

**ERIE COUNTY LEGISLATURE
MEETING NO. 11
JUNE 6, 2024**

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Johnson, who offered a short prayer.

The Pledge of Allegiance was led by Ms. Vinal.

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 10 from 2024. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

MAJORITY CAUCUS	Recognizing National Stroke Awareness Month
JOHNSON	Happy 80th Birthday William A. Dockery
GILMOUR	Honoring Keith D. Mobley on His 10th Pastoral Anniversary of Mt. Olive Missionary Baptist Church, Lackawanna, New York
BARGNESI	Honoring and Recognizing Karen Carman
VINAL	Honoring and Recognizing the Grand Opening of Mathewson McCarthy Baseball New Clubhouse
BASKIN & JOHNSON	Honoring National Soul Food Month
BASKIN & JOHNSON	Celebrating the African American Black Music Month (June 2024)

MAJORITY CAUCUS	Recognizing National Cancer Survivors Day
MAJORITY CAUCUS	Acknowledging the First Friday in June as National Gun Violence Awareness Day
GREENE	Honoring Douglas J. Chadwick and Thanking Him for His Service
GREENE	Honoring Christopher L. Odien and Thanking Him for His Service
MILLS	Recognizing Eden Little League Baseball in Conjunction with National Little League Baseball Week in Erie County
MILLS	Recognizing Orchard Park Little League Baseball in Conjunction with National Little League Baseball Week in Erie County
MILLS	Recognizing Richmond Farms Dairy During National Dairy Month
MILLS	Honoring Jacob Patrick Weimer on Earning the Rank of Eagle Scout
LORIGO	Recognizing Elma Meadows Women's Golf Club in Conjunction with "Women's Golf Month" in Erie County
LORIGO	Recognizing the 80th Anniversary of D-Day
GREENE	Recognizing Youth Athletes, Coaches and Parents on the Celebration of World Softball Day
TODARO	Celebrating the 100th Anniversary of the Town Line Fire Department Ladies Auxiliary
TODARO	Recognizing the Dairy Farms of Erie County During National Dairy Month
KOOSHOIAN	Honoring Attorney Dominic Saraceno

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-one items as amended. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 6 – CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2024 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 7 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2024 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 8 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2024 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 9 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92

May 30, 2024	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-22 (2024)
COUNTY EXECUTIVE: “ECSD No. 4 – Depew Pumping Station Forcemain Replacement at Cayuga Creek”
(Chair’s Ruling)
 - b. COMM. 10E-21 (2024)
COUNTY EXECUTIVE: “ECSD No. 3 – Construction Inspection Term Contract Agreement”
(Chair’s Ruling)

c. COMM. 10E-22 (2024)
COUNTY EXECUTIVE: “ECSD No. 3 – Engineering Term Contract Agreement for Labella Associates”
(Chair’s Ruling)

d. COMM. 10M-2 (2024)
ECWA: “2023 Annual Water Quality Report”
(Chair’s Ruling)

2. COMM. 10E-23 (2024) AS AMENDED
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry maintains over 10,000 acres of park and forest land; and

WHEREAS, the Erie County parks offer a multitude of recreation opportunities such as hiking, biking, and winter sports on trails throughout the park system; and

WHEREAS, the Department of Parks has prioritized accessibility in many aspects of park management and recreation; and

WHEREAS, there are currently no accessible natural surface trails within the Erie County Parks System; and

WHEREAS, the Department of Parks was awarded \$228,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Recreational Trails Program to support Trail Accessibility Enhancements in Erie County parks.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$228,000 from New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and be made available as a multi-year grant in Fund 281, Funds Center 16410 as follows:

Department of Parks, Recreation, and Forestry
New York State Recreational Trails Program
164NYSRTP2429
1/1/2024-12/31/2029

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>BUDGET</u>
409000	State Aid Revenues	<u>\$228,000</u>
	TOTAL	<u>\$228,000</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
516020	Professional Services Contracts and Fees	<u>\$228,000</u>

TOTAL

\$228,000

and be it further

RESOLVED, that trail enhancements will be performed at 18 Mile Creek Park and Boston Forest Park, within Erie County limits, for the project described in the Grant Application; and be it further

RESOLVED, that authorization is hereby given for the Commissioner of Parks, Recreation & Forestry to execute all contracts, document signing, and other required agreements and certifications required by the grantor; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to amend contracts as necessary to implement any no-cost extensions that may be permitted by the grantor; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office, Comptroller's Office, Department of Law, Department of Parks, Recreation and Forestry, and Division of Budget and Management.

