

**ERIE COUNTY LEGISLATURE
MEETING NO. 6
MARCH 18, 2021**

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Lorigo.

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 5 from 2021. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – CHAIR BASKIN presented a proclamation Acknowledging and Honoring Harriet Tubman Day.

Item 6 – CHAIR BASKIN presented a proclamation Honoring and Recognizing Courtney Nelson-Benton on the Grand Opening of Elle James Décor.

Item 7 – CHAIR BASKIN presented a proclamation Celebrating and Recognizing the Grand Opening of Buffalo Kids at Walden Galleria.

Item 8 – MR. MEYERS presented a proclamation Congratulating and Recognizing the Opening of Aloha Krab.

Item 9 – MS. VINAL presented a proclamation Recognizing the Williamsville Central School District for Being Honored as a National Winner of the District of Distinction Award.

Item 10 – CHAIR BASKIN presented a proclamation Honoring Kelly Galloway on Her Grand Opening of the FreeThem Center.

Item 11 – MS. VINAL presented a proclamation Congratulating and Honoring Hannah Dolan on Her Scholarship Offer to Play Division 1 Women's Basketball at Canisius College.

Item 12 – MR. GREENE presented a proclamation Recognizing and Honoring Kelkenberg Farm for Being a Valued and Trusted Small Business in Western New York.

Item 13 – MR. GREENE presented a proclamation Recognizing and Honoring Jammin' Joe's Farm Market for Being a Valued and Trusted Small Business in Western New York.

Item 14 – MR. TODARO presented a proclamation Celebrating Six Friends Cabernet for Being a One-of-a-Kind Wine Tasting Room and Restaurant in Western New York.

Item 15 – MR. TODARO presented a proclamation Recognizing and Honoring Agri-Services for Being a Valued and Trusted Small Business in Western New York.

Item 16 – MR. TODARO presented a proclamation Recognizing and Honoring Terry Wolfe for Her Volunteerism and Dedication in Serving Her Community.

Item 17 – MR. TODARO presented a proclamation Honoring Officer James Robinson, Jr. for His Heroic Actions.

Item 18 – MR. MILLS presented a proclamation Recognizing and Honoring W.D. Henry & Sons for Being a Valued and Trusted Small Business in Western New York.

Item 19 – MR. MILLS presented a proclamation Recognizing and Honoring Davies Hillside Farm for Being a Valued and Trusted Small Business in Western New York.

Item 20 – MR. MILLS presented a proclamation Recognizing and Honoring The Flower Stand for Being a Valued and Trusted Small Business in Western New York.

Item 21 – MR. MILLS presented a proclamation Honoring Owners Rebecca and Russell Pustulka as They Celebrate the Grand Re-Opening of the Joylan Theater.

Item 22 – MR. GREENE presented a proclamation Honoring Angela Seo as the Leukemia & Lymphoma Society's Student of the Year Co-Candidate.

Item 23 – MR. GREENE presented a proclamation Honoring Catia Pecoraro as the Leukemia & Lymphoma Society's Student of the Year Co-Candidate.

Item 24 – MR. LORIGO presented a proclamation Recognizing and Honoring Tioga Valley Farm for Being a Valued and Trusted Small Business in the Western New York Community.

Item 25 – MR. LORIGO presented a proclamation Honoring Berner Farms for Being a Valued and Trusted Small Business in Western New York.

Item 26 – MR. LORIGO, MR. GREENE, MR. TODARO, MR. MILLS, MR. MEYERS, MS. CHIMERA, MR. HARDWICK & MR. GILMOUR presented a proclamation Honoring the Office of the Sheriff Upon Its Bicentennial.

Item 27 – MR. LORIGO, MR. GREENE, MR. TODARO & MR. MILLS presented a proclamation Proclaiming March 29, 2021 as Mom and Pop Small Business Owners Day.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above twenty-three items by adding one for MS. CHIMERA and by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-four items as amended. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

GRANTED.

Item 29 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the SMALL BUSINESS COMMITTEE.

GRANTED.

Item 30 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

March 11, 2021	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 2D-6 (2021)
SUPERINTENDENT OF JAILS: “Letter to Chair of Legislature Regarding Requested Status Update on Body Cameras”
(Chair’s Ruling)
2. COMM. 5E-11 (2021)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Homeland Security & Emergency Services purchased two (2) Mobile Command Vehicles (FY 03/05 UASI) and an ATV Trailer (FY 10/13 SHSP); and

WHEREAS, the Erie County Department of Homeland Security & Emergency Services utilizing homeland security grants purchased this equipment as part of regional grant objectives; and

WHEREAS, the Erie County Department of Homeland Security & Emergency Services has the opportunity to help partners within the Western New York Region who do not currently have this type of equipment; and

WHEREAS, Cattaraugus County, Orleans County and Sardinia Fire Company agree to take over the registration, insurance, maintenance and liability of the equipment; and

WHEREAS, this was purchased utilizing homeland security grant funds, the mission of the equipment needs to continue with the original deliverables of the grants.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of:

- MOC -2 – Chevrolet – Command Vehicle – 2006 – VIN # 1GBE5V1246F428510 – Plate #AH1924 to Cattaraugus County

- MOC -3 – Chevrolet – Command Vehicle – 2006 – VIN # 1GBE5V1206F428326 – Plate #M25841 to Orleans County

- ATV Trailer-1 – Triton – ATV Trailer – 2014 – 4TCSU1882EH828284 – Plate #AV9378 - Sardinia Fire Company

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Attorney, the Office of the Comptroller, and the Division of Budget and Management.
(6-0)

HOWARD J. JOHNSON, JR.
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 47

March 11, 2021	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5M-1 (2021)
EC SOIL & WATER CONSERVATION DISTRICT: “2021 Budget Submission”
(Chair’s Ruling)
 - b. COMM. 5M-3 (2021)
NYSDEC: “Fact Sheet - Brownfield Cleanup Program Application for 293 Grote St., Buffalo”
(Chair’s Ruling)
 - c. COMM. 5M-6 (2021)
NYSDEC: “Fact Sheet - Certification of Cleanup Requirements Achieved at Brownfield Site - Superfund Site, Genesee St., Cheektowaga”
(Chair’s Ruling)

- d. COMM. 5M-7 (2021)
NYSDEC: "Invitation for Public Comment - Brownfield Cleanup Program for 293 Grote St., Buffalo"
(Chair's Ruling)
- e. COMM. 5M-11 (2021)
NYS AGRICULTURE & MARKETS: "Notice of Mandatory Review Process of EC Agricultural District No. 5"
(Chair's Ruling)

2. COMM. 5E-12 (2021)
COUNTY EXECUTIVE

WHEREAS, Erie County has a Household Hazardous Waste (HHW) Collection Program to provide residents with a safe, effective, and cost-free opportunity to dispose of household generated hazardous waste; and

WHEREAS, every year, Erie County hosts periodic household hazardous waste events to properly dispose of chemicals that pose a health and safety hazard and might otherwise contaminate our water, land, or air; and

WHEREAS, the 2020 HHW program served approximately 2,000 Erie County households with more than 1,000 being served through the Voucher Program and another 1,000 being served through collection events; and

WHEREAS, Erie County will realize a fiscal benefit from partial, up to fifty percent, State reimbursement for expenses associated with the collection and disposal of household hazardous waste; and

WHEREAS, the Erie County Legislature authorized the contract with MXI Environmental Services, LLC (MXI) with the passage of Resolution COMM.2E-9 (2020); and

WHEREAS, the Erie County Legislature authorized the contract with The Environmental Service Group (ESG) with the passage of Resolution COMM.3E-17 (2020); and

WHEREAS, the contracts provide for two, one-year extensions of the contracts at the discretion of the Department of Environment and Planning; and

WHEREAS, the Department of Environment and Planning was satisfied with the service provided by the HHW contractors and wish to extend the MXI and ESG contracts for an additional year.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to extend the contracts with MXI Environmental Services, LLC (MXI) and The Environmental Service Group (ESG) to provide Erie County with HHW and CESQG Collection and Disposal Services for an additional year; and be it further

RESOLVED, that the source of these funds shall be from \$120,000 that has been budgeted in SAP account 517629 of the County operating fund for HHW services for 2021; and be it further

RESOLVED, that any additional costs for the HHW Program will be funded through the existing New York State Department of State HHW Implementation Grant (162HHWIP1823) if the current HHW budget is exhausted; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

TIMOTHY J. MEYERS
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

March 11, 2021	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 5M-2 (2021)
VISIT BUFFALO NIAGARA: “2021 Business Plans & Budgets for Visit Buffalo Niagara & the Buffalo Niagara Convention Center”
(Chair’s Ruling)
2. COMM. 5E-14 (2021)
COUNTY EXECUTIVE
WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2020-2021 snowmobile season in the amount not to exceed \$185,532.00; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands as well as on trails located in Erie County Parks and Forestry lots.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$185,532.00 as pertains to snowmobile trail maintenance performed during the 2020-2021 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$185,532.00 for the purpose of snowmobile trail maintenance on club trails during the 2020-2021 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$ 19,716.00
Eden Trail Blazers Inc.	\$ 10,752.00
Grand Island Snowmobile Club Inc.	\$ 5,712.00
Hamburg Snowmobile Club Inc.	\$ 21,108.00
Holland Sno-Rascals Inc.	\$ 28,320.00
Marilla Sno-Mob Inc.	\$ 14,568.00
Northern Erie SnoSeekers Inc.	\$ 20,496.00
Pioneer Sno-Surfers Inc.	\$ 15,108.00
Southern Tier Snowdrifters Inc.	\$ 21,132.00
WNY Snowmobile Club of Boston Inc.	\$ 28,620.00
	\$185,532.00

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, cost center 1641010, account 409010, in the amount of \$185,532.00, as well as an increase in appropriations in the amount of \$185,532.00, in the Division of Parks, fund 110, cost center 1641010, account 516020, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.

