

**ERIE COUNTY LEGISLATURE
MEETING NO. 16
SEPTEMBER 26, 2024**

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 Ms. 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 15 from 2024. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

Item 4 – A public hearing has been scheduled for Wednesday, October 2nd at 6:00PM to hear public comment on LL Intro. 6-1, a Local Law formally known as The Erie County Language Access Act.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

VINAL Honoring Timothy J. Drury - Amherst Democrat of the Year (2024)

VINAL Honoring Joanne Mogavero-Padlog - Amherst Democrat of the Year (2024)

LEGISLATURE In Remembrance of Mark Mortenson

GREENE Honoring DiCamillo Bakery on National Biscotti Day

GREENE Honoring and Welcoming Mrs. Benjaluk 'Noi' Aukarapasuchart and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County

GREENE Honoring and Welcoming Mr. Kung Aukarapasuchart and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County

GREENE Honoring and Welcoming Ms. Joyce Adina Ali and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County

- GREENE Honoring and Welcoming Dr. Nikom 'Nick' Moonmaung and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County
- GREENE Honoring and Welcoming Ms. Saowalak 'Tu' Wisutthiphon and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County
- GREENE Honoring and Welcoming Mrs. Pornthip 'Ow' Tangtrakoolwong and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County
- GREENE Honoring and Welcoming Ms. Wanvisa 'Zaza' Jitnarong and Declaring September 28, 2024 Thai-Trinidad Rotary Day in Erie County
- TODARO Honoring David Hoch as the Citizen of the Month for the Erie County Legislature's 8th District
- TODARO Honoring the Erie County Sheriff's Office for New York State Sheriff's Week
- LORIGO Recognizing the East Aurora Fire Department During Fire Prevention Week
- LORIGO Recognizing World Animal Day
- LORIGO Recognizing the Holland Central School District on World Teachers' Day
- MILLS Celebrating Sam and Annette Accordino on Their 40th Wedding Anniversary
- MILLS Recognizing the Cutting Block on National Hair Day
- MILLS Recognizing the Park Salon on National Hair Day
- DUPRE Honoring National Hispanic Heritage Month
& BASKIN
- MAJORITY Acknowledging and Honoring National Voter Registration Day
CAUCUS
- MAJORITY Acknowledging and Recognizing National Childhood Cancer Month in September
CAUCUS

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-two 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) be received and filed.

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

September 19, 2024	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 11
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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. 14M-3 (2024)
BACK HILLS FARM CORP.: “Revote to Put Property into Grand Island AG District”
(Chair’s Ruling)
 - b. COMM. 15E-23 (2024)
COUNTY EXECUTIVE: “ECSD No. 3 – Engineering Term Contract Agreement”
(Chair’s Ruling)
 - c. COMM. 15E-24 (2024)
COUNTY EXECUTIVE: “ECSD No. 2 – Engineering Term Contract Agreement”
(Chair’s Ruling)
 - d. COMM. 15M-4 (2024)
NYS DEC: “Public Notice of Brownfield Cleanup Program Application”
(Chair’s Ruling)
 - e. COMM. 15M-5 (2024)
NYS DEC: “Public Meeting Notice - Air State Facility Permit Modification”
(Chair’s Ruling)
 - f. COMM. 15M-6 (2024)
ASSEMBLYMAN PAT BURKE: “Public Meeting Notice - Air State Facility Permit Modification”
(Chair’s Ruling)
2. COMM. 15E-20 (2024)
COUNTY EXECUTIVE
WHEREAS, the Division of Sewerage Management identified that additional funds are needed to pay for Insurance Premiums (Account 555050) and Medical and Health Supplies (Account 505800) in ECSD No. 3 for the 2024 fiscal year; and

WHEREAS, the Division of Sewerage Management analyzed the budget and expenses and determined that a surplus will exist in ECSD No. 3 Account 516020 – Professional Service Contracts and Fees; and

WHEREAS, a transfer of funds from accounts with surplus funds will allow ECSD No. 3 to maintain daily operations with no net impact on the 2024 budget.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following transactions within the accounts of ECSD No. 3:

Division of Sewerage Management – ECSD No. 3

Fund 220, Funds Center 18310 – Sewer District 3/Southtowns SD 8

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
505800	Medical & Health Supplies	\$ 10,000
516020	Prof Svcs Contracts & Fees	(21,463)
555050	Insurance Premiums	<u>11,463</u>
	TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to make any required budgetary adjustments to implement the actions and appropriations in this resolution; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the Office of the County Executive, the Office of the County Comptroller, the Division of Budget and Management, and the Division of Sewerage Management.
(5-0) Chair Baskin not present for vote.

3. COMM. 15E-21 (2024)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 24E-19 (2021), Contract No. 70 was awarded to E & R General Construction Inc. to demolish the structures and processes at the decommissioned Blasdell Sewage Treatment Plant, in Erie County Sewer District No. 3; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No.70, in the final contract amount of \$777,344.29 which includes Change Order No. 1 (final), a decrease of \$14,655.71 and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 70 between the County of Erie and E & R General Construction Inc. (38 Saint David’s Dr. West Seneca, NY 14224) is accepted in the final contract amount of \$777,344.29 which includes Change Order No. 1 (final) a decrease of \$14,655.71 and is allocated in Capital Account C.21150 (American Rescue Plan); and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 70, to E & R General Construction Inc. for a total contract amount of \$777,344.29; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and the Division of Sewerage Management.

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

4. COMM. 15E-22 (2024)
COUNTY EXECUTIVE

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and

WHEREAS, notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2024 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 2:00 p.m., local time, on November 6, 2024 for the purpose of meeting to hear and consider any objections which may be made to the 2024 Sewer District Assessment Rolls (2025 Levy) for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 21, 2024; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive's Office, Comptroller's Office, Division of Budget and Management, Richard Stanton, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment & Planning.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Assessment Rolls for 2024 (2025 Levy) have been completed for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8 and will be on file in the Office of the Division of Sewerage Management, Department of Environment & Planning, 95 Franklin Street, Buffalo, NY 14202, and open for public inspection during business hours on and after the first of October, 2024.

The County Legislature will hold a Public Hearing on the Assessment Rolls at 2:00 p.m., local time, on November 6, 2024, in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, to hear all persons interested in the subject, including any objections concerning the same.

DATED: October 21, 2024

Buffalo, New York

Olivia Owens
CLERK
Erie County Legislature

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

TIMOTHY J. MEYERS
CHAIR

Item 12 – MR. KOOSHOIAN presented the following report and moved to separate items Nos. 2 & 4 and approve the balance of the report. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

September 19, 2024	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 10
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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. 12E-12 (2024)
COUNTY CLERK: “Resolution to Authorize Entry Into Contract with Tyler Technologies, Inc”
(Chair’s Ruling)
 - b. COMM. 14E-1 (2024)
LORIGO: “Letter Regarding Mid-Year Budget Hearings”
(Chair’s Ruling)
 - c. COMM. 14E-2 (2024)
COUNTY CLERK: “Invite to Meet with the County Clerk's Office & Tyler Technologies”
(Chair’s Ruling)
 - d. COMM. 14E-17 (2024)
COUNTY EXECUTIVE: “Capital Projects Committee Members”
(Chair’s Ruling)
 - e. COMM. 14E-18 (2024)
CHAIR BASKIN: “2024 Mid-Year Budget Hearings”
(Chair’s Ruling)