(5-0)

3. COMM. 10E-29 (2024)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the following named individuals for appointment to the Erie County Environmental Management Council, for a term that expires May 31, 2026:

Anne K.C. McCooey
107 Homer Avenue
Buffalo, NY

Athena Clabeaux
493 Mill Street
Williamsville, NY

Joshua J. McClain
33 Helen Street
Buffalo, NY

Andrea O Suilleabhain, J.D.
Partnership for the Public Good
617 Main Street, Suite 300
Buffalo, NY 14203

Dr. Susan A. McCartney
SUNY Buffalo State
Grover Cleveland Hall 206
1300 Elmwood Avenue
Buffalo, NY 14222

Noemi Waight
University at Buffalo
580 Baldy Hall
Dept. of Learning &
Instruction

Jenny Mogavero

682 Columbus Pkwy
Buffalo, NY 14213

(5-0)

TIMOTHY J. MEYERS
CHAIR

Item 10 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 93

May 30, 2024	PUBLIC SAFETY COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT.

1. COMM. 10E-14 (2024)
SHERIFF

RESOLVED, the Erie County Legislature hereby confirms the following named individual to the Erie County Corrections Specialist Advisory Board, for a 3-year term effective June 6, 2024:

Bishop Kim Moses
14 Ascot Circle
East Amherst, NY 14051

(5-0)

2. COMM. 10E-18 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Correctional Facilities – UPS Replacement project (herein called the “Project”) seeks to replace the Uninterruptible Power Supply system (herein called the UPS); and

WHEREAS, completion of the Project will ensure that the UPS systems for the Erie County Correctional Facility and the Erie County Holding Center supply the facilities with the necessary continuous power to operate critical systems in the event of electric service interruptions; and

WHEREAS, these systems are required for safety of the facility as well as all occupants of the facility to maintain continuous operation of the critical systems; and

WHEREAS, the County of Erie received Electrical Construction bids for the Project on March 21, 2024 in accordance with General Municipal Law 103; and

WHEREAS, the Department of Public Works and Buffalo Engineering are recommending award of the contracts to the lowest responsible bidder for the Electrical Construction Contract.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with the lowest responsible bidder, Frey Electric Construction Co, Inc. for electrical construction work in an amount not to exceed \$132,000; and be it further

RESOLVED, that authorization is hereby given for the sum of \$18,000 to 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 change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that authorization is hereby given for the Comptroller's Office to make payment for the above from the previously approved, as adopted capital projects in Fund 410, Funds Center 122 as follows:

A.18026 – DPW (Buildings and Grounds) – Erie County Sheriff's Department - Misc. Renovations	\$ 4,612.61
A.20059 – DPW (Buildings and Grounds) - Erie County Sheriff's Office - Miscellaneous Renovations - Sheriffs	\$ 1,231.06
A.22005 – DPW (Buildings and Grounds) – Erie County Sheriff's Department – Miscellaneous Renovations	\$127,985.53
A.20060 – DPW (Buildings and Grounds) - Mechanical, Electrical, Plumbing, and Misc. Improvements (Countywide) - General	\$ 16,170.80
<hr/> Total not to exceed	<hr/> \$150,000.00

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 County Executive's Office, Comptroller's office and Division of Budget and Management.

(5-0)

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

Item 11 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94

May 30, 2024	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT.