(5-0)

3. COMM. 5E-17 (2021)
COUNTY EXECUTIVE

WHEREAS, The Angela's House Project consists of 67 units of affordable rental housing in the Town of Cheektowaga located at 600 Doat Street, Cheektowaga, NY 14211; and

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

WHEREAS, in order to make the Project economically feasible for Angela’s House LLC and/or Angela’s House Housing Development Fund Corporation to operate the housing project it is necessary to extend tax relief from the County of Erie and the Town of Cheektowaga.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Angela’s House LLC, Angela’s House Housing Development Fund Corporation and the Town of Cheektowaga, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

**SCHEDULE A
PILOT Payments**

PILOT Payment Schedule			
Year	Total PILOT	Town	County
1	\$15,568	\$12,649	\$3,892
2	\$16,035	\$12,911	\$4,009
3	\$16,516	\$13,182	\$4,129
4	\$17,011	\$13,461	\$4,253
5	\$17,522	\$13,748	\$4,380
6	\$18,047	\$14,044	\$4,512
7	\$18,589	\$14,348	\$4,647
8	\$19,146	\$14,662	\$4,787
9	\$19,721	\$14,985	\$4,930
10	\$20,312	\$15,318	\$5,078
11	\$20,922	\$15,660	\$5,230
12	\$21,549	\$16,013	\$5,387
13	\$22,196	\$16,377	\$5,549
14	\$22,862	\$16,752	\$5,715
15	\$23,548	\$17,137	\$5,887

(5-0)

HOWARD J. JOHNSON, JR.

CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

March 11, 2021	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 5E-10 (2021)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, SUNY Erie Community College is in need of new help desk system that is intuitive and requires less resources to manage and configure, as compared to the more complicated, resource intensive platform that is currently in place; and

WHEREAS, there is no current contract in place for help desk services; and

WHEREAS, in accordance with New York General Municipal Law (GML) §103(16), SUNY Erie has chosen to ‘piggyback’ on a 60-month contract from Suffolk County Community College (24-CC-003) which provides a one-time professional services fee of \$21,000 for implementation and an annual licensing fee of \$28,785 with a 3% increase each year; and

WHEREAS, the funding for this platform would be expensed from the ITS budget; and

WHEREAS, Denial of this request would negatively impact the ability of Information Technology Services (ITS) from developing the current help desk platform further and restrict the ability to effectively provide technology services to the college; and

WHEREAS, at its February 25, 2021 meeting, the SUNY Erie Community College Board of Trustees approved the Installment Purchase Contract between Erie Community College and TeamDynamix and on February 25, 2021 also approved seeking Erie County Legislature approval of the same amendment.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby approves this resolution for the TeamDynamix purchase contract; and be it further

RESOLVED, that the Erie County Executive or his designee is hereby authorized the Installment Purchase Contract between Erie Community College and TeamDynamix; and be it further

RESOLVED, that copies of the resolution be forwarded the Erie County Executive, Interim President of SUNY Erie Community College and the Chairwomen of the SUNY Erie Community College Board of Trustees.
(6-0)

KEVIN R. HARDWICK
CHAIR

Item 36 – MR. MEYERS presented the following report, moved to separate item Number 3, and approve the balance of the report. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

March 11, 2021	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO. 2-4 (2021)
MILLS, LORIGO, GREENE & TODARO: “Second Request for Information from 43 North on Their Administration of the Back to Business Relief Program”
(Chair’s Ruling)
 - b. COMM. 4D-2 (2021)
DEPUTY DIRECTOR OF BUDGET & MANAGEMENT: “Letter Regarding Supplemental Information for EC Back to Business Program”
(Chair’s Ruling)
 - c. COMM. 4D-3 (2021)
DEPARTMENT OF LAW: “Letter to Comptroller's Office Concerning Request for Outside Counsel”
(Chair’s Ruling)
 - d. COMM. 4D-4 (2021)
DEPUTY DIRECTOR OF BUDGET & MANAGEMENT: “Supplemental Information Regarding Intro. 19-3 (2020)”
(Chair’s Ruling)

- e. COMM. 4D-7 (2021)
DEPUTY COMPTROLLER: "Law Department Spending - 12/2020"
(Chair's Ruling)
- f. COMM. 5D-5 (2021)
DEPUTY COMPTROLLER: "Letter to Legislature Regarding December Sales Tax Receipts"
(Chair's Ruling)

2. COMM. 2D-8 (2021)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 230043 through 230103, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2021	Petition No.	230,043.00
	ASSESSOR	Cancel	
S-B-L	142.62-6-2.1	139 Kirby Ave	140900 LACKAWANNA
	Acct. No. 112		\$0.00 County
	Acct. No. 132		Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$410.78	
Charge To :	140900 LACKAWANNA		

RPTL 550(2): Leak allowance issued by ECWA

FISCAL YEAR	2021	Petition No.	230,044.00
	ASSESSOR	Cancel	\$147.58
S-B-L	142.11-5-39	96 Brinker	140900 LACKAWANNA
	Acct. No. 112		\$117.15 County
	Acct. No. 132		\$30.43 Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$4.93	
	9993 ECSD#6 STORM	\$25.50	

Charge To : 140900 LACKAWANNA \$0.00
RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2021 Petition No. 230,045.00

ASSESSOR Cancel \$369.88
S-B-L 119.00-1-17 12812 Broadway 142089 ALDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$369.88 Town/SpecialDist/School
Charge To : 142089 ALDEN \$369.88

RPTL 550(2): Opted out of garbage collection
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,046.00

ASSESSOR Refund \$1,726.23
S-B-L 175.15-1-57 12 Creekstone Dr 142489 AURORA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,726.23 Town/SpecialDist/School
Charge To : 142489 AURORA \$1,726.23

RPTL 550(2): Incorrect rubbish units
Refund to be issued to Folaron Maura Trust.

FISCAL YEAR 2021 Petition No. 230,047.00

ASSESSOR Refund \$1,490.20
S-B-L 175.06-2-1./26 4150 Martingale Ct 142489 AURORA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,490.20 Town/SpecialDist/School
Charge To : 142489 AURORA \$1,490.20

RPTL 550(2): Incorrect rubbish charge
Refund to be issued to Ronald George & Maureen Ann Martin

FISCAL YEAR 2020 Petition No. 230,048.00

ASSESSOR Refund \$1,276.53
S-B-L 175.06-2-1./26 4150 Martingale Ct 142489 AURORA

Acct. No. 112 \$0.00 County

Charge To : Acct. No. 132 \$1,276.53 Town/SpecialDist/School
142489 AURORA \$1,276.53

RPTL 550(2): Incorrect rubbish charge
Refund to be issued to Ronald George & Maureen Ann Martin

FISCAL YEAR 2021 Petition No. 230,049.00

ASSESSOR Cancel \$318.71
S-B-L 226.00-3-19.11 6241 Shero Rd 142600 BOSTON

Charge To : Acct. No. 112 \$256.58 County
Acct. No. 132 \$62.13 Town/SpecialDist/School
142600 BOSTON \$62.13

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

FISCAL YEAR 2021 Petition No. 230,050.00

ASSESSOR Refund \$250.22
S-B-L 91.20-8-3 101 Evergreen Pl143089 CHEEKTOWAGA

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

RPL 550(2): Applied curb charge in error
Refund to be issued to Lynn Miller.