- f. COMM. 14D-1 (2024)
DIRECTOR OF BUDGET & MANAGEMENT: “Capital Projects Update - June 2024”
(Chair’s Ruling)
- g. COMM. 14D-2 (2024)
DIRECTOR OF REAL PROPERTY TAX SERVICES: “Real Property Tax Services - 2024 Annual Report”
(Chair’s Ruling)
- h. COMM. 14D-5 (2024)
DEPUTY COMPTROLLER FOR AUDIT & CONTROL: “EC Comptroller's Office Audit of EC Sheriff's Office Commissary Fund”
(Chair’s Ruling)
- i. COMM. 14D-6 (2024)
DEPUTY COMPTROLLER FOR AUDIT & CONTROL: “EC Comptroller's Office Audit of the Financial Transactions in the Bank Accounts Under the Admin. Control of the ECSO”
(Chair’s Ruling)
- j. COMM. 15E-1 (2024)
COMPTROLLER: “Certificate of Determination - Bond Sale”
(Chair’s Ruling)
- k. COMM. 15E-12 (2024)
COUNTY EXECUTIVE: “2024 Mid-Year Budget Hearings”
(Chair’s Ruling)
- l. COMM. 15E-13 (2024)
COMPTROLLER: “Support for Updated Software for the Registrar Division”
(Chair’s Ruling)
- m. COMM. 15E-14 (2024)
COMPTROLLER: “EC Comptroller's Office - Audit of the Bureau of Weights & Measures Overtime and Compensatory Time Procedures”
(Chair’s Ruling)
- n. COMM. 15E-15 (2024)
COMPTROLLER: “Interim Financial Report of Erie County - 2nd Quarter 2024”
(Chair’s Ruling)
- o. COMM. 15E-16 (2024)
LORIGO: “Information Request”
(Chair’s Ruling)
- p. COMM. 15E-17 (2024)
COMPTROLLER: “Department of Law Risk Retention Fund Spending - May & June 2024”
(Chair’s Ruling)

- q. COMM. 15E-18 (2024)
COMPTROLLER: “EC Comptroller's Office - Audit of Electronic Payments”
(Chair’s Ruling)
- r. COMM. 15E-19 (2024)
COMPTROLLER: “2024 Bond Sale”
(Chair’s Ruling)
- s. COMM. 15E-27 (2024)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Explore & More Children's Museum”
(Chair’s Ruling)
- t. COMM. 15E-28 (2024)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Amherst Symphony Orchestra Association, Inc.”
(Chair’s Ruling)
- u. COMM. 15E-29 (2024)
COMPTROLLER: “EC Cultural Funding Grant Monitoring Program - Theodore Roosevelt Inaugural Site Foundation”
(Chair’s Ruling)
- v. COMM. 15E-42 (2024)
COMPTROLLER: “Department of Law Risk Retention Fund Spending - July 2024”
(Chair’s Ruling)
- w. COMM. 15D-1 (2024)
COMMISSIONER OF PUBLIC ADVOCACY: “Response to Draft Audit of Bureau of Weights & Measures Overtime and Compensatory Time Procedures”
(Chair’s Ruling)
- x. COMM. 15D-5 (2024)
DEPUTY COMPTROLLER FOR AUDIT & CONTROL: ““EC Comptroller's Office - Audit of County Owned Vehicles”
(Chair’s Ruling)
- y. COMM. 15D-8 (2024)
DIRECTOR OF BUDGET & MANAGEMENT: “June 2024 Budget Monitoring Report”
(Chair’s Ruling)
- 2. COMM. 15E-2 (2024)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Health has identified a need to upgrade its existing Environmental Chemist (JG-11) to Environmental Chemist (JG-12); and

WHEREAS, the upgrade from a JG-11 to JG-12 would result in an increase of \$3,858, with sufficient funding in the CDC Public health Infrastructure Grant (Fund 281, Funds Center 12710) 127SPHI2227 to accommodate this increase; and

WHEREAS, the complexities and responsibilities within the Erie County Department of Health Public Health Lab have increased, justifying the need for a change to JG 12 to better reflect the scope of work and responsibilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the upgrade of the full-time Environmental Chemist (JG-11, CSEA) to a Environmental Chemist (JG-12, CSEA) (B100 # 14479) effective October 5, 2024; and be it further

RESOLVED, that sufficient funding exists within the CDC Public Health Infrastructure Grant (Fund 281, Funds Center 12710) 127SPHI2227 to cover the cost increase of this personnel adjustment; and be it further

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

(4-2) Legislators Greene and Mills vote in the negative.

3. COMM. 15E-7 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works needs to purchase a large format color street sign printer for sign manufacturing and installation through a public bid; and

WHEREAS, this purchase requires a transfer funds between the appropriate budget line items; and

WHEREAS, funding for the needed transfers is available in Funds Center 1232060, Fund 210, Account 506400, Highway Supplies, in the 2024 operating budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Division of Highways to modify its 2024 Operating Budget (Fund 210, Funds Center 1232060) as follows:

2024 Road Fund Budget
Division of Highways
Fund 210, Funds Center 1232060

<u>ACCOUNT</u>	<u>CURRENT BUDGET</u>	<u>INCREASE/ DECREASE</u>	<u>REVISED BUDGET</u>
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506400 Highway Supplies	\$ 459,610.00	(\$ 29,000.00)	\$ 430,610.00
561410 Lab & Tech Equipment	\$ 0.00	\$ 29,000.00	\$ 29,000.00
TOTAL	<u>\$ 459,610.00</u>	<u>\$ 0.00</u>	<u>\$ 459,610.00</u>

and be it further

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

(6-0)

4. COMM. 15E-11 (2024)
COUNTY CLERK

WHEREAS, the Erie County Clerk is responsible for recording, filing, and maintaining a central repository of legal documents, court filings, and records affecting property titles, including land and real estate transactions, in its Registrar Division; and

WHEREAS, NewVision Systems Corporation ("NewVision") has been the provider of recordkeeping software services in the Erie County Clerk's Office since 2004; and

WHEREAS, the Erie County Comptroller released an audit in June 2023 of the Erie County Clerk's Office, Registrar Division Operating Budget Revenues (23COMM. 14E-28); and

WHEREAS, the Erie County Comptroller found in the June 2023 Audit that numerous "errors were detected in NewVision system reports that could not be explained", and advised the Erie County Clerk's Office to "assess NewVision and the system's ability to meet the specific needs of the Clerk's Office in providing adequate and reliable financial reporting"; and

WHEREAS, it was noted in the June 2023 Audit that "NewVision does not interface with the County's accounting software system (SAP), and the company which administers NewVision, Catalis, LLC, has not created a translation tool which would facilitate the transfer of financial data from NewVision to SAP"; and

WHEREAS, the Erie County Comptroller further recommended in the June 2023 Audit that, if the current software system could not be updated to ensure accurate financial information, the system should be replaced with "a system capable of providing financial data consistent with the Clerk's obligations under § 1904 of the Erie County Administrative Code"; and

WHEREAS, the current software provider acknowledged the presence of "system error" and "visual bugs" in its response to the findings by the Erie County Comptroller's Office published by the Erie County Clerk's Office in September 2023 (23COMM. 18E-1); and

WHEREAS, following the June 2023 Audit, the Erie County Clerk's Office met with an adjacent county clerk's office and potential software vendors to discuss both improvements to the existing software and the feasibility of acquiring new software; and

WHEREAS, the Erie County Comptroller released an audit in February 2024 of the Erie County Clerk's Office, Registrar Division Mortgage Tax Collection and Distribution (24COMM. 4E-6); and

WHEREAS, the Erie County Comptroller again found issues with the current recordkeeping software, noting that "reports generated by the Clerk's New Vision Cashiering System are routinely inconsistent and show discrepancies in the financial information being reported"; and

WHEREAS, the Erie County Clerk's Office is grateful to the Erie County Comptroller's Office for the long-overdue audits that highlighted the need for new software; and

WHEREAS, it is incontrovertible that the current recordkeeping software no longer meets the myriad needs of the Erie County Clerk's Office nor the taxpayers of Erie County; and

WHEREAS, the current recordkeeping software is set to be phased out in the next 2-3 years, making a transition to new software not only essential to perform the duties of the Erie County Clerk's Office but unavoidable; and

WHEREAS, transitioning all of the recordkeeping duties from one system to another could take as long as eight months to one year; and

WHEREAS, the Erie County Clerk's Office advised this Honorable Body of the need and potential costs of new software via correspondence filed March 4, 2024 (24Comm. 5E-35); and

WHEREAS, the Erie County Clerk's Office consulted with the Division of Information and Support Services ("DISS") on drafting a Request for Proposals ("RFP") for new software, and obtained approval from DISS on the content for such an RFP; and

WHEREAS, on April 10, 2024, the Erie County Clerk's Office issued RFP #2024-023VF seeking proposers for recordkeeping software services, published online through the Erie County Division of Purchase and posted on other government bidding sites; and