1. COMM. 10E-15 (2024)
COUNTY EXECUTIVE

WHEREAS, the Bridge Replacement of Goodrich Road (CR 216) over Ransom Creek, BIN 3326400, BR 216-02, Town of Clarence, PIN 5764.12 (the “Project”) is eligible for funding under CFR Title 23 U.S. Code, as amended, that calls for the appropriation of the costs of such program to be borne at the ratio of 80% Federal funds, 15% State Funds, and 5% Local funds; and

WHEREAS, the bridge needs to be replaced due to structural deficiencies; and

WHEREAS, the County of Erie desires to advance the Project by entering into an agreement with NYSDOT and making a financial commitment to advance 80% of the reimbursable Federal share, 15% of the reimbursable State share, and payment of the 5% Local share of the costs of the design engineering (Scoping & Design phases I-VI); and

WHEREAS, the total cost of the engineering design and right of way incidentals including contingency is \$380,000, which is comprised of a Federal share of \$263,200, a State Marchiselli share of \$49,350, and a Local share of \$67,450 available in Capital Project B.19054 – 2019 Federal Aid Bridge Preservation Design, Fund 420, Funds Center 123; and

WHEREAS, using the Federal Aid RFQ process, the firm of Mott MacDonald NY, Inc. (Mott MacDonald), was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with project engineering services for the replacement of the above noted bridge.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves participation in the Bridge Replacement of Goodrich Road (CR 216) over Ransom Creek, BIN 3326400, BR 216-02, Town of Clarence, PIN 5764.12; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with the new York State Department of Transportation; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Engineering Design (Scoping and Design I-VI) phases of the Project or portions thereof in the amount of \$380,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the federal and state

revenue that is available as administered by the New York State Department of Transportation; and be it further

RESOLVED, that authorization is hereby given for Capital Project B.19054 – 2019 Federal Aid Bridge Preservation Design, Fund 420, Funds Center 123, be adjusted as follows:

REVENUES		CURRENT BUDGET	INCREASE/ (DECREASE)	REVISED BUDGET
405160	NYS Marchiselli	\$ 0	\$ 49,350	\$ 49,350
414000	Federal Aid	\$ 0	\$263,200	\$263,200
486000	Interfund Rev Subsidy	<u>\$100,000</u>	<u>\$ 0</u>	<u>\$100,000</u>
TOTAL REVENUES		<u>\$100,000</u>	<u>\$312,550</u>	<u>\$412,550</u>
APPROPRIATIONS				
Capital Project Expense		<u>\$100,000</u>	<u>\$312,550</u>	<u>\$412,550</u>
TOTAL APPROPRIATIONS		<u>\$100,000</u>	<u>\$312,550</u>	<u>\$412,550</u>

and be it further

RESOLVED, that the estimated total Project cost of \$380,000 for Design Engineering is hereby appropriated from B.19054 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with the selected Project Engineers, Mott MacDonald NY, Inc. (Mott MacDonald) for engineering design and right of way incidental services in an amount not to exceed \$380,000; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project’s Design Engineering (Scoping & Design I-VI) and Right of Way incidental phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that should the Agreement receive additional federal or non-federal reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of the additional funds; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute all necessary Agreements, certifications or reimbursement requests for Federal, NYS Marchiselli aid and any other funding source on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local agreement; and providing for the administration of the Project and the County’s first instance funding of Project costs and all local share costs of Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management. (5-0)

2. COMM.10E-16 (2024)
COUNTY EXECUTIVE

WHEREAS, the County of Erie has been awarded two Bridge NY Culvert projects, PIN 5765.00 – Milestrip Rd (CR93) over Delaware Creek and PIN 5765.01 - Milestrip Rd (CR93) over Muddy Creek, large culvert replacement projects located in the Town of Brant; and

WHEREAS, the two projects are eligible for reimbursement of qualified costs from the Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne by 100% of the Bridge NY funds; and

WHEREAS, the County of Erie will administer all phases, design, construction, and right of way for the projects; and

WHEREAS, agreements need to be executed with New York Dept. of Transportation for the projects enabling the disbursement of the funding from Bridge NY; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to 100% of the costs of the projects for Design Engineering (Scoping & Design Phase I-VI), Right of Way, and Construction phases for the Project; and

WHEREAS, in advancing the project the Department of Public Works desires to award a design contract to Watts AE, the engineering consultant selected for the project through the Federal Aid request for proposal process; and

WHEREAS, the funding for the projects is available in BA 123, Fund 420, SAP project B.23008, Federal Aid Bridge Preservation, including Project revenue of 100% state funds totaling \$1,818,900, with PIN 5765.00 receiving \$861,300 and PIN 5765.01 receiving \$957,600.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves projects PIN 5765.00 - Milestrip Rd. over Delaware Creek and PIN 5765.01 - Milestrip Rd. over Muddy Creek awarded to the County of Erie through the Bridge NY Program; and be it further