FISCAL YEAR 2021 Petition No. 230,051.00

ASSESSOR Cancel \$3,689.67
S-B-L 80.18-10-17 50 Cresthaven Dr 143089 CHEEKTOWAGA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$3,689.67 Town/SpecialDist/School
143089 CHEEKTOWAGA \$3,689.67
Relevy School \$3,689.67 143003 CHEEK. UNION #3

RPTL 550(2): School relevy applied in error
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,052.00

ASSESSOR Cancel \$524.09

S-B-L 102.37-2-13.1 170 Staley Ave 143089 CHEEKTOWAGA

	Acct. No. 112	\$96.77	County
	Acct. No. 132	\$427.32	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$427.32	

FISCAL YEAR 2020 Petition No. 230,053.00

ASSESSOR Refund \$662.30
S-B-L 102.37-2-13.1 170 Straley Ave 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$662.30	Town/SpecialDist/School
Charge To :	143089 CHEEKTOWAGA	\$662.30	
	Relevy School	\$662.30	143001 CHEEKTO.

CENTRAL

RPTL 550(2): Incorrect assessed value
Refund to be issued to Diana Parnitzke

FISCAL YEAR 2021 Petition No. 230,054.00

ASSESSOR Cancel \$453.25
S-B-L 113.22-1-15.1 40 Gierlach St 143001 SLOAN

	Acct. No. 112	\$106.38	County
	Acct. No. 132	\$346.87	Town/SpecialDist/School
Charge To :	143001 SLOAN	\$346.87	

RPTL 550(2): Incorrect assessment
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,055.00

ASSESSOR Refund \$29.41
S-B-L 103.76-6-18 55 Lackawanna Ave 143003 DEPEW

	Acct. No. 112	\$29.41	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
Charge To :	143003 DEPEW	\$0.00	

RPTL 550(2): Failed to apply aged exemption
Refund to be issued to Beverly McMaster

FISCAL YEAR 2021 Petition No. 230,056.00

ASSESSOR Cancel \$3,686.19
S-B-L 124.00-6-10.11 65 Innsbruck Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$957.85 County
Acct. No. 132 \$2,728.34 Town/SpecialDist/School
30030 EC Sewer Dist 1 \$212.18
Charge To : 143089 CHEEKTOWAGA \$2,516.16

RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2020 Petition No. 230,057.00

ASSESSOR Refund \$3,392.91
S-B-L 124.00-6-10.11 65 Innsbruck Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$3,392.91 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$3,392.91
Relevy School \$3,392.91 146801 WEST SENECA

CENT

RPTL 550(2): Incorrect assessment
Refund to be issued to J & J Holdings of WNY LLC

FISCAL YEAR 2021 Petition No. 230,058.00

ASSESSOR Cancel \$2,400.00
S-B-L 102.53-3-15 20 Ridge Park Ave 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,400.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$2,400.00

RPTL 550(2): Applied clean up charge in error
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,059.00

ASSESSOR Cancel \$426.21
S-B-L 336.01-1-15.2 12955 Dowd Rd 143889 CONCORD

Acct. No. 112 \$304.69 County
Acct. No. 132 \$121.52 Town/SpecialDist/School

Charge To : 143889 CONCORD \$121.52

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

FISCAL YEAR 2021 Petition No. 230,060.00

ASSESSOR Cancel \$247.36
S-B-L 322.00-2-4.32 Sharp St 143889 CONCORD

Acct. No. 112 \$144.73 County
Acct. No. 132 \$102.63 Town/SpecialDist/School
38019 CONCORD FIRE PROTECT \$44.90
Charge To : 143889 CONCORD \$57.73

FISCAL YEAR 2021 Petition No. 230,061.00

ASSESSOR Cancel \$576.13
S-B-L 331.00-1-6.12 Brown St 143689 COLLINS

Acct. No. 112 \$383.67 County
Acct. No. 132 \$192.46 Town/SpecialDist/School
Charge To : 143689 COLLINS \$192.46

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

FISCAL YEAR 2020 Petition No. 230,062.00

ASSESSOR Refund \$1,253.94
S-B-L 331.00-1-6.12 Brown St 143689 COLLINS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,253.94 Town/SpecialDist/School
Charge To : 143689 COLLINS \$1,253.94
Relevy School \$1,253.94 143801 SPRING-GRIFFITH

RPTL 550(2): Failed to apply Ag exemption
Refund to be issued to Eric & Nicole Edwards.

FISCAL YEAR 2021 Petition No. 230,063.00

ASSESSOR Cancel \$820.00
S-B-L 240.00-1-2.1 4373 Keller Rd 144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$820.00	Town/SpecialDist/School
Charge To :	144000 EDEN		\$820.00

RPTL 550(2): Incorec units in garbage district
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 230,064.00

	ASSESSOR	Refund	\$546.39
S-B-L	239.00-4-26	9045 Sisson Hgwy	144000 EDEN

	Acct. No. 112	\$280.81	County
	Acct. No. 132	\$265.58	Town/SpecialDist/School
0 Sidewalk	\$0.00		
Charge To :	144000 EDEN		\$265.58

RPTL 550(2): Incorrect assessment
Refund to be issued to John Migliore

FISCAL YEAR 2019 Petition No. 230,065.00

	ASSESSOR	Refund	\$1,032.71
S-B-L	239.00-4-26	9045 Sisson Hgwy	144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,032.71	Town/SpecialDist/School
Charge To :	144000 EDEN		\$1,032.71
	Relevy School	\$1,032.71	144001 EDEN CENTRAL

RPTL 550(2): Incorrect assessment
Refund to be issued to John Migliore

FISCAL YEAR 2021 Petition No. 230,066.00

	ASSESSOR	Cancel	\$483.66
S-B-L	238.00-4-33.11	9217 S State Rd	144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$483.66	Town/SpecialDist/School
40050 ERIE CO SEW DST 2	\$483.66		
Charge To :	144000 EDEN		\$0.00

RPTL 550(2): Incorrect taxable on sewer district
New tax bill to be issued

48609 EC #3 VILL HAM \$833.40
Charge To : 144803 HAMBURG \$0.00

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

FISCAL YEAR 2020 Petition No. 230,071.00

ASSESSOR Refund \$833.40
S-B-L 182.15-13-53 Scooter Cir 144803 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$833.40 Town/SpecialDist/School
48609 EC #3 VILL HAM \$833.40
Charge To : 144803 HAMBURG \$0.00

RPTL 550(2): Applied EC sewer in error
Refund to be issued to Country Meadows Villa Homeowners Assoc Inc

FISCAL YEAR 2019 Petition No. 230,072.00

ASSESSOR Refund \$787.10
S-B-L 182.15-13-53 Scooter Cir 144803 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$787.10 Town/SpecialDist/School
48609 EC #3 VILL HAM \$787.10
Charge To : 144803 HAMBURG \$0.00

RPTL 550(2): Applied EC sewer in error
Refund to be issued to Country Meadows Villa Homeowners Assoc Inc

FISCAL YEAR 2021 Petition No. 230,073.00

ASSESSOR Cancel \$16,360.70
S-B-L 246.11-1-3.2 42 Edgewood Dr 145000 HOLLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$16,360.70 Town/SpecialDist/School
50060 ECSD#3 USER CHARGE \$16,360.70
Charge To : 145000 HOLLAND \$0.00

RPTL 550(2): Incorrect sewer charge
New tax bill to be issued.

Charge To : 145289 LANCASTER \$134.74

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

FISCAL YEAR 2021 Petition No. 230,078.00

ASSESSOR Cancel \$469.01
S-B-L 115.28-6-3 5565 Broadway St 145203 LANCASTER

Acct. No. 112 \$272.28 County
Acct. No. 132 \$196.73 Town/SpecialDist/School
Charge To : 145203 LANCASTER \$196.73

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

FISCAL YEAR 2021 Petition No. 230,079.00

ASSESSOR Cancel \$810.88
S-B-L 95.00-1-3 Genesee St 145289 LANCASTER

Acct. No. 112 \$399.33 County
Acct. No. 132 \$411.55 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$411.55

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

FISCAL YEAR 2021 Petition No. 230,080.00

ASSESSOR Cancel \$304.09
S-B-L 95.00-1-2 Genesee St 145289 LANCASTER

Acct. No. 112 \$149.75 County
Acct. No. 132 \$154.34 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$154.34

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

FISCAL YEAR 2021 Petition No. 230,081.00

ASSESSOR Cancel \$100.65

S-B-L 126.07-3-16.111

Aurora St 145289 LANCASTER

	Acct. No. 112	\$18.93	County
	Acct. No. 132	\$81.72	Town/SpecialDist/School
Charge To :	145289 LANCASTER		\$81.72

RPTL 550(2): Duplicate parcel
Delete entire parcel from tax roll

FISCAL YEAR 2020	Petition No.	230,082.00
ASSESSOR	Cancel	\$59.42

S-B-L 126.07-3-16.111

Aurora St 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$59.42	Town/SpecialDist/School
Charge To :	145289 LANCASTER		\$59.42
	Relevy School	\$59.42	145201 LANCASTER

CENTRAL

RPTL 550(2): Duplicate parcel
Delete entire parcel from tax roll

FISCAL YEAR 2021	Petition No.	230,083.00
ASSESSOR	Cancel	\$370.00

S-B-L 158.00-2-10.11 V/L Liberia Rd 145400 MARILLA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$370.00	Town/SpecialDist/School
Charge To :	145400 MARILLA		\$370.00