WHEREAS, a selection committee, including a member of DISS, received, reviewed, and scored the two (2) proposals that were submitted in response to the RFP and unanimously determined that Tyler Technologies, Inc. submitted the best proposal and that their organization was the most technically qualified and best-positioned to perform the services requested; and

WHEREAS, the software provided by Tyler Technologies is expected to increase the efficiency and productivity of the Clerk's Office with integrated solutions such as eRecording, Bi-directional support with the Unified Court System, Intelligent OCR indexing, self-serving public access, and POS payment processing, in addition to featuring robust financial reporting, fee management, and automated data extracts that make it possible for the Clerk's Office to achieve GAAP compliance; and

WHEREAS, the Erie County Clerk's Office held a meeting with representatives of Tyler Technologies and representatives of the Erie County Legislature and the Erie County Comptroller on July 24, 2024 to further discuss the software integration process; and

WHEREAS, the Administration and the Erie County Comptroller's Office have communicated their support of this new software system and Resolution; and

WHEREAS, the Division of Budget & Management confirmed sufficient funding exists to cover the \$600,000 initial payment (inclusive of a one-time service fee, one-time hardware fee, estimated on-site training expenses and an annual software-as-service fee) within the Clerk's Office Registrar Division's 2024 Budget (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees; and

WHEREAS, the Erie County Clerk's Office has reported a significant surplus of funds every year since 2018, with the most recent surplus in 2023 totaling approximately \$2,387,636.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the recognition of \$600,000 in previously unbudgeted interest earnings revenue in Countywide Budget Accounts - Comptroller (Fund 110, Funds Center 17000) Account 445030 - Interest & Earnings General Investments Revenue and the appropriation of a like amount of funding into the Clerk's Office Registrar Division (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees as follows:

2024 Budget
Fund 110, Funds Center 17000
Countywide Budget Accounts - Comptroller

REVENUES	CHANGE
445030 Interest & Earnings General Investments	<u>\$600,000</u>
TOTAL	<u>\$600,000</u>

2024 Budget
Fund 110, Funds Center 11310
Clerk's Office Registrar Division

APPROPRIATIONS	CHANGE
516020 Professional Services, Contracts & Fees	<u>\$600,000</u>
TOTAL	<u>\$600,000</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into a five-year contract with Tyler Technologies, Inc. in an amount not to exceed \$2,005,811.00 for the purposes of transitioning to and maintaining a recordkeeping software system at the Erie County Clerk's Office; and be it further

RESOLVED, that sufficient funding exists to cover the approximate \$600,000 initial payment (inclusive of a one-time service fee, one-time hardware fee, estimated on-site training expenses and an annual software-as-as-service fee) within the Clerk's Office Registrar Division's

2024 Budget (Fund 110, Funds Center 11310) Account 516020 - Professional Services, Contracts & Fees; and be it further

RESOLVED, that sufficient funding will be included in subsequent operating budgets to cover the remaining annual payments; 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 the Clerk of the Legislature shall forward certified copies of this Resolution to the Erie County Executive; the Erie County Attorney; the Director of the Division of Budget and Management; the Erie County Comptroller; and the Erie County Clerk.

(6-0)

5. COMM. 15E-30 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Law contracts with the Legal Aid Bureau of Buffalo and the Erie County Bar Association for the provision of indigent legal services on the County's behalf; and

WHEREAS, the budgeted appropriations for these services are paid to the agencies in equal quarterly installments over the course of the year; and

WHEREAS, each organization is required to return to the County any unspent funding that was advanced to them as part of an annual reconciliation process; and

WHEREAS, COMM. 16E-39 (2023) increased the 2023 appropriation for the Erie County Bar Association by \$8,136,286 in response to the County Law Article 18-B Assigned Counsel rate increase approved as part of the SFY 2023-24 Budget; and

WHEREAS, the uncertainty around estimating for the rate increase and preference for conservative budgeting has resulted in a larger than usual return of prior year expenditures that is recorded as an unbudgeted revenue to 2024; and

WHEREAS, the Department of Law has reached a settlement with the Estate of India Cummings and all codefendants in which the County shall contribute \$3.8 million to dispose of the two lawsuits filed against the Sheriff and multiple Deputies under docket numbers 1:17-CV- 446 and 1:19-cv-159; and

WHEREAS, upon payment of the \$3.8 million settlement for the Cummings' Lawsuit as well as several other smaller pending expenditures, the County's Risk Retention Fund would have approximately \$500,000 remaining for the remainder of the year; and

WHEREAS, with several other active lawsuits in varying degrees of litigation, the Department believes it prudent to have sufficient funding available in the event any mutually agreeable settlement offers would resolve these actions.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the modification of the Department of Law's Division of Law 2024 Adopted Budget (Fund 110, Funds Center 16010) to recognize \$1,300,000 in revenue resultant from the refund of unexpended 2023 funding from the Erie County Bar Association for the Assigned Counsel Program and transfer an equal amount to the Division of Risk Retention 2024 Adopted Budget (Fund 110, Funds Center 16020) as follows:

Department of Law Division of Law
Fund 110, Funds Center 16010

REVENUES	CHANGE
423000 Refunds of Prior Years Expenditures	<u>\$1,300,000</u>
TOTAL	<u>\$1,300,000</u>

Department of Law Division of Risk Retention
Fund 110, Funds Center 16020

APPROPRIATIONS	CHANGE
555000 General Liability	<u>\$1,300,000</u>
TOTAL	<u>\$1,300,000</u>

and be it further

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

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive's Office, Comptroller's Office, Department of Law, Department of Real Property Tax Services and Division of Budget and Management.
(6-0)

6. COMM. 15E-38 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is in need of equipment to efficiently perform our job duties and ensure the safety of our staff; and

WHEREAS, the Department of Social Services would like to purchase a Folder/Inserter for the mailroom and a "Hosted" Duress system for our client facing staff members; and

WHEREAS, the funds needed for these purchases are included in the Department of Social Services' 2024 General Fund Budget (Fund 110, Funds Center 120); and

WHEREAS, purchase of this equipment will benefit various departments throughout Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services' 2024 Adopted Budget (Fund 110, Funds Center 120) to be amended as follows:

Department of Social Services
Fund 110, Funds Center 120

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516030	Maintenance Contracts	\$ 8,500
561410	Lab& Technical Equipment	73,500
530000	Other Expenses	<u>(\$82,000)</u>
	TOTAL	<u>\$ 0</u>

and be it further

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

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

(6-0)

7. COMM. 15E-39 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has identified a need to upgrade its existing Senior Supervisor of Accounts (JG-10) to a Senior Supervisor of Accounts (JG-11); and

WHEREAS, the upgrade of the Senior Supervisor of Accounts would result in an increase of \$6,4636, with sufficient funding in the 2024 Adopted Budget Account – 500000 Full Time – Salaries to accommodate this increase; and

WHEREAS, the ability to fill this JG10 position have resulted in significant vacancy savings; and

WHEREAS, the complexities and responsibilities within the Department of Social Services have increased, justifying the need for an upgrade of the Senior Supervisor of Accounts job title to better reflect the scope of work and responsibilities and bring it in line with comparable positions in other Erie County Departments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the upgrade of the Senior Supervisor of Accounts (JG-10, Step 5, CSEA) to a Senior Supervisor of Accounts position (JG-11, Step 5, CSEA) within the Erie County Department of Social Services (B100 #14369) effective October 5, 2024; and be it further

RESOLVED, that sufficient funding exists within the Department of Social Services 2024 General Budget (Fund 110, Funds Center 120) Account 500000 Full Time – Salaries to cover the cost increase of this personnel adjustment; and be it further

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

8. COMM. 15E-43 (2024)
COMPTROLLER

WHEREAS, the Erie County Comptroller's Office's Accounting Division houses the Accounts Payable unit which processes payments for Erie County's outside vendors on a weekly basis; and

WHEREAS, the Erie County Comptroller's Office requests authorization to delete a JG 4 Senior Clerk Typist position which will be vacated as of September 20, 2024; and

WHEREAS, the Erie County Comptroller's Office requests authorization to create a JG 7 Administrative Clerk position in the CSEA bargaining unit; and

WHEREAS, this change would provide meaningful promotional opportunities for current employees while also expediting important county functions like payment processing; and

WHEREAS, this change would be effective September 23, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Erie County Comptroller's Office and the Department of Personnel to delete the following position:

<u>Position</u>	<u>Cost Center</u>	<u>Annual Salary</u>
Senior Clerk Typist – 51001505	1120020	\$48,753

and be it further

RESOLVED, that the Erie County Legislature authorizes the Erie County Comptroller's Office and Department of Personnel to create the following position effective September 23, 2024:

<u>Position</u>	<u>Cost Center</u>	<u>Annual Salary</u>
Administrative Clerk (Job Group 7)	1120020	\$64,998

and be it further

RESOLVED, the Director of Budget & Management and Commissioner of Personnel are authorized to make any technical changes to effectuate the implementation of this resolution; and be it further

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

**MICHAEL H. KOOSHOIAN
CHAIR**

MR. KOOSHOIAN moved to approve Item No. 2 from the report. MR. MEYERS seconded.