RESOLVED, the authorization is hereby given for the County Executive or Deputy County Executive to enter into an execute the state and local agreement for the projects with the New York State Department of Transportation; and be it further

RESOLVED, that authorization is hereby given for the County of Erie to pay in the first instance 100% of the state and local shares of the cost for all phases of the two projects, design, right-of-way and construction; and be it further

RESOLVED, that the Department of Public Works, Division of Highways, with the Division of Budget and Management are hereby authorized to adjust the budgets of B.23008, Federal Aid Bridge Preservation - Design, in Fund 420, Funds Center 123 for the projects as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
414000	Federal Aid	\$1,704,775	\$ 0	\$1,704,775
409000	Other State	\$ 0	\$1,818,900	\$1,818,900
475000	Gen. Oblig. Bond	<u>\$ 500,000</u>	<u>\$ 0</u>	<u>\$ 500,000</u>
TOTAL REVENUES		<u>\$2,204,775</u>	<u>\$1,818,900</u>	<u>\$4,023,675</u>
APPROPRIATIONS				
Capital Expense	Project			
		<u>\$2,204,775</u>	<u>\$1,818,900</u>	<u>\$4,023,675</u>
TOTAL APPROPRIATIONS		<u>\$2,204,775</u>	<u>\$1,818,900</u>	<u>\$4,023,675</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive to enter into agreement with Watts AE, Inc. selected by the Federal Aid RFP process for the projects as listed:

Project	Engineering Firm	Design Contract (not to exceed)
PIN 5765.00	Watts AE, Inc.	\$160,000
PIN 5765.01	Watts AE, Inc.	\$160,000

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust the Project budget for any and all increases or reductions in Federal and/or State revenue that are made available for this Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of all state and non-state shares of the costs of the projects, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute all necessary Agreements, certifications or reimbursement requests for Federal

Aid and/or State Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County of Erie hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months in accordance with the Agreement; and be it further

RESOLVED, that the County of Erie hereby agrees that to be responsible for all costs of the Projects, including costs which exceed the amount of the reimbursement available from the Bridge NY funding awarded to the County; and be it further

RESOLVED, that the County of Erie will be responsible for all maintenance of the projects; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and one (1) copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

(5-0)

3. COMM. 10E-17 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) is currently in the process of restoring the Wendt Beach Mansion and Stables along with seeking a partner to operate and maintain both the Wendt Beach Mansion and Stables; and

WHEREAS, the existing capacity and condition of the existing sanitary sewer serving the Wendt Beach property needs repairs to support the restoration of the Mansion and Stables; and

WHEREAS, the number and frequency of seiche events, the intensity of general storms and blizzards have increased significantly over the last couple years. When these events occur, debris is trapped in front of the concrete culvert, which blocks the flow of water through the culvert and out to Lake Erie. The persistent stream bank erosion has led to the sewer line being unsupported between the culvert and the bank; and

WHEREAS, in conjunction with the design consultant, a project has been identified at the Wendt Beach Park to bury a portion of the existing sewer line under the creek and remove the culvert which will minimize the back up of debris/water which also creates excessive water on Shell Road and negatively impacts the residents; and

WHEREAS, execution of the proposed project to install a new sanitary sewer system at the facility will correct the existing erosion concerns as well as support the future restoration of the Mansion and Stables; and

WHEREAS, sufficient funding for this project is available through the re-appropriation of unexpended American Rescue Plan Act funds remaining after the completion of four (4) previously approved projects; and

WHEREAS, the Wendt Beach Park Sewer Line Replacement is eligible for American Recue Plan Act funding under the Revenue Replacement Expense Category 6.1 – Provision of Government Services; and

WHEREAS, the American Recue Plan Act requires all funds to be obligated for use by December 31, 2024 and fully expended by December 31, 2026; and

WHEREAS, if this project is not approved, there is a significant possibility that debris could sever the sewer line between the culvert and the bank discharging raw sewage directly into Lake Erie as the connection from the park to the Erie County Sewer on Shell Road would no longer be connected; and

