Legislature's Chambers.

Erie County's COVID-19 case numbers and hospitalizations have continued to decline and as of today, the mask mandate in Erie County buildings has been relaxed. In consideration of these improvements, and in order for the Erie County Legislature to function in its most efficient matter for our constituents, it is best we return to in-person meetings.

Please notify relevant parties of this change for Thursday, March 3 and note that going forward the Legislature will hold its meeting in-person unless otherwise noted.

Thank you for your prompt attention to this matter.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM THE COMPTROLLER

Item 67 – (COMM. 5E-7) Managerial Confidential Employee Overtime Report - Fourth Quarter, 2021

Item 68 – (COMM. 5E-8) Personnel Adjustment in the Office of the Comptroller

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

FROM THE COUNTY EXECUTIVE

Item 69 – (COMM. 5E-9) Rehabilitation of Parks Parking Lots at Chestnut Ridge & Wendt Beach

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 70 – (COMM. 5E-10) RENEW Plan Contracts Authorizations - Phase 2

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 71 – (COMM. 5E-11) EC Low Income Program for Sustainable Energy Professional Services Term Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 72 – (COMM. 5E-12) EC Sheriff's Gun Range Purchase Order Amendment

Item 73 – (COMM. 5E-13) Adoption of the Multi-Jurisdictional Hazard Mitigation Plan Update

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 74 – (COMM. 5E-14) Real Estate Transfer Tax Surplus Appropriation

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 75 – (COMM. 5E-15) Contract for Capital Improvements to Buffalo Southern Railroad

Item 76 – (COMM. 5E-16) SUNY Erie - 2022 Various ADA Upgrades

Item 77 – (COMM. 5E-17) SUNY Erie - 2020 Campus-Wide Power Distribution, Wiring & Mechanical Upgrades

Item 78 – (COMM. 5E-18) SUNY Erie North Campus - Various ADA & Electrical Upgrades

Item 79 – (COMM. 5E-19) Lake Avenue Reconstruction, Town of Hamburg & Village of Blasdell

Item 80 – (COMM. 5E-20) McKinley Parkway Pavement Resurfacing, Town of Hamburg

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

Item 81 – (COMM. 5E-21) Acceptance of NYS Attorney General Funding to EC Office of Public Advocacy, Division of Consumer Protection

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 82 – (COMM. 5E-22) Staffing Changes in the Department of Social Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 83 – (COMM. 5E-23) Rehabilitation of Borden Rd., Village of Depew

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPUTY COMPTROLLER

Item 84 – (COMM. 5D-1) Audit of Buffalo Homecare, Inc.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DIRECTOR OF REAL PROPERTY TAX

Item 85 – (COMM. 5D-2) Cost to Prepare School District Tax Rolls & Bills

Item 86 – (COMM. 5D-3) Cost to Prepare Village Tax Rolls & Bills

Item 87 – (COMM. 5D-4) Cost to Prepare City of Tonawanda Tax Rolls & Bills

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

FROM THE DEPARTMENT OF LAW

Item 88 – (COMM. 5D-5) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM VISIT BUFFALO NIAGARA

Item 89 – (COMM. 5M-1) 2021 Fourth Quarter Report & Financial Statements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF EDEN

Item 90 – (COMM. 5M-2) Copy of Certified Resolution Requesting Road Study in Town of Eden

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 91 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, March 10, 2022, will be distributed. Chair Baskin further announced that the next session of the Legislature is scheduled for Thursday, March 17, 2022. The Chair also announced that on Wednesday, March 9, 2022, the Legislature’s Economic Development Committee will conduct an informational meeting concerning cuts to routes of NFTA Metro buses.

MEMORIAL RESOLUTIONS

Item 92 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Donald Sutton, Mary Morinello-Rolle, Molly Kaminski, and Makenzie Mycek.

Item 93 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Jerry B. Stedman.

Item 94 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Michael Engler.

Item 95 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of Joan C. Meyers, and John A. Bargnesi, Sr.

ADJOURNMENT

Item 96 – 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, March 17 at 12:00 Noon Eastern Standard Time. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

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

ROBERT M. GRABER
CLERK OF THE LEGISLATURE