CHAIR BASKIN directed that a roll call vote be taken.

AYES: MR. BARGNESI, CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MS. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

MR. KOOSHOIAN moved to approve Item No. 4 from the report. MR. GREENE seconded.

MS. VINAL moved to table Item No. 4 from the report. MR. MEYERS seconded.

CHAIR BASKIN directed that a roll call vote be taken.

AYES: MR. MILLS, MR. BARGNESI, CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MS. LORIGO, MR. TODARO, and MR. KOOSHOIAN. (AYES: 7; NOES: 4)

CARRIED.

Item 13 – MR. DUPRE presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 135

September 19, 2024	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14D-4 (2024)

DEPARTMENT OF SOCIAL SERVICES: “COMM. 12E-34 Compliance Report”
(Chair’s Ruling)

b. COMM. 15D-2 (2024)
DEPARTMENT OF SOCIAL SERVICES: “COMM. 12E-34 Compliance Report”
(Chair’s Ruling)

c. COMM. 15D-4 (2024)
DEPARTMENT OF SOCIAL SERVICES: “COMM. 12E-34 Compliance Report”
(Chair’s Ruling)

d. COMM. 15D-6 (2024)
DEPARTMENT OF SOCIAL SERVICES: “COMM. 12E-34 Compliance Report”
(Chair’s Ruling)

2. COMM. 14E-12 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health’s Children with Special Needs Division currently contracts with many Special Education programs providing Related Services; and

WHEREAS, according to the New York State Education Department (NYSED), if a Committee on Preschool Special Education mandates Related Services, the county must contract with agencies who can provide those services; and

WHEREAS, Erie County is experiencing capacity issues and children are waiting to receive mandated services; and

WHEREAS, Milestone Speech Therapy PLLC, is able to provide Related Services to some children on waiting lists.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to enter into contract with Milestone Speech Therapy PLLC to be reimbursed per each completed therapy training session, waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that sufficient funds to cover the cost of this contract already exist within the 2024 Operating Budget. Fund 110, Funds Center 12750 Budget in Account 528000 – Services to Special Needs Children; and be it further

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

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

(4-0) Chair Baskin not present for vote.

3. COMM. 15E-32 (2024)
COUNTY EXECUTIVE

WHEREAS, in 2023 NYS Attorney General Letitia James secured a settlement with JUUL Labs Inc, totaling more than \$112.7 million; and

WHEREAS, the purpose of this funding is to: confront the scourge of increased nicotine use in youth and young adults through preventing youth and young adults from initiating vaping; support the community, schools, colleges, and universities with anti-vaping programs; and enforce vaping laws and regulations; and

WHEREAS, Erie County has about 900 retail tobacco and vapor facilities; and

WHEREAS, the New York State Office of the Attorney General has awarded \$3,311,394.60 over 7 years to Erie County Department of Health to fight the scourge of vaping in youth and young adults; and

WHEREAS, ECDOH Division of Environmental Health’s Tobacco and Vapor Enforcement Program has identified five positions, equipment, and supplies necessary to develop and implement this educational and enforcement program; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the New York State Office of the Attorney General to accept a total of \$3,311,394.60 in funding over a seven (7) year period to fight the scourge of vaping in youth and young adults; and be it further

RESOLVED, that authorization is hereby given for \$645,000 in funding to be made available as the first year of a multi-year grant within the Health Department’s Division of Environmental Health (Fund 281, Funds Center 1273030) as follows:

Department of Health
Vaping Settlement Funds
127JUUL2425
10/1/2024 – 12/31/2025

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>BUDGET</u>
409000	State Aid Revenue	<u>\$645,000</u>
	TOTAL	<u>\$645,000</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
500000	Full Time - Salaries	\$307,732
501000	Overtime - Salaries	12,000

502000	Fringe Benefits	153,866
510000	Local Mileage	8,000
516020	Professional Services Contracts & Fees	5,000
530000	Other Expenses	96,629
561410	Lab & Technical Equipment	10,000
916000	ID County Attorney Services	<u>\$ 51,773</u>
	TOTAL	<u>\$645,000</u>

and be it further

RESOLVED, that authorization is hereby given to amend the Department of Law’s 2024 Budget (Fund 110, Funds Center 16010) as part of an employee sharing agreement with the Division of Environmental Health as follows:

2024 Adopted Budget
 Department of Law
 Fund 110, Funds Center 16010

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>BUDGET</u>
916000	ID County Attorney Services	<u>(\$9,449)</u>
	TOTAL	<u>(\$9,449)</u>

and be it further

RESOLVED, that authorization is hereby given to create the following positions within the Division of Environmental Health’s Vaping Settlement Funds Grant, 127JUUL2425 effective October 5, 2024:

Type	Division	Title	Status	Unit	JG	Positions	B100
New	Health	Sr PH Sanitarian	FT	CSEA	12	1	14476
New	Health	Investigating PH Sanitarian	FT	CSEA	8	1	14477
New	Health	Supervising PH Sanitarian	FT	CSEA	11	1	14410
New	Health	Jr. Education Specialist - EH	FT	CSEA	8	1	14478

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust grant appropriations and revenues in accordance with the final grantor funding levels or authorized 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 apply any unused balance from one grant program to the same grant program of a subsequent year, and to transfer existing positions between one grant program to the same grant program of a subsequent year; and be it further

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

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive’s Office, Comptroller’s Office, Department of Law, Department of Personnel, Department of Health, and Division of Budget and Management.
(4-0) Chair Baskin not present for vote.

4. COMM. 15E-37 (2024)
COUNTY EXECUTIVE

WHEREAS, the Youth Employment Program (YEP) is an important platform intended to help reduce community gun violence and youth criminal justice involvement by providing year-round employment opportunities; and

WHEREAS, these funds will support the establishment of a program which includes employment, education and/or career exploration opportunities for TANF-eligible youth from low-income households; and

WHEREAS, Career Connection Network has the expertise to be the lead agency for this program by preparing payroll checks, tax reporting, and providing educational trainings with support from the Employment Division of the Department of Social Services; and

WHEREAS, Career Connection Network successfully partnered with the Department of Social Services for the pilot portion of this program and due to the short turnaround of time to implement the current funding we would like to request that the Erie County Legislature waive Erie County Administrative Code Section 26.08 to enter into the contract with Career Connection Network; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Social Services to accept \$5,039,878 in State Aid and amend the 2024 Adopted Budget (Fund110, Funds Center 1206045) as follows:

Department of Social Services
Fund 110, Funds Center 1206045

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
409000	State Aid Revenue	<u>\$5,039,878</u>
	TOTAL	<u>\$5,039,878</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
516020	Professional Svcs Contracts & Fees	<u>\$4,943,878</u>
	TOTAL	<u>\$4,943,878</u>

and be it further

RESOLVED, that authorization is hereby given for the County Executive and Deputy County Executive to enter into contract with Career Connection Network in the amount of \$4,943,878 for the provision of services for the Youth Employment Programs (YEP), waiving the procedures in Section 26.08 of the Erie County Administrative Code; and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further

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

(5-0)

LAWRENCE J. DUPRE
CHAIR

Item 14 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 136

September 19, 2024	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GREENE.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 15E-41 (2024)
COUNTY EXECUTIVE: "Appointment of Member of the Fire Advisory Board"
(Chair's Ruling)