WHEREAS, there are no additional resolution upload dates to get approval prior to legislative recess and therefore will not allow for the prompt award of the Wendt Beach park Sewer Replacement to allow the project to proceed in a timely manner; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) and its respective design consultants will review the scope of work for the Wendt Beach Sewer Replacement Project in detail to ensure all requirements of the project are met; and

WHEREAS, the Project will be advertised by the Department of Public Works on behalf of Parks to receive General Construction bids in accordance with General Municipal Law 103.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that \$427,774.73 in unexpended American Rescue Plan Act funding remaining at project close out within the Department of Environment and Planning’s Capital Projects A.21169, A.21171, A.21173 and A.21174 (Fund 410, Funds Center 162) be re-appropriated into a new Department of Parks, Recreation & Forestry Capital Project for the Wendt Beach Park Sewer Line Replacement Project (Fund 410, Funds Center 164) as follows:

Project A.21169
Agribusiness Park Water Tank Project
Fund 410, Funds Center 162

REVENUES	BUDGET	CHANGE	REVISED BUDGET
486000 Interfund Revenue Subsidy	<u>\$1,200,000.00</u>	<u>(\$355,540.00)</u>	<u>\$844,460.00</u>

\$1,200,000.00 (\$355,540.00) \$844,460.00

APPROPRIATIONS

Capital Project Expense \$1,200,000.00 (\$355,540.00) \$844,460.00

TOTAL \$1,200,000.00 (\$355,540.00) \$844,460.00

Project A.21171
 Springville Central Ave Water Main Project
 Fund 410, Funds Center 162

	BUDGET	CHANGE	REVISED BUDGET
REVENUES			
486000 Interfund Revenue Subsidy	<u>\$485,275.00</u>	<u>(\$27,912.51)</u>	<u>\$475,362.49</u>
	<u>\$485,275.00</u>	<u>(\$27,912.51)</u>	<u>\$475,362.49</u>

APPROPRIATIONS

Capital Project Expense \$485,275.00 (\$27,912.51) \$475,362.49

TOTAL \$485,275.00 (\$27,912.51) \$475,362.49

Project A.21173
 Akron Skyline Drive Waterline Installation Project
 Fund 410, Funds Center 162

	BUDGET	CHANGE	REVISED BUDGET
REVENUES			
486000 Interfund Revenue Subsidy	<u>\$214,628.00</u>	<u>(\$41,335.00)</u>	<u>\$173,293.00</u>
	<u>\$214,628.00</u>	<u>(\$41,335.00)</u>	<u>\$173,293.00</u>

APPROPRIATIONS

Capital Project Expense \$214,628.00 (\$41,335.00) \$173,293.00

TOTAL \$214,628.00 (\$41,335.00) \$173,293.00

Project A.21174
 Tonawanda Water Sewer Replacement Project
 Fund 410, Funds Center 162

	BUDGET	CHANGE	REVISED BUDGET
REVENUES			
486000 Interfund Revenue Subsidy	<u>\$201,860.00</u>	<u>(\$2,987.22)</u>	<u>\$198,872.78</u>
	<u>\$201,860.00</u>	<u>(\$2,987.22)</u>	<u>\$198,872.78</u>

APPROPRIATIONS

Capital Project Expense \$201,860.00 (\$2,987.22) \$198,872.78

TOTAL \$201,860.00 (\$2,987.22) \$198,872.78

Project A.21XXX
Wendt Beach Sewer Line Replacement Project
Fund 410, Funds Center 164

REVENUES	BUDGET
486000 Interfund Revenue Subsidy	<u>\$427,774.73</u>
	<u>\$427,774.73</u>
APPROPRIATIONS	
Capital Project Expense	<u>\$427,774.73</u>
TOTAL	<u>\$427,774.73</u>

and be it further

RESOLVED, that authorization is hereby given to the Comptroller’s Office to make payment for the above from the previously approved, as adopted capital projects in Fund 410, Funds Center 164 as follows:

<u>A.21XXX Wendt Beach Park Sewer Line Replacement Project</u>	<u>\$ 427,774.73</u>
Total not to exceed	\$ 427,774.73

