

ERIE COUNTY LEGISLATURE
MEETING NO. 15
SEPTEMBER 12, 2024

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Gilmour.

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 2024. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

- | | |
|-------------------|--|
| BASKIN | In Remembrance of Congressman Henry J. Nowak |
| BASKIN | Acknowledging and Honoring the 716 Music Awards |
| GILMOUR | Recognizing Douglas & Wende House - Celebrating Their 60th Wedding Anniversary |
| GILMOUR | Congratulating and Honoring Herbert L. Greenman, Esq on His Illustrious and Legendary Career in Law |
| GILMOUR | Honoring the Many Years of Sincere, Dedicated and Exemplary Service to the Residents of Erie County Provided by Tammie Scruggs |
| DUPRE
& BASKIN | Celebrating and Remembering Marlon Gerard Holt Sr. |
| LORIGO | Proclaiming September 2024 as "Library Card Signup Month" |

- LORIGO Recognizing the Lake Erie Chapter of Fly Fishers International on National Hunting and Fishing Day
- LORIGO Honoring the Elma Conservation Club for 25 Years of Supporting Local Veterans
- GREENE Honoring and Thanking the Town of Newstead Highway Department During National Construction Awareness Week
- GREENE Honoring and Thanking the Town of Amherst Highway Department During National Construction Awareness Week
- GREENE Honoring and Thanking the Town of Clarence Highway Department During National Construction Awareness Week
- GREENE Recognizing Mrs. Anne Bodensteiner During National Arts in Education Week
- GREENE Honoring Dean Hyder and Old Scotland Road Distillery During Bourbon Heritage Month
- MILLS In Recognition of Let's Goat Rescue for Farm Animal Awareness Week
- MILLS Celebrating Clara Nyz
- MILLS Recognizing Coach Chris Frankowski 2024 All-Bee Coach of the Year
- MILLS Celebrating the 50th Anniversary of the Orchard Park Chorale
- LORIGO Recognizing The Market in the Square in West Seneca for 25 Years of Operation
- TODARO Celebrating Polish American Heritage Month
- TODARO Recognizing Great Lakes Coffee Roasters on National Coffee Day
- TODARO Celebrating Italian American Heritage Month
- VINAL Happy 100th Birthday Mary Robertson
- VINAL Happy 100th Birthday Jean Burrage
- VINAL Happy 100th Birthday Glenn Nesselbeck
- VINAL Happy 100th Birthday Marie Schillo
- VINAL Happy 100th Birthday Edith "Lucille" Hasley
- VINAL Happy 100th Birthday Zelda Greyson

VINAL Happy 100th Birthday Ann Amato

VINAL Happy 100th Birthday Ruth Bennett

DUPRE In Remembrance of Arthur Owen "Champ" Eve Jr.
& BASKIN

DUPRE Happy 80th Birthday Charlene Miller
& BASKIN

VINAL In Remembrance of Kelly and Noah Brian Sarama

MR. MEYERS moved for consideration of the above thirty-three items. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above thirty-three items by including Et Al Sponsorship. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above thirty-three 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. 5 (Print #1) 2024 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 9 – CHAIR BASKIN directed that Local Law No. 5 (Print #2) 2024 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 10 – CHAIR BASKIN directed that Local Law No. 6 (Print #1) 2024 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

There were none.

LEGISLATOR RESOLUTIONS

There were none.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

There were none.

SUSPENSION OF THE RULES

Item 11 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 15-1 from the MAJORITY CAUCUS Re: Legislature Personnel Budget Authorization

MR. MEYERS moved for immediate consideration and approval of INTRO. 15-1. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

WHEREAS, Article II, Section 202.4 of the Erie County Charter, as amended by Local Law No. 1-2017, addresses the procedure for the allocation of funds for the Erie County Legislature; and

WHEREAS, it states that “the fund appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, shall be allocated to the majority and minority in the proportion that the majority members of the Legislature

will bear to the total number of legislators, provided that the majority will not receive more than 65 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, and the proportion that the minority members of the Legislature will bear to the total number of legislators, provided that the minority will not receive less than 35 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, as of the commencement of the fiscal year for which the budget is adopted;” ; and

WHEREAS, in order to keep the Legislature’s annual departmental budget in accordance with the Erie County Charter, the Legislature needs the authority to hire staff at a variable minimum.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is authorized to fill the following positions at a variable minimum up to and including step 5:

- JG10 – First Administrative Assistant (Legislature) - (Cost Center 1003030)
- JG11 – Senior Admin Clerk (Legislature) – (Cost Center) 1003030)

and be it further

RESOLVED, the original date of County service will be used for calculating future increments; and be it further

RESOLVED, that certified copies of this resolution be presented to the Chairperson of the Erie County Legislature, the Minority Leader of the Erie County Legislature, Commissioner of Personnel, and the Director of Budget & Management.