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

FISCAL YEAR 2021	Petition No.	230,084.00
ASSESSOR	Cancel	\$722.97

S-B-L 303.00-4-1.21 Genesee Rd 145889 NORTH COLLINS

	Acct. No. 112	\$369.93	County
	Acct. No. 132	\$353.04	Town/SpecialDist/School
Charge To :	145889 NORTH COLLINS		\$353.04

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

FISCAL YEAR 2021 Petition No. 230,085.00

 ASSESSOR Cancel \$177.89

S-B-L 319.00-1-1.1 Lenox Rd 145889 NORTH COLLINS

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$177.89 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$177.89

RPTL 550(2): Incorrect garbage units
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 230,086.00

 ASSESSOR Refund \$175.12

S-B-L 319.00-1-1.1 V/L Lenox Rd 145889 NORTH COLLINS

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$175.12 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$175.12

RPTL 550(2): Incorrect garbage unit.
Refund to be issued to Faron Reding Sr & Bonnie Reding

FISCAL YEAR 2021 Petition No. 230,087.00

 ASSESSOR Cancel \$177.89

S-B-L 319.00-1-1.2 4596 Lenox Rd 145889 NORTH COLLINS

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$177.89 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$177.89

RPTL 550(2): Incorrect garbage units
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 230,088.00

 ASSESSOR Refund \$175.12

S-B-L 319.00-1-1.2 4596 Lenox Rd 145889 NORTH COLLINS

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$175.12 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$175.12

RPTL 550(2): Incorrect garbage units
Refund to be issued to Faron Reding Jr. & Amber Reding

FISCAL YEAR	2021	Petition No.	230,089.00
	ASSESSOR	Cancel	\$722.97
S-B-L	303.00-4-1.21	Genesee Rd	145889 NORTH COLLINS
	Acct. No. 112		\$369.93 County
	Acct. No. 132		\$353.04 Town/SpecialDist/School
Charge To :	145889 NORTH COLLINS		\$353.04

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

FISCAL YEAR	2021	Petition No.	230,090.00
	ASSESSOR	Refund	\$6,960.00
S-B-L	Multiple	Multiple	146089 ORCHARD PARK
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$6,960.00 Town/SpecialDist/School
	60148 ECSD 3 Flat Usage Fee	\$6,960.00	
Charge To :	146089 ORCHARD PARK		\$0.00

RPTL 550(2): Sewer district applied in error
Refunds to be issued to multiple owners.

FISCAL YEAR	2020	Petition No.	230,091.00
	ASSESSOR	Refund	\$6,480.00
S-B-L	Multiple	Multiple	146089 ORCHARD PARK
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$6,480.00 Town/SpecialDist/School
	60148 ECSD 3 Flat Usage Fee	\$6,480.00	
Charge To :	146089 ORCHARD PARK		\$0.00

RPTL 550(2): Sewer district applied in error.
Refunds to be issued to multiple owners.

FISCAL YEAR	2019	Petition No.	230,092.00
	ASSESSOR	Refund	\$5,640.00

S-B-L Multiple Multiple 146089 ORCHARD PARK
Acct. No. 112 \$0.00 County
Acct. No. 132 \$5,640.00 Town/SpecialDist/School
60148 ECSD 3 Flat Usage Fee \$5,640.00
Charge To : 146089 ORCHARD PARK \$0.00

RPTL 550(2): Sewer district applied in error
Refunds to be issued to multiple owners.

FISCAL YEAR 2021 Petition No. 230,093.00

OWNER Cancel \$417.75
S-B-L 666.00-12-2.1 Outside Plant 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$417.75 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$417.75

RPTL 550(2): Incorrect assessed value in fire district
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,094.00

ASSESSOR Cancel \$593.05
S-B-L 666.00-12-3.11 Outside Plant 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$593.05 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$593.05

RPTL 550(2): Incorrect assessed value on fire district
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,095.00

ASSESSOR Cancel \$838.11
S-B-L 144.09-2-18 47 Treehaven Rd 146800 WEST SENECA

Acct. No. 112 \$225.24 County
Acct. No. 132 \$612.87 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$612.87

RPTL 550(2): Failed to apply Aged exemption

New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,096.00

 ASSESSOR Cancel \$527.80
S-B-L 152.07-5-31 124 Dover Dr 146800 WEST SENECA

 Acct. No. 112 \$152.12 County
 Acct. No. 132 \$375.68 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$375.68

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

FISCAL YEAR 2021 Petition No. 230,097.00

 ASSESSOR Refund \$409.41
S-B-L 133.20-10-40 190 Woodcrest Dr 146800 WEST SENECA

 Acct. No. 112 \$31.73 County
 Acct. No. 132 \$377.68 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$377.68

RPTL 550(2): Failed to apply Aged exemption
Refund to be issued to Grace McNeil

FISCAL YEAR 2021 Petition No. 230,098.00

 ASSESSOR Cancel \$599.35
S-B-L 144.13-6-7 15 Hilltop Ct 146800 WEST SENECA

 Acct. No. 112 \$63.07 County
 Acct. No. 132 \$536.28 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$536.28

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

FISCAL YEAR 2021 Petition No. 230,099.00

 ASSESSOR Cancel \$6,425.36
S-B-L 153.05-3-75 109 Willowcrest Dr 146800 WEST SENECA

 Acct. No. 112 \$0.00 County

Charge To : Acct. No. 132 \$6,425.36 Town/SpecialDist/School
146800 WEST SENECA \$6,425.36

RPTL 550(2): Incorrect san sewer units
New tax bill to be issued.

FISCAL YEAR 2020 Petition No. 230,100.00

ASSESSOR Refund \$1,280.89
S-B-L 144.09-2-18 47 Treehaven Rd 146800 WEST SENECA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,280.89 Town/SpecialDist/School
146800 WEST SENECA \$1,280.89
Relevy School \$1,280.89 146801 WEST SENECA

CENT

RPTL 550(2): Failed to apply Aged exemption
Refund to be issued to Janet Heintz

FISCAL YEAR 2021 Petition No. 230,101.00

OWNER Cancel \$137.51
S-B-L 555.00-12-1.1 Special Franchise 146800 WEST SENECA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$137.51 Town/SpecialDist/School
146800 WEST SENECA \$137.51

RPTL 550(2): Incorrect assessed value on fire districts
New tax bill to be issued.

FISCAL YEAR 2021 Petition No. 230,102.00

ASSESSOR Cancel \$36,094.30
S-B-L Multiple Multiple 146800 WEST SENECA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$36,094.30 Town/SpecialDist/School
68234 San Sewer 12 \$19,029.67
146800 WEST SENECA \$17,064.63

RPTL 550(2): Applied sewer charge in error
New tax bills to be issued.

FISCAL YEAR	2020	Petition No.	230,103.00
	OWNER	Cancel	\$0.00
S-B-L	133.23-7-5	25 Mesmer	140200 BUFFALO
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
Charge To :	140200 BUFFALO		\$0.00

Deny CE

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

3. COMM. 5E-19 (2021)
COUNTY EXECUTIVE

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. 169, 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 proceedings known as In Rem Action No. 169 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.
(6-0)

TIMOTHY J. MEYERS
CHAIR

MR. MEYERS moved to amend item Number 3. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Add the Following to the Transcripts of Tax Delinquencies and Tax Delinquent Real Properties:

<u>Name</u>	<u>Property Location</u>	<u>Town</u>	<u>Swiss</u>	<u>SBL</u>
JB VENTURES LLC	0 WALDEN AVE	CHEEKTOWAGA	143089	1025300004015200

MR. MEYERS moved to approve item Number 3 as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 37 – MS. CHIMERA presented the following report and moved for immediate consideration and approval.

MR. LORIGO requested the separation of item Number 2.

GRANTED.