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contracts with the lowest responsible bidder for the Wendt Beach Parks Sewer Replacement Project for an amount not to exceed \$427,774.73; and be it further

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

(5-0)

4. COMM. 10E-19 (2024)
COUNTY EXECUTIVE

WHEREAS, the Commissioner of Public Works desires to engage the services for Special Inspections and Testing in order to comply with the requirements of building code on various County projects; and

WHEREAS, the existing agreement is at the end of its term, therefore the Department of Public Works solicited interested firms for a new contract via the Department’s standard RFP/RFP selection process; and

WHEREAS, the Department of Public Works advertised for Special Inspections and Testing firms and received proposals on February 29, 2024; and

WHEREAS, a review of proposals evaluated the firm's expertise, experience, and manpower to provide the required services; and

WHEREAS, all unused funds from the previous Special Inspections On-Call contract per COMM. 3E-5 (2024) can be reallocated and encumbered for use on the current Special Inspections On-Call contract upon approval of this resolution; and

WHEREAS, the contract is intended to be utilized by the Department of Public Works as well as any other County Department for use on a construction project to conform to the Uniform Fire Prevention and Building Code of NY State; and

WHEREAS, the Department of Public Works is recommending award of the contracts to Atlantic Testing Laboratories to provide the required services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into an Agreement with Atlantic Testing Laboratories for the Erie County – On-Call Special Inspections and Tests for an amount not to exceed \$150,000.00; and be it further

RESOLVED, that authorization is hereby given for Comptroller's Office to make payment for services from capital project A.24004 – Preservation of County Building & Facilities BA122, Fund 410 for a total amount not to exceed \$75,000; and be it further

RESOLVED, that authorization is hereby given for the County Comptroller to make payments from the Sewer Operating Fund 220 (including BAs 181, 182, 183, and 186, GL Account 516020 (Professional Service Contracts)) as determined by the Deputy Commissioner of the Division of Sewerage Management in an amount not to exceed \$75,000; and be it further

RESOLVED, that two certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office and the Department of Environment and Planning, Division of Sewerage Management and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

(5-0)

HOWARD J. JOHNSON, JR.
CHAIR

Item 12 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95

May 30, 2024	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9M-3 (2024)
EC BORD OF HEALTH CHAIRMAN: “Proposed Revisions to the EC Sanitary Code”
(Chair’s Ruling)
 - b. COMM. 10M-1 (2024)
EC BOARD OF HEALTH CHAIRMAN: “ EC Board of Health – Notice of Public Hearing”
(Chair’s Ruling)
2. COMM. 10E-24 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning serves as the administrative agent for the Erie County Community Development Block Grant Consortium and the Erie County/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent is the preparation of the Five-Year Consolidated Plan inclusive of an Annual Action Plan, and submittal of same to the federal Department of Housing and Urban Development (HUD); and

WHEREAS, preparation of the 2025-2029 Consolidated Plan and Action Plan must be completed on or about February 14, 2025 so as not to jeopardize federal CDBG, HOME and Emergency Solutions Grant (ESG) funds; and

WHEREAS, funding for the Five-Year Consolidated Plan will be made available through federal Community Development Block Grant monies available to Erie County; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is attached to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive, on behalf of the Erie County Community Development Block Grant Consortium and the Erie County/Town of Hamburg HOME Consortium, to execute any and all agreements with The Harrison Studio in an amount not to exceed \$40,000 for the purpose of preparing the Five-Year Consolidated Plan; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute contract amendments to the aforementioned contract in a cumulative amount not to exceed \$3,500; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account J.00523.1.1, 2023 CDBG Program; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office, Comptroller's Office, Department of Law, Division of Budget and Management, and Department of Environment and Planning.
(5-0)

3. COMM. 10E-25 (2024)
COUNTY EXECUTIVE

WHEREAS, the City of Buffalo, the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg including the Villages located therein, and Erie County receive over \$21,000,000 annually in federal Community Development Block Grant funds; and

WHEREAS, an important element for receiving federal funds is an Analysis of Impediments to Fair Housing Choice within recipient municipalities; and

WHEREAS, the aforementioned local governments and Erie County are desirous of conducting a joint Analysis of Impediments to Fair Housing Choice consistent with federal guidelines; and