Item 12 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 15-2 from TODARO Re: Real Property Transfer from Erie County to the Village of Lancaster

MR. MEYERS moved for immediate consideration and approval of INTRO. 15-2. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

WHEREAS, the properties commonly known as 0 Daggett Lane (SBL number 115.12-1-28), 0 Bryant Lane (SBL # 115.12-8-23), and 0 Florence Avenue (SBL 115,12-8-24) have previously been deemed surplus by the County Lands Advisory Review Committee; and

WHEREAS, selling/transferring said surplus parcels will reduce exposure to risk, liability and maintenance, and creates the potential that the property would be put into productive use; and

WHEREAS, it is the recommendation of the Director of Real Property Tax Services and the Erie County Lands Advisory Review Committee that these surplus parcels be sold/transferred without public auction to the Village of Lancaster; and

WHEREAS, the Lands Advisory Review Committee conducted the environmental review pursuant to the SEQR; and

WHEREAS, it was determined that the transfer neither involves nor contemplates any physical alteration of any land and is a “non-action” under SEQRA, and, if considered an action, classified as an Unlisted Action under SEQR, and would involve no significant environmental impact, and thus a negative declaration was properly issued.

NOW, THEREFORE, BE IT

RESOLVED, that The County is authorized to take all actions, including execution of all instruments necessary to convey by Quitclaim Deed to the Village of Lancaster for Five Hundred Dollars (\$500.00) and no more consideration, three parcels of land with the following street addresses and SBL numbers in the Village of Lancaster, which are highlighted below:

0 Daggett Ln.	115.12-1-28	Lancaster
0 Bryant St.	115.12-8-23	Lancaster
0 Florence Ave.	115.12-8-24	Lancaster

and be it further

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

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 13 – (COMM. 15E-1) Certificate of Determination - Bond Sale

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 14 – (COMM. 15E-2) Department of Health - Personnel Adjustment

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 15 – (COMM. 15E-3) ECSD No. 8 - East Aurora WRRF Sand Filters Replacement Project

Item 16 – (COMM. 15E-4) ECSD No. 6 - Lackawanna Open Cut Excavation Sanitary Sewer Replacements

Item 17 – (COMM. 15E-5) ECSD Nos. 1-6 & 8 - 2025 User Charges

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

FROM THE COUNTY EXECUTIVE

Item 18 – (COMM. 15E-6) Retention of CHA Companies Engineering Services for Design Phases

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 19 – (COMM. 15E-7) Transfer of Funds - Operating Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 20 – (COMM. 15E-8) PILOT Agreement for 875 Lafayette - Affordable Housing Development

Item 21 – (COMM. 15E-9) PILOT Agreement for Playter Gardens - Affordable Housing Development

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

FROM THE COUNTY EXECUTIVE

Item 22 – (COMM. 15E-10) Appointment to the Buffalo & Erie County Public Library

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY CLERK

Item 23 – (COMM. 15E-11) Amended Resolution to Authorize Entry into Contract with Tyler Technologies

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 24 – (COMM. 15E-12) 2024 Mid-Year Budget Hearings

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 25 – (COMM. 15E-13) Support for Updated Software for the Registrar Division

Item 26 – (COMM. 15E-14) EC Comptroller's Office - Audit of the Bureau of Weights & Measures Overtime and Compensatory Time Procedures

Item 27 – (COMM. 15E-15) Interim Financial Report of Erie County - 2nd Quarter 2024

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

FROM LORIGO

Item 28 – (COMM. 15E-16) Information Request

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 29 – (COMM. 15E-17) Department of Law Risk Retention Fund Spending - May & June 2024

Item 30 – (COMM. 15E-18) EC Comptroller's Office - Audit of Electronic Payments

Item 31 – (COMM. 15E-19) 2024 Bond Sale

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

FROM THE COUNTY EXECUTIVE

Item 32 – (COMM. 15E-20) ECSD No. 3 - 2024 Budget Transfer

Item 33 – (COMM. 15E-21) ECSD No. 3 - Blasdell Sewage Treatment Plant Decommissioning Project

Item 34 – (COMM. 15E-22) Notice of Public Hearing - ECSD 2024 Assessment Rolls (2025 Levy)

Item 35 – (COMM. 15E-23) ECSD No. 3 - Engineering Term Contract Agreement

Item 36 – (COMM. 15E-24) ECSD No. 2 - Engineering Term Contract Agreement

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

FROM THE COUNTY EXECUTIVE

Item 37 – (COMM. 15E-25) Appointment of Member of EC Board of Ethics

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 15E-26) Appointments to the Commission on the Status of Women

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMPTROLLER

Item 39 – (COMM. 15E-27) EC Cultural Funding Grant Monitoring Program - Explore & More Children's Museum

Item 40 – (COMM. 15E-28) EC Cultural Funding Grant Monitoring Program - Amherst Symphony Orchestra Association, Inc.