MS. CHIMERA moved the balance of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

March 11, 2021	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2D-3 (2021)
COMMISSIONER OF SOCIAL SERVICES: “Child Protective Caseloads for 12/2020”
(Chair’s Ruling)
 - b. COMM. 4E-1 (2021)
COMPTROLLER: “Letter to Commissioner of Social Services Concerning COMM. 3E-9
(2021)”
(Chair’s Ruling)
 - c. COMM. 4E-2 (2021)
COMPTROLLER: “Follow-Up Letter to Commissioner of Social Services Concerning

- COMM. 3E-9 (2021)”
(Chair’s Ruling)
- d. COMM. 4E-13 (2021)
COMPTROLLER: “Letter to Chair of Legislature Concerning COMM. 3E-9 (2021)”
(Chair’s Ruling)
- e. COMM. 4E-14 (2021)
COUNTY CLERK: “Update on EC Clerk's Office COVID-19 Response”
(Chair’s Ruling)
- f. COMM. 4D-6 (2021)
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information - 2/6/21”
(Chair’s Ruling)
- g. COMM. 4D-8 (2021)
COMMISSIONER OF SOCIAL SERVICES: “Response to Comptroller's Letter Regarding
COMM. 3E-9 (2021)”
(Chair’s Ruling)
- h. COMM. 4D-9 (2021)
DEPARTMENT OF LAW: “Local Emergency Order Extensions”
(Chair’s Ruling)
- i. COMM. 5E-1 (2021)
COMPTROLLER: “Letter to Chair of Legislature Regarding COMM. 3E-9 (2021)”
(Chair’s Ruling)
- j. COMM. 5D-4 (2021)
COMMISSIONER OF HEALTH: “Updated Nursing Home Outbreak Information - 2/13/21”
(Chair’s Ruling)
- k. COMM. 5D-7 (2021)
DEPUTY COMPTROLLER - AUDIT: “Audit of EC Dept. of Health”
(Chair’s Ruling)
- l. COMM. 5D-9 (2021)
DEPUTY COMPTROLLER: “Letter to County Attorney's Office Concerning COMM. 3E-9
(2021)”
(Chair’s Ruling)
- m. COMM. 5D-10 (2021)
DEPARTMENT OF LAW: “Local Emergency Order Extensions”
(Chair’s Ruling)
2. INTRO. 4-3 (2021)
BASKIN, MEYERS, HARDWICK, JOHNSON,

CHIMERA, GILMOUR & VINAL

WHEREAS, the care of our most vulnerable persons is one of the government's most important functions, and our senior citizens residing in nursing homes, long term care facilities and skilled nursing facilities are amongst the most-vulnerable persons during the COVID pandemic; and

WHEREAS, our seniors deserve the most compassionate care possible in their golden years, particularly for those who are confined to nursing facilities and who are not ambulatory or who cannot leave those congregate settings; and

WHEREAS, as of February 4, 2021, in 2020 and 2021, Erie County lost 621 people who died in nursing homes whose deaths were confirmed as caused by COVID-19, and lost 211 people who died in nursing homes whose deaths are presumed to be of COVID-19 and lost 9 people who were nursing home residents whose deaths were confirmed as COVID-19 but who died in the hospital, and lost 6 people who died at adult care facilities in Erie County whose deaths were confirmed and we mourn those losses; and

WHEREAS, the New York State Department of Health issued a comprehensive report in July 2020 (revised on February 11, 2021), entitled "Factors Associated with Nursing Home Infections and Fatalities in New York State During the COVID-19 Global Health Crisis," indicated, among other things, that infected staff without symptoms accounted for the bulk of the spread as during the peak in mortality in nursing homes in 2020 it was not known that people without symptoms were contagious; and

WHEREAS, the Office of the New York State Attorney General recently issued a report which was critical of the care provided by nursing home operators across New York during the COVID pandemic, finding allegations of patient neglect and other concerning conduct that may have jeopardized the health and safety of residents and employees such as lack of compliance with infection control protocols; and

WHEREAS, the State Attorney General also found that a large number of people who died in the hospital of COVID had been nursing home residents at the time they contracted COVID-19 and were reported as hospital deaths and were not published as related to a nursing home; and

WHEREAS, a court order that prompted the release of new numbers from the State concerning the COVID deaths in nursing and related long-term care facilities, recently increased the state's long-term care COVID-19 death toll from about 8,500 to around 15,000 when including presumed and confirmed cases, when previously presumed but not confirmed cases were excluded from the number of deaths released daily by the State and such exclusion was so noted in the daily figures released; and

WHEREAS, some State Legislators are now calling for hearings and inquiries by the State Assembly and State Senate concerning the COVID reporting discrepancy, as well as the care and preventive measures utilized by nursing home operators to protect their residents and staff.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for a State inquiry into the measures undertaken by nursing homes, long term care facilities and skilled nursing facilities to address COVID-19, including preventive measures to protect residents and staff; and be it further

RESOLVED, that the Erie County Legislature requests the New York State Department of Health provide this Honorable Body and the residents of Erie County the results of said State inquiry into the measures undertaken by nursing homes long term care facilities and skilled nursing facilities to address COVID-19, including preventive measures to protect residents and staff, as soon as possible to promote transparency, decrease confusion, decrease worry, and allow for informed decision making and informed consent for patients, residents, and their family members; and be it further

RESOLVED, that this Honorable Body declares our support for the health and wellbeing of senior citizens as evidenced in our 2017 passage of Ruthie's Law to help protect seniors; and be it further

RESOLVED, that certified copies of this resolution to be transmitted to the Governor, State Health Commissioner and the local New York State Legislature delegation.
(6-0)

3. COMM. 5E-13 (2021)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services, applied in the summer of 2019 to the New York State Department of Transportation (NYSDOT) for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities federal grant funding for the operation of the Department's Going Places Transportation Program; and

WHEREAS, the Going Places program provides older adults, who have no other means of transportation, with rides to medical appointments, grocery shopping, and senior centers for congregate meals, with the Department of Senior Services performing the central dispatch function for the program in partnership with Erie County municipalities and subcontracted transportation service providers; and

WHEREAS, NYSDOT has recently awarded the Department, Section 5310 Enhanced Mobility Grant funding under two categories:

- 1) Vehicle Purchases - \$82,058 to cover 80% of the purchase price of two replacement mini-busses.
- 2) Operating Assistance - \$284,000 to reimburse, up to 50% of the costs of Going Places' wheelchair and other rides

and

WHEREAS, the operating assistance grant and vehicle purchases are both for the period January 1, 2021 to September 30, 2025, which covers their expected useful lives; and

WHEREAS, NYSDOT will retain the \$82,058 awarded for the vehicles and use the monies to purchase the two mini-busses for the Department of Senior Services through a NY State Office of General Services purchasing contract; and

WHEREAS, NYSDOT requires the Department of Senior Services to make a check payable to the NYSDOT for \$22,565 which represents the required 20% local share of the two mini-busses plus a contingency of 10% for possible cost changes and send the check to NYSDOT upon grant contract execution; and

WHEREAS, the Department of Senior Services proposes to use the 163CSE2021 Motor Vehicles Account and its existing county budgeted county share to cover the \$22,565 to fund the 20% local share of the two mini-busses; and

WHEREAS, no additional County funds are required to secure this new grant funding as the Department has identified transportation appropriations in the existing Areawide Agency on Aging (Title III-B2021), and NYS AAA Transportation Program (AAATRAN2122), and Community Services for the Elderly (CSE2021 and CSE2122) grants. Based on transportation costs through March 2022 ensuing successor grant year(s) budgets to the above listed grants might need to be utilized. These various grants will provide the required local match for the mobility management and operating assistance funding.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contract with the NYSDOT to accept the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant funding for the mobility management and operating assistance and vehicle purchases both for the period January 1, 2021 to September 30, 2025; and be it further

RESOLVED, that the County is authorized to acquire the two mini-busses and upon passage of this resolution, pay the NYSDOT the 20% local share plus the 10% contingency for possible cost changes by issuing a check for the required local share of \$22,565 payable to the NYSDOT from existing appropriations taken from the 163CSE2021 grant's motor vehicle account; and be it further

RESOLVED, that the budget for the 5310 Enhanced Mobility Grant for the period January 1, 2021 to September 30, 2025 (163EMOBLTY2125) be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
414000	Federal Aid	\$284,000
417000	Contributions-Participant	<u>\$6,000</u>
TOTAL REVENUE		<u>\$290,000</u>
APPROPRIATIONS		INITIAL BUDGET
Account	Description	
516020	Professional Services & Fees	<u>\$290,000</u>

TOTAL APPROPRIATIONS

\$290,000

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to grantor awards; and be it further

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

(6-0)

4. COMM. 5E-15 (2021)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services participated in a pilot study of the Aging Mastery Program (AMP) in 2016 and 2017 as part of a collaborative effort of The New York State Office of Aging (NYSOFA) and the National Council on Aging to build evidence of the effectiveness of AMP across New York State; and

WHEREAS, the results from the pilot projects conducted both locally and across the country show that the AMP participants significantly increased their physical activity levels, healthy eating habits, use of advanced planning, social connectedness, and participation in evidence-based self-management programs after taking the core curriculum; and

WHEREAS, the Population Health Collaborative previously awarded the Department \$54,000 to operate AMP classes during the period May 15, 2018 through August 15, 2020, (163AMP1820); and

WHEREAS, the Population Health Collaborative now desires to extend the contract and provide an additional \$4,000 of grant funding for the Department to pilot a virtual AMP program model through April 15, 2021; and

WHEREAS, no additional County funds are required as the grant is 100% funded by the grantor.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to extend the contract with the Population Health Collaborative to accept \$4,000 of AMP grant monies for the virtual operation of the program through April 15,2021; and be it further

RESOLVED, that the Department’s 163AMP1820 grant budget is amended as follows:

REVENUES	INITIAL	CHANGE	AMENDED
Account Description	BUDGET	BUDGET	BUDGET

417060	Other Income Senior Services	\$54,000	+\$4,000	\$58,000
		INITIAL BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS				
510000	Local Mileage	\$680		\$680
530000	Other Expenses	34,400	+\$2,000	36,400
916390	ID Senior Srvs Grant	18,920	+2,000	20,920
	TOTAL	\$54,000	+4,000	\$58,000

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenue which may be impacted by changes to grantor awards; and be it further

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

(6-0)

5. COMM. 5E-16 (2021)
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 U.S. Department of Justice has decided to fund an expanded virtual version of the NYMatters linkage to MAT in Erie County; and

WHEREAS, this program will allow the Erie County Department of Health to support local law enforcement 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, UBMD Emergency Medicine has agreed to expand the NYMatters project to a virtual platform; 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 \$1,200,000.00 and requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to receive a grant award from the United States Department of Justice in the amount of \$1,200,000 to be budgeted as follows:

“Comprehensive Opioid Stimulant, and Substance Abuse Site-Based Program (COSSAP)”
127COSSAP2023
10/1/20 – 9/30/23

SAP	REVENUE	BUDGET
414000	Federal Aid	\$1,200,000
	TOTAL	<u>\$1,200,000</u>
	EXPENSES	
516020	Prof services	840,000
500000	Full time salaries	211,288
502000	Fringe	133,116
510100	Out of Area Travel	9,000
510000	Local Travel	4,500
505000	Office Supplies	2,096
	TOTAL	\$1,200,000

and be it further

RESOLVED, that the Erie County Legislature authorizes the creation of two (2) Peer Navigator – SUD Job Group 3 Step 0 positions (B100#12242) fully funded by grant funds; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract with UBMD Emergency Medicine; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract with State University at Buffalo, Primary Care Research Institute; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Personnel, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

(6-0)

6. COMM. 5E-18 (2021)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services wishes to provide Older Adults in Erie County with necessary transportation services; and

WHEREAS, the Town of Amherst had been providing wheelchair transportation for older adults in the Town, through Amherst Senior Transportation Services (ASTS) a not for profit entity, that has encountered regulatory obstacles to continue providing wheelchair van service; and

WHEREAS, the Department of Senior Services is able to provide wheelchair van service for older adults living in the Town of Amherst in partnership with ASTS; and

WHEREAS, ASTS has agreed to reimburse the Department of Senior Services for 25% of the cost of wheelchair rides the Department provides to older adult residents of the Town of Amherst; and

WHEREAS, appropriations are available in the Department's Professional Services account (#516020) in the 163CSE2122, 163AAATRAN2122 and III-B2021 grants to cover the projected annual net cost of \$18,750 to provide wheelchair rides for older adults living in Amherst, for the period April 1, 2021 through March 31, 2022; and

WHEREAS, ASTS has in its possession a used 2017 E350 Ford Phoenix (VIN 1FDEE3FS8HDC12758) wheelchair van with 36,500 miles, which they are unable to use due to the aforementioned regulatory obstacles; and

WHEREAS, the wheelchair van is stated to be mechanically sound by ASTS; and

WHEREAS, as part of negotiations and a shared cost plan the Department will purchase the ASTS van for an agreed price not to exceed \$34,500, pending the outcome of County inspections as to the condition of the van; and

WHEREAS, appropriations are available in the Department's 163CSE2021 grant's Motor Vehicle account (#561440) to pay for the van.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contract with Amherst Senior Transportation Services (ASTS), for the period of April 1, 2021 through March 31, 2022, and begin providing wheelchair rides to eligible Amherst residents 60 years and older, with ASTS reimbursing the Department of Senior Services for 25% of the cost of each ride; and be it further

RESOLVED, that pending a positive inspection from Fleet Management and Gorman Enterprises, the County Executive be and is hereby authorized to purchase the 2017 Ford E350 Phoenix (VIN 1FDEE3FS8HDC12758) from ASTS at a cost not to exceed \$34,500; and be it further

RESOLVED, that available appropriations in the 163CSE2021 grant's Motor Vehicle account be utilized to pay for the van; and be it further

RESOVLED that available appropriations in the 163CSE2122, 163AAATRAN2122 and 163III-B2021 grants' Professional Services Contracts and Fees accounts be utilized to pay for the wheelchair rides provided to Amherst residents; and be it further

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

(6-0)

LISA M. CHIMERA
CHAIR

MR. MEYERS moved to approve item Number 2. MR. JOHNSON seconded.

CHAIR BASKIN directed that the Legislature enter into recess at 11:39 a.m.

CHAIR BASKIN reconvened the Legislature at 11:53 a.m.

All members present.

MR. LORIGO moved to amend item Number 2. MR. TODARO seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO, MR. HARDWICK and MR. MEYERS. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON and MS. VINAL. (AYES: 6; NOES: 5)

CARRIED.

Add the Following Resolve Clauses:

RESOLVED, that this honorable body finds the deliberate actions of Governor Andrew Cuomo to conceal and lie about nursing home COVID death statistics to the public and federal authorities, as admitted by Secretary to the Governor Melissa DeRosa, to be deeply concerning and hereby supports an in-depth federal investigation; and be it further

RESOLVED, that said investigation should include a full review of the measures undertaken by Governor Andrew Cuomo and his executive staff relating to their handling of COVID-19 infected persons sent to nursing homes, and the effects of that deadly decision; and be it further

MR. LORIGO moved to further amend item Number 2. MR. TODARO seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO and MR. HARDWICK. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. (AYES: 5; NOES: 6)

FAILED.

MR. LORIGO moved to further amend item Number 2. MR. TODARO seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO and MR. HARDWICK. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. (AYES: 5; NOES: 6)

FAILED.

MR. LORIGO moved to further amend item Number 2. MR. GREENE seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO and MR. HARDWICK. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. (AYES: 5; NOES: 6)

FAILED.

MR. LORIGO moved to further amend item Number 2. MR. TODARO seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO and MR. HARDWICK. NOES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. JOHNSON, MR. MEYERS and MS. VINAL. (AYES: 5; NOES: 6)

FAILED.

MS. VINAL moved to send item Number 2 to committee for further consideration. MR. JOHNSON seconded.

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

AYES: MR. LORIGO, MR. MILLS, MR. TODARO, CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE. (AYES: 10; NOES: 1)

CARRIED.

LEGISLATOR RESOLUTIONS

Item 38 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

MR. LORIGO moved to send the item to committee for further consideration. MR. MILLS seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK and MR. MEYERS. NOES: CHAIR BASKIN, MR. JOHNSON and MS. VINAL. (AYES: 8; NOES: 3)

CARRIED.

CHAIR BASKIN directed that the resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

INTRO. 6-1 from CHIMERA, HARDWICK, BASKIN, MEYERS, GILMOUR, JOHNSON & VINAL. Support for Municipal Recycling Programs & Manufacturer Responsibility for Recycling.

Item 39 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

MR. LORIGO challenged the ruling of the chair.

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

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

FAILED.

INTRO. 6-2 from LORIGO, GREENE, TODARO & MILLS. Revocation of Emergency Powers & Executive Orders Related to COVID-19 Response.

Item 40 – CHAIR BASKIN directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 6-3 from TODARO, LORIGO, GREENE & MILLS. Opposition to Proposed Changes to NYS Insurance Laws Aimed at Gun Ownership.

Item 41 – CHAIR BASKIN directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 6-4 from GREENE. Calling for the ECDoH to Reduce the Six Foot Distancing Guidelines to Help Get Students Back in School.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

RE: Calling for an Increase in Consolidated Local Street & Highway Program Funding (INTRO. 6-5)

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

WHEREAS, the Consolidated Local Street and Highway Program (CHIPS) is a significant revenue source for Erie County's highway department. It pays for local infrastructure projects including paving, surface treatments, and culvert installation; and

WHEREAS, Governor Cuomo's Executive Budget provides \$438 million in CHIPS funding for the 2022 Executive's Budget; and

WHEREAS, the current level of CHIPS funding has not seen an increase in nine years despite double digit price increases in the materials used in road paving. With over 1,200 center lane miles or roads, 278 highway bridges, and 466 major culvert crossings in Erie County, the county highway department is always in need of additional funding; and

WHEREAS, Erie County has budgeted \$10,000,000 in revenue for state aid for 2021, the same figure as was budgeted the previous year. The New York State Legislature should work together to increase CHIPS funding to help Erie County's Highway department repair the county's aging infrastructure including roads and bridges; and

WHEREAS, the Governor's latest budget also eliminates the Extreme Winter Emergency Funding. The funding is intended to provided assistance to local highway departments who have seen extreme winter events, as harsh winter weather greatly contributes to road degradation; and

WHEREAS, in 2020 the New York State Legislature provided Extreme Winter Emergency Funding in the current year's budget and should work to do the same for 2022.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby calls for the New York State Senate and New York State Assembly to increase CHIPS funding by at least \$150 million, as requested by the President of the New York State County Highway Superintendents' Association, to help restore infrastructure here in Erie County and across New York State; and be it further

RESOLVED, that this honorable body urges the New York State Legislature to restore the Extreme Winter Emergency Funding in the budget and to increase that number over the 2021 budgeted level; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Delegation to the New York State Senate and Assembly and any other party deemed necessary and proper.