WHEREAS, based on results from a Request for Proposal process conducted by the Department of Environment and Planning, the City of Buffalo, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg the County Executive is desirous of executing a contract in an amount not to exceed \$74,930 with The Harrison Studio; and

WHEREAS, funds for the Analysis will be federal Community Development Block Grant (CDBG) monies available to each municipality with contributions shown as follows:

\$10,733	–	Erie County
8,000	–	Town of Hamburg
37,465	–	City of Buffalo
6,244	–	Town of Amherst
6,244	–	Town of Tonawanda
<u>6,244</u>	–	Town of Cheektowaga
<u>\$74,930</u>	–	Total

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a contract with The Harrison Studio in an amount not to exceed \$74,930 for the purpose of carrying out an Analysis of Impediments to Fair Housing Choice within those municipalities comprising the Erie County Community Development Block Grant Consortium, the City of Buffalo, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg and Villages therein; and be it further

RESOLVED, that the Erie County share of the project cost shall be allocated from SAP

Account J.00523.1.1, 2023 CDBG Program year; and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to execute contracts with the City of Buffalo, and the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg for the purpose of receiving an amount not to exceed \$64,197, as follows:

Town of Hamburg	\$ 8,000
City of Buffalo	37,465
Town of Amherst	6,244
Town of Tonawanda	6,244
Town of Cheektowaga	<u>\$ 6,244</u>
Total	<u>\$64,197</u>

and be it further

RESOLVED, that authorization is hereby given to the Department of Environment and Planning Community Development Block Grant to accept \$64,197 in reimbursement from municipalities amend the CDBG Project J.00523 (Fund 290, Funds Center 1621120) as follows:

Department of Environment and Planning
Community Development Block Grant
Project J.00523, Fund 290, Funds Center 1621120

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
420170	CDBG Prog Inc-Repay	<u>\$64,167</u>
	TOTAL	<u>\$64,167</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
CDBG	CDBG Expense	<u>\$64,167</u>
	TOTAL	<u>\$64,167</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Department of Environment and Planning.

(5-0)

4. COMM. 10E-26 (2024)
COUNTY EXECUTIVE

WHEREAS, the New York State Office for the Aging (NYSOFA) has recently awarded the Department of Senior Services \$108,184 of Seniors' Health Improvement and Education (SHINE) grant funds and requires no additional County funds as it is 100% grantor funded; and

WHEREAS, the SHINE grant funds are to be utilized to help address the nutritional needs, increase nutrition education, and promote healthy behaviors among the County’s low-income older adult population; and

WHEREAS, the grant period runs from October 1, 2023, through September 30, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with NYSOFA to accept \$108,184 for the Seniors’ Health Improvement and Nutrition Education Grant for the period October 1, 2023 to September 30, 2024 to be budgeted as follows:

Department of Senior Services
Seniors' Health Improvement and Nutrition Education
163SHINE2324
10/1/23-9/30/24

REVENUE		BUDGET
414000	Federal Aid	<u>\$108,184</u>
	TOTAL	<u>\$108,184</u>

APPROPRIATIONS		BUDGET
505000	Office Supplies	\$ 1,184
505400	Food & Kitchen Supplies	12,000
510100	Out of Area Travel	1,000
516020	Professional Services	7,000
530000	Other Expenses	19,000
561410	Lab & Technical Equipment	2,500
916390	ID Senior Srvs Grant	50,000
980000	ID DISS Services	<u>\$ 15,500</u>
	TOTAL	<u>\$108,184</u>

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to amend contracts as necessary to implement any no-cost extensions that may be permitted by the grantor; 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.