Item 41 – (COMM. 15E-29) EC Cultural Funding Grant Monitoring Program - Theodore Roosevelt Inaugural Site Foundation

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

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 15E-30) Authorization to Increase Department of Law Budget for Additional Risk Retention Needs

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 43 – (COMM. 15E-31) Trailblazing Women Monument Project - Budget Adjustment for Site Design & Construction

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 44 – (COMM. 15E-32) Acceptance of NYS Office of the Attorney General Vaping Settlement Funds

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 45 – (COMM. 15E-33) Lake Shore Rd. Pedestrian Walkway Construction Project

Item 46 – (COMM. 15E-34) Amendment of Professional Design Engineering Services Agreement - Borden Rd., Cheektowaga

Item 47 – (COMM. 15E-35) Authorization to Accept Grant Funding & Enter into Contract for EC Vacuum Truck Project

Item 48 – (COMM. 15E-36) Intermunicipal Cooperation Agreement with City of Buffalo Garbage Pick-Up

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

FROM THE COUNTY EXECUTIVE

Item 49 – (COMM. 15E-37) Acceptance of State Aid for YEP

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 50 – (COMM. 15E-38) Transfer of Funds - Operating Budget for Department of Social Services

Item 51 – (COMM. 15E-39) Department of Social Services - Personnel Adjustment

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

FROM THE SHERIFF

Item 52 – (COMM. 15E-40) Correctional Health Budget Adjustment

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 53 – (COMM. 15E-41) Appointment of Member of the Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 54 – (COMM. 15E-42) Department of Law Risk Retention Fund Spending - July 2024

Item 55 – (COMM. 15E-43) Comptroller's Office Accounting Division Personnel Adjustments

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

FROM THE SHERIFF

Item 56 – (COMM. 15E-44) FBI Funding for Range Improvements

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 57 – (COMM. 15E-45) Traffic Safety Prosecutor Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER OF PUBLIC ADVOCACY

Item 58 – (COMM. 15D-1) Response to Draft Audit of Bureau of Weights & Measures Overtime and Compensatory Time Procedures

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 59 – (COMM. 15D-2) COMM. 12E-34 Compliance Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 60 – (COMM. 15D-3) Transmittal of New Claims Against Erie County
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 61 – (COMM. 15D-4) COMM. 12E-34 Compliance Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPUTY COMPTROLLER FOR AUDIT & CONTROL

Item 62 – (COMM. 15D-5) EC Comptroller's Office - Audit of County Owned Vehicles

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 63 – (COMM. 15D-6) COMM. 12E-34 Compliance Report

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 64 – (COMM. 15D-7) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 65 – (COMM. 15D-8) June 2024 Budget Monitoring Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE LEGAL AID BUREAU

Item 66 – (COMM. 15M-1) Bi-Annual Report of the Legal Aid Bureau of Buffalo, Inc.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE PRESIDENT & CEO OF VBN AND BCC

Item 67 – (COMM. 15M-2) VBN & BCC Second Quarter Reports and Financial Statements

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 68 – (COMM. 15M-3) Financial Statements & Audit Reports

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS DEC

Item 69 – (COMM. 15M-4) Public Notice of Brownfield Cleanup Program Application

Item 70 – (COMM. 15M-5) Public Meeting Notice - Air State Facility Permit Modification

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

FROM ASSEMBLYMAN PAT BURKE

Item 71 – (COMM. 15M-6) Request to Present Proposal on Energy Costs

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 72 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, September 19, 2024, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, September 26, 2024.

MEMORIAL RESOLUTIONS

Item 73 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Anthony Paul "Silvio" Amigone, Sr.

Item 74 – Legislator Baskin requested that when the Legislature adjourns, it do so in memory of Arthur Owen "Champ" Eve, Jr.

Item 75 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Kelly and Noah Brian Sarama.

ADJOURNMENT

Item 76 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. MEYERS moved that the Legislature adjourn until Thursday, September 26, 2024 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, September 26, 2024 at 12:00 Noon.

OLIVIA M. OWENS
CLERK OF THE LEGISLATURE