2. COMM. 14E-19 (2024)
SHERIFF

WHEREAS, the U.S. Department of Homeland Security, through the New York State Division of Homeland Security and Emergency Services, has awarded \$284,500.00 for FY2023 to Erie County to increase security along the northern border; and

WHEREAS, the Erie County Sheriff's Office will coordinate with police agencies in the cities of Buffalo, Tonawanda and Lackawanna and the towns of Tonawanda, Lancaster, Hamburg, Evans and Brant; and

WHEREAS, these patrols support the U.S. Border Patrol's mission of protecting the international borders from human trafficking and illegal drug operations, as well as apprehending terrorists and others intent on conducting illegal activities on U.S. soil; and

WHEREAS, the funds will be used for overtime and fringe benefits of the participating law enforcement agencies; and

WHEREAS, this resolution accepts \$284,500.00 in grant funding and will provide all expenses needed to support this program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Sheriff to enter into an agreement with the New York State Division of Homeland Security and Emergency Services to accept \$284,500.00 for FY2023; and be it further

RESOLVED, the funds be allocated as follows in fund center 11510:

FY2023 Operation Stonegarden Grant
September 1, 2023 to August 31, 2026

<u>REVENUE</u>	<u>INCREASE</u>
414000-Federal Revenue	\$284,500.00
<u>APPROPRIATION</u>	<u>INCREASE</u>
501000-Overtime	\$22,000.00
502000-Fringe Benefits	\$5,940.00
516010-Contractual Payments	\$91,560.00
561410-Lab and Tech	\$165,000.00
TOTAL APPROPRIATIONS	\$284,500.00

and be it further

RESOLVED, that the County Executive and Sheriff are authorized to enter into sub-contracts with the cities of Buffalo, Tonawanda and Lackawanna and the towns of Tonawanda, Lancaster, Hamburg, Evans and Brant; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make the necessary transfers and any technical adjustments necessary to effectuate these transfers; and be it further

RESOLVED, the Comptroller is authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the Division of Purchase, the Division of Budget and Management, the Comptroller and the Sheriffs Office.

(5-0)

3. COMM. 15E-40 (2024)
SHERIFF

WHEREAS, the Erie County Sheriffs Office, Correctional Health Division is responsible for providing medical care for Incarcerated Individuals within the Erie County Holding Center and Erie County Correctional Facility; and

WHEREAS, the Correctional Health Division utilizes contracted nurses through Supplemental Health and Pinnacle Travel Staffing; and

WHEREAS, the increased reliance on Supplemental Health and Pinnacle Travel Staffing nurses has resulted in an increased cost associated with the service; and

WHEREAS, sufficient funding exists elsewhere within the existing Correctional Health Division budget to cover those costs.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the following budget adjustment within the Erie County Sheriff's Office, Correctional Health Services Division budget (Fund 110, Fund Center 11650):

<u>APPROPRIATIONS</u>	<u>DECREASE</u>
500000 - Full Time - Salaries	\$200,000.00

<u>APPROPRIATIONS</u>	<u>INCREASE</u>
516020 -Professional Services Contracts and Fees	\$200,000.00

and be it further

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

RESOLVED, certified copies shall be forwarded to the County Executive's Office, Division of Budget and Management, Office of the Comptroller and Erie County Sheriffs Office for implementation.

(5-0)

4. COMM. 15E-44 (2024)
SHERIFF

WHEREAS, it is the mission of the Erie County Sheriffs Office to provide quality public safety services to our community by promoting a safe environment through police and citizen interaction, with an emphasis on integrity, fairness and professionalism; and

WHEREAS, the Erie County Sheriffs Office, with the Department of Public Works, plans to construct a breaching deck at the Erie County Range in the Town of Alden; and

WHEREAS, in addition to the Erie County Sheriffs Office, the Erie County Range is utilized by multiple law enforcement partners, including the Federal Bureau of Investigation (FBI); and

WHEREAS, the FBI has offered Erie County funding in the amount of \$165,000.00 for the planning and construction of a breaching deck at the Erie County Range.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Department of Public Works to enter into agreement to accept funding from the FBI in an amount up to \$165,000.00; and be it further

RESOLVED, the Department of Public Works, Division of Buildings and Grounds is hereby authorized to adjust the budget of A.24004 - 2024 Preservation of County Buildings and Facilities in Fund 410, Fund Center 122 for the project as follows:

<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>INCREASE</u>	<u>REVISED</u> <u>BUDGET</u>
414010- Federal Aid (Other)	0	165,000	165,000
475000- Gen Obligations Bond Proceeds	650,000	0	650,000
TOTAL	650,000	165,000	815,000

<u>APPROPRIATIONS</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>INCREASE</u>	<u>REVISED</u> <u>BUDGET</u>
Capital Project Expense	650,000	165,000	815,000
TOTAL	650,000	165,000	815,000

and be it further

RESOLVED, the Director of Budget and Management is authorized to make any technical adjustments necessary to accept this funding and allocate the funds; and be it further

RESOLVED, certified copies shall be forwarded to the County Executive's Office, Department of Public Works, Division of Budget and Management, Office of the Erie County Comptroller, and Erie County Sheriffs Office.

(5-0)

5. COMM. 15E-45 (2024)
DISTRICT ATTORNEY

WHEREAS, the District Attorney's Office's has been awarded \$220,949 under the NYS Governor's Traffic Safety Committee Highway Safety Program for the period of October 1, 2024 to September 30, 2025; and

WHEREAS, authorization is required by the Erie County Legislature for the County Executive to enter into a grant contract and accept \$220,949 in state resources to provide funding for a Traffic Safety Resource Prosecutor.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the NYS Governor's Traffic Safety Committee; and be it further

RESOLVED, that effective October 1, 2024, authorization is provided to create one position of Assistant District Attorney VI (JG 17) in fund 281, fund center 11400 (B100 #14455); and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Traffic Safety Resource Prosecutor Project:

NYS Traffic Safety Resource Prosecutor Project
October 1, 2024 to September 30, 2025
Fund: 281, Cost Center: 1140050, Grant: 114TSRP2425

<u>Revenue</u>	
414000 Federal Revenue	<u>\$220,949</u>
Total Revenue	<u>\$220,949</u>

<u>Appropriation</u>	
500000 Full Time Salaries	\$147,564
502000 Fringe Benefits	60,885
510000 Local Mileage Reimb.	3,000
510100 Out of Area Travel	7,000
561410 Lab and Tech Equip	<u>2,500</u>
Total Appropriations	<u>\$220,949</u>

and be it further

RESOLVED, that the Director of Budget & Management is hereby authorized to establish and adjust budgets as required to comply with grantor-approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Erie County Comptroller, the Department of Personnel and the Director of Budget and Management.

(5-0)

JOHN J. GILMOUR
CHAIR

Item 15 – MR. GILMOUR presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 137

September 19, 2024	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 14
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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. 14D-8 (2024)
DIRECTOR OF PURCHASING: “County Purchasing Authority & Legislature Approval Requirements”
(Chair’s Ruling)

2. COMM.15E-6 (2024)
COUNTY EXECUTIVE

WHEREAS, Culvert PK-22 in Chestnut Ridge Park has fascia concrete that is deteriorating and railing which do not meet current standards, causing a potential safety hazard for the travelling public; and

WHEREAS, it is desired to rehabilitate Culvert PK-22; and

WHEREAS, CHA Companies was selected via the County’s RFP process and approved via COMM. 12E-8 (June 22, 2023) for the provision of On-Call/Emergency Bridge and Culvert Engineering Services; and

WHEREAS, it is desired to execute a contract with CHA Companies for the design phase of the Project in the amount of \$50,000; and

WHEREAS, the funding required is available in Capital Project A.24008 – 2024 Culvert Rehabilitation, Fund 410, Funds Center 164.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with CHA Companies for the design phase of culvert rehabilitation in Chestnut Ridge Park in an amount not to exceed \$50,000; and be it further

RESOLVED, that funding for this project is available in Capital Project A.24008 – 2024 Culvert Rehabilitation, Fund 410, Funds Center 164; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Parks, Recreation & Forestry, and one copy each to the County Executive’s Office, Comptroller’s Office and Division of Budget and Management.