Item 43 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

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

AYES: MR. GREENE, MR. LORIGO, MR. MILLS, MR. TODARO, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK and MR. MEYERS. NOES: CHAIR BASKIN, MR. JOHNSON and MS. VINAL. (AYES: 8; NOES: 3)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

RE: Opposition to the Expedited
Closure of the Gowanda Prison
(INTRO. 6-6)

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

WHEREAS, Governor Cuomo and the Department of Corrections and Community Supervision (DOCCS) announced, in December of last year, their decision to close the medium security Gowanda Correctional Facility. The decision was made based on the expected savings of \$89 million per year; and

WHEREAS, the Gowanda facility is the second-largest facility in the state with more than 510 corrections officers and another 130 civil employees and currently has extensive renovations contracts already awarded and scheduled to be conducted; and

WHEREAS, the 90-day timeline to notify employees is also severely shortened from a typical decision to close a prison. Most decisions to close a correctional facility require at least a one-year notice to employees and an opportunity to study the impact and cost savings; and

WHEREAS, with the shortened timeline, proper examination of the purported savings has not been conducted. The Gowanda Area Redevelopment Corp. submitted a Freedom of Information Law (FOIL) request in January to the DOCCS requesting budget figures for related to the decision to close the prison; and

WHEREAS, facility prisoners will need to be transferred to other corrections facilities many of the corrections officers will need to be transferred as opposed to terminated, and the physical building and surrounding grounds will still need to be properly decommissioned by the state; and

WHEREAS, the 90-day timeline also impacts the ability of the nearly 700 employees who do not know whether they will be transferred, terminated, or able to find other employment; and

WHEREAS, there is a strong possibility that the projected savings will not be as great as promised; however, the harm to the community supporting the prison will be significant. As the FOIL request has yet to be fulfilled and a thorough review has not been conducted, it is imperative that any facility closure be suspended pending a formal review and the typical one-year notice period be provided.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby urges Governor Cuomo to halt the closure of the Gowanda Correctional Facility pending a full and complete inquiry into the actual savings to be had, the regional impact it would have on the community, and the closure's implications for the New York State prison system; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, the director of the Department of Corrections and Community Supervision, the Western New York Delegation to the New York State Assembly, and any other party deemed necessary and proper.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 44 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 6-7 from GILMOUR Re: Re-Appropriation of 2021 Public Benefit Funding

RESOLUTION NO. 54

A RESOLUTION TO BE SUBMITTED BY

LEGISLATOR GILMOUR

WHEREAS, the Town of Hamburg was awarded \$25,000 in public benefit funding by the Erie County Legislature in the adopted 2021 Budget in Fund Center 1332010 – Community/Neighborhood Development, Account 518681; and

WHEREAS, there is a need to transfer \$5,000 of the funding to an alternative organization to assist in a community development need by a worthwhile organization; and

WHEREAS, as in similar 2018, 2019 and 2020 situations, it is the intention of this Honorable Body to transfer such funding to community organizations serving the public.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to transfer \$5,000 of 2021 public benefit funding allocated to the Town of Hamburg to Hull House Foundation in the Cultural Agencies department, Fund Center 1333020, Account 518113; and be it further

RESOLVED, that while the agency name is changing the overall budget line amount is to remain the same; and be it further

RESOLVED, that the Director of the Division of Budget and Management is authorized to make any adjustments necessary to effectuate the intent of this resolution or any other changed identified by the Office of the Erie County Comptroller; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Comptroller, the Director of Budget and Management, and any other party deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

Item 45 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6E-25 from TODARO Re: Letter to Economic Development Chair Requesting Discussion of High-Speed Internet Expansion in EC

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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

GRANTED.

COMM. 6M-7 from THE WORLD HEALTH ORGANIZATION Re: A How-To-Guide for Physical Distancing

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

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

GRANTED.

COMM. 6M-8 from THE INFECTIOUS DISEASES SOCIETY OF AMERICA Re: Information Regarding Metrics of Physical Distancing

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

MR. MEYERS left the Legislature meeting at 12:37 p.m.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR BASKIN

Item 48 – (COMM. 6E-1) Letter to Legislature Clerk Concerning Transition of Meetings on 3/18/21

Received, filed and printed.

March 11, 2021

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

Re: March 18th Work Session and Legislative Session will be Held Virtually due to the Coronavirus Pandemic and the Legislative Session Time Will Be Changed

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, I am writing to advise you that pursuant to Section 2.03 of the Erie County Legislature's Rules of Order, I am shifting the Legislature's scheduled March 18, 2021 session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. In addition, the legislative session will be held at 11:00 am instead of 2:00 pm.

Please notify all legislators, staff, the media, and the public of this change and the call-in details. Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin
Chair of the Legislature

Item 49 – (COMM. 6E-2) Designation of Chair's Appointments to the EC Advisory Committee on Reapportionment

Received, filed and printed.

March 11, 2021

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

Re: Designation of Chair of the Erie County Advisory Committee on Reapportionment

Dear Clerk Graber:

Pursuant to Section 210 of the Erie County Charter, I have appointed Danise C. Wilson to serve as the Chair of the Legislature's designee on the Erie County Advisory Committee on Reapportionment.

Through this letter, I also designate Ms. Wilson to serve as Chair of the Erie County Advisory Committee on Reapportionment.

Thank you for your assistance and courtesies.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM LEGISLATOR MEYERS

Item 50 – (COMM. 6E-3) Appointments to the EC Advisory Committee on Reapportionment

Received, filed and printed.

March 11, 2021

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

Re: Appointments to the Erie County Advisory Committee on Reapportionment

Dear Clerk Graber:

Pursuant to Section 210 of the Erie County Charter, I hereby appoint the following individuals to serve as the Majority Leader's appointees to the Erie County Advisory Committee on Reapportionment:

Brittanylee Penberthy, Esq.
80 Aspenwood Drive
Amherst, NY 14051

Danielle M. Johnson, Ph.D.
3442 Main Street, Apt. A-12
Buffalo, NY 14214

Matthew J. Kibler, Esq.
4182 Tisbury Lane
Hamburg, NY 14075

Jessica A. Kulpit, Esq.
16 Schilling Court
Lancaster, NY 14086

Jeffrey Swiatek, Esq.
27 Countryside Lane
Depew, NY 14043

I also hereby appoint myself to serve as the Majority Leader's designee.

Thank you for your assistance and courtesies.

Sincerely,

Timothy J. Meyers
Majority Leader

FROM CHAIR BASKIN

Item 51 – (COMM. 6E-4) Appointment to the EC Advisory Committee on Reapportionment

Received, filed and printed.

March 11, 2021

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

Re: Appointment to the Erie County Advisory Committee on Reapportionment

Dear Clerk Graber:

Pursuant to Section 210 of the Erie County Charter, I hereby appoint the following individual to serve as the Chair of the Legislature's designee on the Erie County Advisory Committee on Reapportionment:

Danise C. Wilson
73 Otis Place
Buffalo, New York 14209

Thank you for your assistance and courtesies.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM LEGISLATORS LORIGO, TODARO, GREENE & MILLS

Item 52 – (COMM. 6E-5) Letter to Director of Budget & Management Regarding Accounting of COVID-19 Emergency Funding

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR HARDWICK

Item 53 – (COMM. 6E-6) Letter to Comptroller Concerning Potential County Revenue from NYS Unclaimed Funds

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR JOHNSON

Item 54 – (COMM. 6E-7) Letter Seeking Clarification on State-Ready Prisoners and Parolees' Status During COVID Pandemic

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 55 – (COMM. 6E-8) Authorization to Accept FY 2020 Operation Stonegarden Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR LORIGO

Item 56 – (COMM. 6E-9) Designation of Minority Leader's Appointments to the EC Advisory Committee on Reapportionment

Received, filed and printed.

March 4, 2021

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

RE: Minority Leader's Appointments to the Erie County Advisory Committee on
Reapportionment

Dear Clerk Graber:

As Minority Leader of the Erie County Legislature and in accordance with Article 2, Section 210 of the Erie County Charter, I hereby appoint the following individuals to serve on the Erie County Advisory Committee on Reapportionment:

Christina G. Holdsworth
848 Potomac Avenue
Buffalo, NY 14202

Joseph T. Burns
1811 Northwood Drive
Williamsville, NY 14221

Brandi LoBianco
2070 Harrison Avenue
North Collins, NY 14111

Guy R. Marlette
21 Brantwood Road
Amherst, NY 14226

Raymond W. Walter
2384 Kensington Ave.
Amherst, NY 14226

Additionally, to serve as the Minority Leader's designee on the committee, I hereby appoint:

James P. Domagalski
75 Hawthorne Drive
Orchard Park, NY 14127

Thank you for your attention to this matter. If you have any questions regarding these appointments, please contact Minority Caucus Chief of Staff Bryan Fiume at 716-858-4745.