(5-0)

5. COMM. 10E-27 (2024)
COUNTY EXECUTIVE

WHEREAS, the Commission on the Status of Women (“CSW”) wishes to enter into a contract with the Cornell University to obtain current research and data analysis of employment earning statistics of women in Erie County; and

WHEREAS, this Honorable Body established the CSW in order to provide relevant data and reports that include current information on the economic status of working women in Erie County and make recommendations to ensure fair and equitable treatment of women in Erie County including promoting gender equitable wages; and

WHEREAS, the persistent gender wage gap impacts half the wage-earning population in Erie County and their ability to earn sustainable and thriving wages, provide economic security for themselves and their families and build financial security that will provide support in their post wage earning years; and

WHEREAS, it is in Erie County’s interest to learn more about the root causes of the persistent gender-based wage gap and what necessary steps must be taken to address and eliminate discriminatory gender-based wage disparities; and

WHEREAS, the results of such a study are necessary for the CSW to implement several goals and strategies to assist in the elimination gender-based wage disparities; and

WHEREAS, this will be done in coordination with the Office of Public Advocacy.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive or Deputy County Executive to enter into a contract with the Cornell University in an amount not to exceed \$8,500; and be it further

RESOLVED, that authorization is hereby given that the Division of Budget and Management transfer \$8,500 within the Department of Public Advocacy’s 2024 General Fund Budget (Fund 110, Funds Center 10910) Account 530000 – Other Expenses to Account 516020 – Professional Services, Contracts and Fees for the purpose of funding this research provided by Cornell University for the Status of Working Women in Erie County study; and be it further

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

(5-0)

JOHN J. GILMOUR
CHAIR

LEGISLATOR RESOLUTIONS

There are none.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

There are none.

SUSPENSION OF THE RULES

There are none.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 13 – (COMM. 11E-1) ECC Audited Financial Statements for Year Ended 8/31/2023

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 14 – (COMM. 11E-2) Law Enforcement Technology Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 15 – (COMM. 11E-3) SUNY Erie Community College 2024-2025 Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 16 – (COMM. 11E-4) Creation of Building Guard Positions

Item 17 – (COMM. 11E-5) Acceptance of State Aid for the Supervision and Treatment Services for Juveniles Program Funding

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

FROM THE COUNTY EXECUTIVE

Item 18 – (COMM. 11E-6) 2024 Summer Primetime Contract Awards

Item 19 – (COMM. 11E-7) Acceptance of Grant Funding for Medical Reserve Corps

Item 20 – (COMM. 11E-8) Acceptance of 2023 Performance Incentive Initiative State Aid - Art VI

Item 21 – (COMM. 11E-9) Authorization to Contract with Partners for Opioid Response

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

FROM THE COUNTY EXECUTIVE

Item 22 – (COMM. 11E-10) ECSD No. 6 - Dorrance Ave. Pumping Station Force Main Improvements

Item 23 – (COMM. 11E-11) Transfer Funds from Climate Action Fund to Grant Budget

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

FROM THE COUNTY EXECUTIVE

Item 24 – (COMM. 11E-12) PILOT Agreement for Ellicott Park Town Homes - Affordable Housing Project

Item 25 – (COMM. 11E-13) Authorization to Extend Lease Agreement with the ECIDA

Item 26 – (COMM. 11E-14) EC ARPA Affordable Housing Development - Authorization to Enter into Contracts with Eleven Firms for Affordable Housing Development

Item 27 – (COMM. 11E-15) Fourth Department Appellate Division Contract Amendment for Office Space & Construction of Three Additional Local Chambers

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF OFFICE OF HEALTH EQUITY

Item 28– (COMM. 11D-1) "Health Equity in Erie County" 2023 Annual Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 29 – (COMM. 11D-2) Capital Projects Update - June 2024

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE GRAND ISLAND TOWN CLERK

Item 30 – (COMM. 11M-1) Notice of Public Hearing

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CITIZENS AGAINST WIND TURBINES IN LAKE ERIE

Item 31 – (COMM. 11M-2) Resolution Opposing Wind Turbines in Lake Erie

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE WEST SENECA TOWN CLERK

Item 32 – (COMM. 11M-3) Resolution Opposing Amending the Erie County Charter,
Regarding Sales Tax

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 33 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, June 13, 2024, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, June 2-, 2024.

MEMORIAL RESOLUTIONS

Item 34 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Anne K. Marks, and Caleb J. Cray.

Item 35 – Legislator Baskin requested that when the Legislature adjourns, it do so in memory of Nancy Fernandez, and Gayle Wells.

ADJOURNMENT

Item 36 – 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, June 20, 2024 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, June 20, 2024 at 12:00 Noon.

OLIVIA M. OWENS
CLERK OF THE LEGISLATURE