(6-0)

3. COMM. 15E-8 (2024)
COUNTY EXECUTIVE

WHEREAS, 875 Lafayette consists of the adaptive reuse of vacant buildings providing 80 affordable rental units at 630 Linwood Avenue, City of Buffalo, NY; 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 875 Housing Development Fund Company, Inc., 875 Lafayette LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with 875 Housing Development Fund Company, Inc., 875 Lafayette LLC, and the City of Buffalo, 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 Office of the County Executive, the Division of Budget and Management, the Department of Real Property Tax Services, the Department of Environment and Planning, the Office of the Comptroller, and the Department of Law.

PILOT Payments

SCHEDULE A

Year	PILOT Year	Total	City	County
2024-2025	1	\$ 37,742.55	\$ 28,306.91	\$ 9,435.64
2024-2026	2	\$ 38,874.83	\$ 29,156.12	\$ 9,718.71
2024-2027	3	\$ 40,041.07	\$ 30,030.80	\$ 10,010.27
2024-2028	4	\$ 41,242.30	\$ 30,931.73	\$ 10,310.58
2024-2029	5	\$ 42,479.57	\$ 31,859.68	\$ 10,619.89
2024-2030	6	\$ 43,753.96	\$ 32,815.47	\$ 10,938.49
2024-2031	7	\$ 45,066.58	\$ 33,799.93	\$ 11,266.64
2024-2032	8	\$ 46,418.58	\$ 34,813.93	\$ 11,604.64
2024-2033	9	\$ 47,811.13	\$ 35,858.35	\$ 11,952.78
2024-2034	10	\$ 49,245.47	\$ 36,934.10	\$ 12,311.37
2024-2035	11	\$ 50,722.83	\$ 38,042.12	\$ 12,680.71
2024-2036	12	\$ 52,244.52	\$ 39,183.39	\$ 13,061.13
2024-2037	13	\$ 53,811.85	\$ 40,358.89	\$ 13,452.96
2024-2038	14	\$ 55,426.21	\$ 41,569.66	\$ 13,856.55
2024-2039	15	\$ 57,088.99	\$ 42,816.74	\$ 14,272.25

(6-0)

4. COMM. 15E-9 (2024)
COUNTY EXECUTIVE

WHEREAS, Playter Gardens consists of the new construction of eleven (11) buildings, containing a total of seventy-three (73) units of rental housing in the City of Buffalo on Playter Street, City of Buffalo, NY; 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 Playter Gardens Housing Development Fund Corporation, Playter Gardens LLC to operate the housing project it is necessary to extend tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a Payment in Lieu of Taxes (PILOT) Agreement with Playter Gardens Housing Development Fund Corporation, Playter Gardens LLC, and the City of Buffalo, 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 Office of the County Executive, the Division of Budget and Management, the Department of Real Property Tax Services, the Department of Environment and Planning, the Office of the Comptroller, the Department of Law.

SCHEDULE A
PILOT Payments

YEAR	PILOT "B"	CITY	COUNTY
1	\$ 21,844.22	\$ 16,383.17	\$ 5,461.06
2	\$ 22,499.55	\$ 16,874.66	\$ 5,624.89
3	\$ 23,174.54	\$ 17,380.90	\$ 5,793.63
4	\$ 23,869.77	\$ 17,902.33	\$ 5,967.44
5	\$ 24,585.87	\$ 18,439.40	\$ 6,146.47
6	\$ 25,323.44	\$ 18,992.58	\$ 6,330.86
7	\$ 26,083.15	\$ 19,562.36	\$ 6,520.79
8	\$ 26,865.64	\$ 20,149.23	\$ 6,716.41
9	\$ 27,671.61	\$ 20,753.71	\$ 6,917.90
10	\$ 28,501.76	\$ 21,376.32	\$ 7,125.44
11	\$ 29,356.81	\$ 22,017.61	\$ 7,339.20
12	\$ 30,237.51	\$ 22,678.14	\$ 7,559.38
13	\$ 31,144.64	\$ 23,358.48	\$ 7,786.16
14	\$ 32,078.98	\$ 24,059.23	\$ 8,019.74
15	\$ 33,041.35	\$ 24,781.01	\$ 8,260.34

5. COMM. 15E-33 (2024)
COUNTY EXECUTIVE

WHEREAS, the County is undertaking a project to rehabilitate Lake Shore Road (CR 111) in the Town of Evans (“the Town”) from Evans Town Park to Bennet Beach (hereinafter referred to as the (“Project”)); and

WHEREAS, this project includes a Pedestrian Accommodation Betterment (“Betterment”), consisting of a paved asphalt pedestrian walkway, ADA ramps, striped crosswalks, Rectangular Rapid Flash Beacon (RRFB) and pedestrian signage as a part of the road rehabilitation project, formerly Phase II of the Lakeshore Shoreline Trail Multi-Use Pathway; and

WHEREAS, the County is required to enter into an inter-municipal agreement with the Town of Evans, relinquishing final ownership, maintenance and operations of said facilities to the Town; and

WHEREAS, the County agrees to be responsible for the construction costs of the betterment, including approved and related cost overruns for said betterment, the Town agrees to take over ownership, and be responsible for operation and maintenance of the betterment after completion of construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an inter-municipal agreement with the Town of Evans, subject to the County of Erie Attorney’s approval relinquishing ownership, maintenance and operations of the pedestrian betterments to the Town; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward four (4) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy the County Executive’s Office, the Department of Law and Division of Budget and Management.
(6-0)

6. COMM. 15E-34 (2024)
COUNTY EXECUTIVE

WHEREAS, authorization is being requested for the County Executive to execute an amendment for additional engineering design services to the Professional Design Engineering Services Agreement for the Rehabilitation of Borden Rd (CR322) (the "Agreement"), authorized by COMM. 15E-12 on July 23, 2020 with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.; and

WHEREAS, the total cost of the amendment shall not exceed \$140,500.00 and funds are available in Fund 420, Funds Center 123, through Capital Project - B.21162.1 - Borden Rd (CR322) Design; and

WHEREAS, the Department of Public Works, Division of Highways requires five (5) certified copies of this resolution and the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller require one (1) certified copy of the same.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an amendment to the existing Agreement with Bergmann Associates in the amount not to exceed \$140,500.00; and be it further

RESOLVED, the Amendment budget, in the not to exceed amount of \$140,500.00, is available in Fund 420, Funds Center 123, Capital Project B.21162.1 - Borden Rd (CR322) Design - \$140,500.00; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways, and one copy each to the County Executive’s Office, Comptroller’s Office and Division of Budget and Management.

(6-0)

7. COMM. 15E-35 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) applied for and was awarded a \$367,507 New York State Department of Environmental Conservation (NYSDEC) grant through the Water Quality Improvement Project (WQIP) program, for the purpose of purchasing needed vehicles and equipment by the Department of Public Works, Division of Highways; and

WHEREAS, authorization is required from the Erie County Legislature to enter into contract with the NYSDEC to the accept the \$367,507 in grant funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract to accept \$367,507 of New York State Department of Environmental Conservation grant funding on behalf of the Department of Environment and Planning and Department of Public Works, Division of Highways; and be it further

RESOLVED, that authorization is hereby given to adjust the Division of Highways (Fund 420, Funds Center 123) Capital Project B.23006 – 2023 Vehicles and Equipment as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
409000	State Aid Revenue	\$ 0	\$367,507	\$ 367,507
475000	Gen. Oblig. Bond	<u>\$6,750,000</u>	<u>\$ 0</u>	<u>\$6,750,000</u>
TOTAL REVENUES		<u>\$6,750,000</u>	<u>\$367,507</u>	<u>\$7,117,507</u>
APPROPRIATIONS				
	Capital Project	<u>\$ 6,750,000</u>	<u>\$367,507</u>	

	Exp		<u>\$7,117,507</u>
TOTAL APPROPRIATIONS		<u>\$ 6,750,000</u>	<u>\$367,507</u>
			<u>\$7,117,507</u>

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Public Works, the Department of Environment and Planning, and the Division of Budget and Management.
(6-0)

8. COMM. 15E-36 (2024)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, as part of its duties and responsibilities, maintains various County buildings within the City of Buffalo; and

WHEREAS, the City of Buffalo currently provides garbage and recycling bin pick-up services; and

WHEREAS, the current Intermunicipal Cooperation Agreement (ICA) has expired; and

WHEREAS, the Department of Public Works has negotiated a renewed ICA with the City of Buffalo to pay for said garbage and recycling bin pick-up services; and

WHEREAS, the terms of this arrangement are favorable to the County and adequate funding for all associated costs is available within the Department of Public Works Budget, Account 520050-Garbage Disposal, Fund 110, Fund Center 12220.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive or Deputy County Executive to enter the Intermunicipal Cooperation Agreement (ICA) between the County of Erie and the City of Buffalo for garbage and recycling pick-up services at several County-owned buildings; and be it further

RESOLVED, that the cost to Erie County is \$9,403.00 per month and that this ICA shall be reviewed annually for any agreed-upon changes in costs and/or locations and renewed automatically unless one or both parties agree to terminate the arrangement upon reasonable notice to the other; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Department of Public Works, the Director of Budget and Management, the County Attorney and the County Comptroller.
(6-0)

JOHN J. GILMOUR
CHAIR

Item 16 – MR. BARGNESI presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 138

September 19, 2024	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13D-2 (2024)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
 - b. COMM. 13M-1 (2024)
NEWS ORGANIZATIONS: “News Media Parking”
(Chair’s Ruling)
 - c. COMM. 14M-1 (2024)
ASSIGNED COUNSEL PROGRAM: “Quarterly Report - Q2 2024”
(Chair’s Ruling)
 - d. COMM. 14M-2 (2024)
ASSIGNED COUNSEL PROGRAM: “Financial Report for Period 1/1/24-6/30/24”
(Chair’s Ruling)
 - e. COMM. 15D-3 (2024)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
 - f. COMM. 15D-7 (2024)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(Chair’s Ruling)
 - g. COMM. 15M-1 (2024)
LEGAL AID BUREAU: “Bi-Annual Report of the Legal Aid Bureau of Buffalo, Inc.”
(Chair’s Ruling)
 - h. COMM. 15M-2 (2024)
PRESIDENT & CEO OF VBN AND BCC: “VBN & BCC Second Quarter Reports and
Financial Statements”
(Chair’s Ruling)

- i. COMM. 15M-3 (2024)
LEGAL AID BUREAU: “Financial Statements & Audit Reports”
(Chair’s Ruling)
2. COMM. 15E-25 (2024)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature does hereby confirm the following named individual to the Erie County Board of Ethics to a term that expires December 31, 2027.

Ms. Anne Elizabeth Joynt, Esq.
424 Main Street #1500
Buffalo, New York 14202
New Appointment.

(5-0)

JOHN A. BARGNESI, JR.
CHAIR

Item 17 – MS. VINAL presented the following report and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 139

September 19, 2024	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GREENE.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12E-11 (2024)
GREENE: “Letter to Locust Street Art Board Members”
(Chair’s Ruling)
 - b. COMM. 13E-19 (2024)
COUNTY EXECUTIVE: “Appointments to the EC Historical Commission”
(Chair’s Ruling)
 - c. COMM. 14D-7 (2024)
COMMISSIONER OF DHSES: “Snowmobile Federation”
(Chair’s Ruling)

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

RESOLVED, the Erie County Legislature does hereby confirm the following individual for appointment to the Buffalo and Erie County Public Library Board of Trustees:

Nathaniel W. Barnes
Buffalo Public Schools
712 City Hall, 65 Niagara Square
Buffalo, NY 14202

(5-0)

3. COMM. 15E-26 (2024)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature does hereby confirm the following individuals for appointment to the Erie County Commission on the Status of Women, for a term ending December 31, 2027:

Miki Sophia Roberts
51 Garner Avenue
Buffalo, NY 14213
New Appointee

Eleanor M. Gainey
160 Lakewood Parkway
Amherst, NY 14226
New Appointee

Kimberly Nguyen
2495 Main Street, Ste 530
Buffalo, NY 14214
New Appointee

(5-0)

4. COMM. 15E-31 (2024)
COUNTY EXECUTIVE

WHEREAS, Erie County wishes to honor and memorialize the contributions of trailblazing women for the Western New York Community; and

WHEREAS, a Trailblazing Women Monument Steering Committee led by the Executive Director of the Erie County Commission on the Status of Women was established to honor pioneering women from Western New York; and

WHEREAS, complications with the originally proposed TBWM location on the entry plaza to the Buffalo and Erie County Public Library resulted in the selection of the green space in front of Old County Hall as the location of the TBWM; and

WHEREAS, the project location change resulted in additional site-specific redesign efforts, including new project plans and specifications, addition construction cost estimates, and additional design elements that resulted in additional \$18,813 in design fees and \$7,421 in construction costs; and

WHEREAS, the work performed by the site designer, Trautman Associates, authorized under resolution COMM. 24E-11 (2021), and construction contractor, Scott Lawn Yard, LLC (SLY), authorized under COMM. 2E-30 (2023), is complete; and

WHEREAS, no additional funds are needed for these costs and are within the existing project budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to amend the existing agreement with Trautman Associates to increase the contract amount from \$55,890 to \$74,703, to accommodate payment for the approved design changes related to the Trailblazing Women Monument Project; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to increase the existing agreement with Scott Lawn Yard, LLC to increase the contract amount from \$288,500 to \$295,921, to accommodate payment for the approved design changes related to the Trailblazing Women Monument Project; and be it further

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

(5-0)

JEANNE M. VINAL
CHAIR

LEGISLATOR RESOLUTIONS

Item 18 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. GILMOUR seconded.

MR. GREENE moved to table the item. MR. MILLS seconded.

CHAIR BASKIN directed that a five minute recess be held starting at 1:00PM.

The Legislature was called to order by CHAIR BASKIN at 1:09PM.

All members present.

CHAIR BASKIN directed that a roll-call vote be taken on the motion to table the item.

AYES: MR. GREENE, MS. LORIGO, MR. MILLS and MR. TODARO. NOES: MR. BARGNESI, CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. (AYES: 4; NOES: 7)

FAILED.

CHAIR BASKIN directed that a roll-call vote be taken on the motion to approve the item.

AYES: MR. BARGNESI, CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MS. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

RESOLUTION NO. 140

RE: Call for an External Forensic Audit of
the County Clerk's Office
(INTRO. 16-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS GILMOUR, BARGNESI, AND VINAL**

WHEREAS, the Erie County Comptroller's Office recently conducted two audits of the County Clerk's Office - Registrar Division between January 1, 2022 and December 31, 2022; and

WHEREAS, the audits found some troubling issues in the Clerk's office, including the use of outdated software in managing public funds; and

WHEREAS, the use of outdated software and outdated office managing practices have led to errors in reporting, collecting, and distributing mortgage tax revenues; and

WHEREAS, those revenues are important to the towns and cities within the County, the Niagara Frontier Transportation Authority, and the State of New York Mortgage Agency; and

WHEREAS, throughout the course of the audit, the Comptroller's office has found many instances of inconsistencies and discrepancies within the Office of the County Clerk, and for that reason have recommended an external audit be conducted; and

WHEREAS, an external audit will allow for an independent, full-service, professional audit agency to build upon the internal audits that have been conducted and provide expert recommendations to ensure our residents' County tax dollars are protected to the highest degree; and

WHEREAS, this Honorable Body previously approved Intro. 5-4 (2024) and Intro. 9-6 (2024) calling for an external audit of the office of County Clerk; and

WHEREAS, this Honorable Body's authority to call for such external audit lies in the County Charter, Article 2, Section 201(8) which provides the Legislature to "make studies and investigations it deems in the best interest of the County, and in connection therewith to obtain professional and technical advice..."; and

WHEREAS, the call on the County Attorney to conduct an RFP to conduct an external audit on the office of the County Clerk is the Legislature acting to make an investigation in the best interest of the County, due to previous findings of improper use of taxpayer dollars, by obtaining professional and technical advice from an independent, external auditor with the expertise and capacity to complete a thorough audit of the office of the County Clerk.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body rescinds Intro. 5-4 (2024) calling on the County Clerk to conduct an RFP for an external audit of the office of the County Clerk; and be it further

RESOLVED, that the County Attorney is authorized to hire an accountant to perform an audit, as articulated in the request for proposals issued to various accounting firms on June 20 by the County Attorney, with the specific scope of work to be an audit of the Erie County Clerk's Concentration Account for the time period starting in 2017 and ending in 2021 in order to discover any further criminal conduct by any county employee, to discover if the Clerk's office has accurately and appropriately distributed monies collected by the Registrar's office and to recommend more effective controls over this account; and be it further

RESOLVED, that the Erie County Clerk and the Erie County Comptroller be consulted during the audit, including but not limited to, participation as a subject in any interviews conducted by the external audit team, and the ability to review the external audit prior to its finalization; and be it further

RESOLVED, that the Erie County Clerk is directed to preserve any records, both paper and electronic, that have the potential to be lost as the Clerk begins its transition to a new software system; and be it further

RESOLVED, the Clerk of the Legislature is directed to send copies of this resolution to the Erie County Clerk, the Erie County Comptroller, the Erie County Executive, the County Attorney, the Budget Director, the New York State Comptroller, and any other parties deemed necessary.

Item 19 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 141

RE: Re-Appropriation of Public Benefit
Funding
(INTRO. 16-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS BARGNESI AND GILMOUR**

WHEREAS, Pitch Hamburg was awarded \$10,000 in public benefit funding by the Erie County Legislature in the 2024 Erie County adopted budget; and

WHEREAS, Lion Club of Kenmore was awarded \$10,000 in public benefit funding by the Erie County Legislature in Intro 12-3 (2024); and

WHEREAS, these organizations are not able to accept the funds, and the funding should be transferred to an alternative organization; and

WHEREAS, as in similar 2021, 2022 and 2023 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 \$10,000 of 2024 public benefit funding to Hamburg Bulldogs Booster Club, Inc; and be it further

RESOLVED, that authorization is provided to transfer \$10,000 of 2024 public benefit funding to the Town of Tonawanda; 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 changes 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.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

There were none.

SUSPENSION OF THE RULES

There were none.

COMMUNICATIONS FROM ELECTED OFFICIALS

Chair Baskin directed that the following item be received, filed and printed.

Item 20 – (COMM. 16E-1) 2024 Committee Assignments

2024 Committee Assignments

Finance & Management

Energy & Environment

Chair: Michael Kooshoian
Chair of Legislature: April Baskin
Vice Chair: Timothy Meyers
Members: John Gilmour
Christopher Greene
John Mills

Chair: Timothy Meyers
Chair of Legislature: April Baskin
Vice Chair: Lawrence Dupre
Members: John Bargnesi
John Mills
Frank Todaro

Health & Human Services

Public Safety

Chair: Lawrence Dupre

Chair: John Gilmour

Chair of Legislature: April Baskin
Vice Chair: Jeanne Vinal
Members: Michael Kooshoian
Lindsay Lorigo
Frank Todaro

Chair of Legislature: April Baskin
Vice Chair: Timothy Meyers
Members: Lawrence Dupre
Frank Todaro
Christopher Greene

Government Affairs

Community Enrichment

Chair: John Bargnesi
Chair of Legislature: April Baskin
Vice Chair: John Gilmour
Members: Michael Kooshoian
Lindsay Lorigo
Frank Todaro

Chair: Jeanne Vinal
Chair of Legislature: April Baskin
Vice Chair: John Bargnesi
Members: Lawrence Dupre
John Mills
Christopher Greene

Economic Development

Minority & Women Business Enterprise

Chair: John Gilmour
Chair of Legislature: April Baskin
Vice Chair: Jeanne Vinal
Members: Timothy Meyers
Frank Todaro
John Mills

Chair: Lawrence Dupre
Chair of Legislature: April Baskin
Vice Chair: Jeanne Vinal
Members: John Bargnesi
John Mills
Lindsay Lorigo

Small Business

Chair: Jeanne Vinal
Chair of Legislature: April Baskin
Vice Chair: John Bargnesi
Members: Michael Kooshoian
John Mills
Frank Todaro

FROM THE COUNTY EXECUTIVE

Item 21 – (COMM. 16E-2) Appointment to the Albright-Knox Art Gallery Board of Directors

Item 22 – (COMM. 16E-3) Appointment to the Zoological Society of Buffalo Board of Directors

Item 23 – (COMM. 16E-4) Appointment to the Arts in Public Places Committee

Item 24 – (COMM. 16E-5) Appointment to the Buffalo & Erie County Board of Trustees

The above four items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 25 – (COMM. 16E-6) Appointments to the Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 26 – (COMM. 16E-7) External Audit of the Erie County Clerk's Office

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 27 – (COMM. 16E-8) Notification of Forthcoming 2024 Series B Bond Sale

Item 28 – (COMM. 16E-9) Erie County's NYSDOT Single Audit Report

Item 29 – (COMM. 16E-10) External Auditor's Management Letter for 2023

Item 30 – (COMM. 16E-11) Erie County's Federal Financial Assistance Audit Report for 2023

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

FROM THE COMPTROLLER

Item 31 – (COMM. 16E-12) Appointment to Charter Revision Commission

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 32 – (COMM. 16E-13) Fiscal Comments Concerning Erie County

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 33 – (COMM. 16E-14) ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-A)

Item 34 – (COMM. 16E-15) ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-D)

Item 35 – (COMM. 16E-16) ECSD Nos. 1,4, & 5 - Construction Inspection Term Contract Agreement

Item 36 – (COMM. 16E-17) ECSD No. 3 - Central Region Collections Facility

Item 37 – (COMM. 16E-18) ECSD No. 3 - Collection System Maintenance Facility

Item 38 – (COMM. 16E-19) Authorization to Enter into Inter-Municipal Agreements to Implement the Municipal Planning Grant Program

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

FROM THE COUNTY EXECUTIVE

Item 39 – (COMM. 16E-20) Acceptance of State Aid for Youth Sports & Education Services

Item 40 – (COMM. 16E-21) Acceptance of State Aid for Youth Team Sports Services

Item 41 – (COMM. 16E-22) Acceptance of State Aid for Youth Development Programs

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

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 16E-23) SUNY ECC City Campus Burt Flickinger Athletic Center Pool Pump Motor Starter Replacement

Item 43 – (COMM. 16E-24) SUNY ECC North Campus Spring Student Center Cafeteria HVAC Systems Upgrade

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 44 – (COMM. 16E-25) Wendt Beach Park Sewer Replacement Project Amendment

Item 45 – (COMM. 16E-26) Como Lake Park Shelter Rehabilitation Phase II

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

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 16E-27) Authorization for Department of Law to Enter into a Shared Employee Agreement

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 16E-28) Appointment of the Commissioner of Social Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 48 – (COMM. 16E-29) Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 49 – (COMM. 16E-30) Comptroller's Office Review of Capital Project Spending Resolutions & Requests

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 50 – (COMM. 16D-1) July 2024 Budget Monitoring Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPUTY COMPTROLLER OF AUDIT

Item 51 – (COMM. 16D-2) EC Comptroller's Office Audit of County Owned Vehicles - Notification of Expanded Scope

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 52 – (COMM. 16D-3) Update on Effort to Hire Accounting Firm for Independent Audit of Clerk's Account

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEC

Item 53 – (COMM. 16M-1) Notification of Review of EC Agricultural District No. 15
Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CITY OF BUFFALO

Item 54 – (COMM. 16M-2) Transit Mall Service Charge Roll
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE THE KNOER GROUP

Item 55 – (COMM. 16M-3) Response to Monitoring Report - Explore & More The Ralph C. Wilson Jr. Children's Museum

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 56 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, October 3, 2024, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, October 10, 2024.

MEMORIAL RESOLUTIONS

Item 57 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Stanley W. “Butch” Pajak, and Charles K. “Chuck” Priore.

Item 58 – Legislator Vinal requested that when the Legislature adjourns, it do so in memory of Graziella Giuliana.

Item 59 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Edward V. Ryan.

Item 60 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Ronald James Wick, and Mary Celine Aaron.

Item 61 – Legislator Bargnesi requested that when the Legislature adjourns, it do so in memory of John Washington.

ADJOURNMENT

Item 62 – At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. GILMOUR moved that the Legislature adjourn until Thursday, October 10, 2024 at 12:00 Noon. MR. GREENE seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, October 10, 2024 at 12:00 Noon.

OLIVIA M. OWENS
CLERK OF THE LEGISLATURE