Sincerely,

JOSEPH C. LORIGO
Minority Leader
Erie County Legislator, District 10

FROM THE COUNTY EXECUTIVE

Item 57 – (COMM. 6E-10) Reappointment of Member of EC Board of Ethics

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 58 – (COMM. 6E-11) Personnel Adjustment - EC Dept. of Probation

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 59 – (COMM. 6E-12) ECSD No. 3 - Engineer Term Contract Agreement

Item 60 – (COMM. 6E-13) ECSD No. 6 - Center St., Sanitary Sewer Replacement Project, Lackawanna

Item 61 – (COMM. 6E-14) Lake Erie Watershed Protection Alliance Coordinator Contract

Item 62 – (COMM. 6E-15) WNY Sustainable Business Roundtable Contract Budget Revision

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

RE: 2021 Capital Project - Change in
Funding Source
(COMM. 6E-16)

WHEREAS, it is critical that the Department of Public Works accomplish as many highway rehabilitation projects and commence projects as soon as possible, including taking advantage of the short construction season and the availability of lower pricing offered by contractors in cases of early bidding; and

WHEREAS, it is imperative that rehabilitation work begin as soon as possible on Preservation of Roads Construction-Rehabilitation of Alden Crittenden Road for \$1,500,000 and Preservation of Roads Construction-Rehabilitation of Bullis Road for \$2,000,000, two projects previously approved in the 2021 Capital Budget; and

WHEREAS, switching the funding source from bonding to pay-as-you-go (PAYGO), using available 2021 PAYGO Highway funding with later funding line replenishment to occur upon passage of the upcoming 2020 Budget Balancing Resolution, will allow the bidding process to begin upon approval of this resolution; and

WHEREAS, switching to PAYGO funding and eliminating the need to bond the projects will save the County money since there will be no debt service interest payments to make over many years; and

WHEREAS, combing the two projects into one 2021 Preservation of Roads Construction-Rehabilitation of Alden Crittenden and Bullis Roads project for a total of \$3,500,000 will allow the County to bid this work out as a single job to enable better pricing due to quantity discounts.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to combine the Preservation of Roads Construction-Rehabilitation of Alden Crittenden Road for \$1,500,000 and Preservation of Roads Construction-Rehabilitation of Bullis Road for \$2,000,000, two projects previously approved in the 2021 Capital Budget into one 2021 project entitled Preservation of Roads Construction-Rehabilitation of Alden Crittenden and Bullis Roads project for a total of \$3,500,000 to allow for bidding as a single job to achieve better overall pricing; and be it further

RESOLVED, authorization is hereby given to switch the funding source for such work form bonding to usage of 2021 Highway PAYGO funding, of which such budget will be replenished upon passage of the upcoming 2020 Budget Balancing Resolution; and be it further

RESOLVED, that authorization is hereby given for the creation of the following PAYGO project in Fund 420, Funds Center 123:

B.211XX

2021 Preservation of Roads Construction-Rehabilitation of Alden Crittenden and Bullis Roads

Revenue		
486000	Interfund Revenue Subsidy	\$3,500,000
Expense		
CAPITALPROJECTS	Capital Project Exp	\$3,500,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Division of Highways, Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

Item 64 – (COMM. 6E-17) NYSDOT Agreement & Contract - Reconstruction of William St., Lancaster

Item 65 – (COMM. 6E-18) SUNY Erie North Campus ADA & Electrical Upgrades

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

Item 66 – (COMM. 6E-19) Equipment Purchase Utilizing Forfeiture Funds - Dept. of Probation

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR JOHNSON

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

CARRIED. (9-0-1)

RESOLUTION NO. 56

RE: Lease Agreement for Legislative Office
Space
(COMM. 6E-20)

RESOLVED, the Erie County Executive is hereby authorized to sign a 22-Month Lease Agreement with Towne Gardens LLC, c/o Raymond L. Fink as Receiver for Legislative office space for Howard J. Johnson, Jr., located at 427 William St., Buffalo, NY 14202 for a monthly rate of \$925.97 effective May 1, 2019, through February 28, 2021.

FROM THE COUNTY CLERK

Item 68 – (COMM. 6E-21) EC Clerk's Office Annual Report for 2020

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR LORIGO

Item 69 – (COMM. 6E-22) Board Appointment Recommendation for EC Bar Association Aid to Indigent Prisoners Society, Inc.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 70 – (COMM. 6E-23) Recommendation of Property Tax Rebate

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 71 – (COMM. 6E-24) Buffalo Niagara Convention Center Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF LEGISLATURE

Item 72 – (COMM. 6D-1) Letter to Legislature Concerning Transition of Meetings on 3/18/21

Received, filed and printed.

March 11, 2021

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: MARCH 18, 2021 WORK SESSION AND LEGISLATIVE SESSION WILL BE HELD VIRTUALLY DUE TO THE CORONAVIRUS PANDEMIC AND THE LEGISLATIVE SESSION TIME WILL BE CHANGED

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter concerning COVID-19, the Erie County Legislature's scheduled March 18, 2021 legislative session and work session will be shifted from being held in the Chambers of the Legislature to a virtual hearing, to be held via Zoom. In addition, the legislative session will be held at 11:00 am, instead of 2:00 pm.

The Chairwoman's letter directing the changes is attached.

The Zoom details are as follows:

Topic: Erie County Legislature Work Session at 10:00 am and Legislative Session #6 (2021) at 11:00 am
<https://us02web.zoom.us/j/88161315593>
Meeting ID: 881 6131 5593
Or call 646-876-9923

Thank you.

FROM THE COMMISSIONER OF HEALTH

Item 73 – (COMM. 6D-2) Updated Nursing Home Outbreak Information - 2/27/21

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 74 – (COMM. 6D-3) Audit of EC Youth Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 75 – (COMM. 6D-4) Response to Letter from Comptroller's Office Concerning Creation of Social Services Position

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 76 – (COMM. 6D-5) Updated Nursing Home Outbreak Information - 3/6/21

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 77 – (COMM. 6D-6) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 78 – (COMM. 6D-7) Local Law Filing Form for LL No. 2 (2021)

Received and filed.

FROM THE DEPARTMENT OF LAW

Item 79 – (COMM. 6D-8) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 80 – (COMM. 6D-9) Notification of New COVID-19 Related Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 81 – (COMM. 6D-10) Updated Nursing Home Outbreak Information - 3/13/21

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 82 – (COMM. 6M-1) Invitation for Public Comment - Brownfield Cleanup Application at 389 Manhattan Ave., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CIVIL RIGHTS & TRANSPARENCY CLINIC

Item 83 – (COMM. 6M-2) Public Comment in Response to Police Reform Citizen Task Force's Preliminary Report & Recommendations

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES

Item 84 – (COMM. 6M-3) Minutes for Meeting Held on 02/18/21

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES

Item 85 – (COMM. 6M-4) Proposed Agenda for Meeting to be Held 03/18/21

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE FULTON COUNTY BOARD OF SUPERVISORS

Item 86 – (COMM. 6M-5) Certified Copy of Resolution Calling on NYS to Curtail the Governor's Emergency Powers Authority

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE MICHELE M. IANNELLO-WARD

Item 87 – (COMM. 6M-6) Letter of Interest & Resume for Consideration for Appointment to the Position of Commissioner of the ECWA

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 88 – Chair Baskin announced that on Thursday, March 25, 2021, at 1:00 p.m., the Legislature will hold a Special Meeting. Chair Baskin further announced that the Finance & Management Committee will hold a meeting on Thursday, March 25, 2021, at 9:00 a.m.

Item 89 – Legislator Lorigo announced that he was pleased that a meeting of the Finance & Management Committee had been scheduled, and requested more time for committee meetings.

MEMORIAL RESOLUTIONS

Item 90 – Legislator Chimera requested that when the Legislature adjourns, it do so in memory of Fred J. Hanania, Sr.

Item 91 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Jeanne M. McCarthy.

Item 92 – Legislator Gilmour requested that when the Legislature adjourns, it do so in memory of Ruth Edwards, Patricia A. Ahrens and Edward J. Hatton, Sr.

ADJOURNMENT

Item 93 - 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 25, 2021 at 1:00 p.m. Eastern Standard Time. MR. LORIGO seconded.

CARRIED. (10-0)

CHAIR BASKIN declared the Legislature adjourned until Thursday, March 25, 2021 at 1:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE