

**ERIE COUNTY LEGISLATURE
MEETING NO. 17
OCTOBER 10, 2024**

The Legislature was called to order by Chair Baskin.

All members present, except Legislator Bargnesi.

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

The Pledge of Allegiance was led by Mr. Mills.

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 16 from 2024. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

Item 4 – A public hearing has been scheduled for Thursday, October 17th at 6:00 P.M. to hear public comment on Adjusting the Income Limits for an Erie County Senior Citizen Property Tax Exemption.

MISCELLANEOUS RESOLUTIONS

Item 5 – Miscellaneous Resolutions were offered, as follows:

- | | |
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| BASKIN | Honoring and Recognizing the Grand Opening of Loud House Buffalo |
| DUPRE | Acknowledging and Recognizing Timothy Wells - Prostate Cancer Survivor |
| DUPRE | Acknowledging and Recognizing James McAdoy - Prostate Cancer Survivor |
| GREENE | Honoring Orchestra Teacher Randy Czosnyka on Universal Music Day |
| GREENE | Honoring Band Teacher Tom Marinaro on Universal Music Day |
| GREENE | Honoring Music Teacher Emily Holmberg on Universal Music Day |
| GREENE | In Recognition of Fire Prevention Week and Main-Transit Volunteer Fire Department |
| TODARO | Congratulating Raymond David on His Induction into the Erie County Fire Advisory Board Wall of Honor |

- TODARO Congratulating Douglas Lahnen on His Induction into the Erie County Fire Advisory Board Wall of Honor
- TODARO Congratulating James Koral on His Induction into the Erie County Fire Advisory Board Wall of Honor
- LORIGO Recognizing the Spring Brook Volunteer Fire Company On National First Responders Day
- LORIGO Recognizing the Springville Volunteer Fire Department On National First Responders Day
- LORIGO Recognizing the Jamison Road Volunteer Fire Company On National First Responders Day
- LORIGO Recognizing the Union Fire Company On National First Responders Day
- LORIGO Recognizing the Vigilant Fire Company On National First Responders Day
- LORIGO Recognizing Red Ribbon Week 2024
- LORIGO Honoring Edwin A. Lehsten on His Induction to the Erie County Fireman's Wall of Honor
- LORIGO Honoring John A. Gullo on His Induction to the Erie County Fireman's Wall of Honor
- MILLS Celebrating the Grand Opening of Eden Veterinary Station
- MILLS Recognizing Deaf Awareness Week and the Remarkable Spirit of Ms. Linda Popple of North Collins
- MILLS In Recognition of Fire Prevention Week and the Lake Shore Volunteer Fire Department
- MILLS Recognizing the Angola Public Library's 100th Anniversary
- BASKIN Honoring and Recognizing Legislator Frank Todaro
& MEYERS
- BARGNESI Celebrating and Honoring Raymond Patrick Powers - Erie County Wall of Honor
- KOOSHOIAN Celebrating and Honoring John W. Beaumont - Erie County Wall of Honor

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above twenty-five 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 #2) 2024 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 9 – MR. MEYERS moved to take Local Law No. 6 (Print #1) 2024 from the table. MR. GILMOUR seconded.

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

AYES: MR. GREENE, MR. MILLS, CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. NOES: MS. LORIGO and MR. TODARO. (AYES: 8; NOES: 2)

CARRIED.

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 6-1-2024

LOCAL LAW NO. _____-2024

THE ERIE COUNTY LANGUAGE ACCESS ACT

A Local Law mandating the development of County Agency-specific language access plans, practices and training in the County of Erie.

Be it enacted by the Legislature of the County of Erie as follows:

Section 1. Legislative Intent and Findings

The County recognizes that a large percentage of its inhabitants speak languages other than English and that the well-being and safety of the County as a whole is put in jeopardy if the people of the County are unable to access County services or effectively communicate with County agencies.

This Legislature also finds and determines that language can be a substantial barrier for residents seeking to access government information, programs and services. This Legislature finds that Title VI of the Civil Rights Act of 1964 prohibits agencies receiving federal funds from discriminating against persons on the basis of race, color or national origin. This Legislature determines that Presidential Executive Order 13166 (August 11, 2000) requires federally funded agencies to act to ensure that individuals with limited English proficiency have access to programs and services.

This Legislature concludes that it is in the best interest of all County residents to ensure and improve language access to County programs and services.

Section 2. Definitions

As used in this law, the following terms shall have the meanings indicated:

- A. County Agency: Any agency, department, division or office of Erie County government which provides programs and/or services to the public or programs and/or services made available to individuals in the custody of the Erie County Sheriff.
- B. Designated Countywide Languages: The top six limited English proficiency languages spoken by the population of Erie County as determined by the Language Access Advisory Board for the purpose of translation for a Locally Covered Entity.
- C. Direct Public Services: Services administered by a County Agency directly to program beneficiaries and/or participants, including any services administered by an agency directly to individuals in the custody of the Erie County Sheriff.
- D. Head of a County Agency: The highest-ranking public officer in the County Agency with administrative authority over the provision of programs and/or services, or their designee.
- E. Interpretation: An oral (spoken) or signed communication of a message from one language to another, in real time by a qualified human interpreter competent in both languages, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning.

- F. Language Access Services: The service of interpretation, translation, or other communication method to a person with Limited English Proficiency.
- G. Limited English Proficiency: Persons for whom English is not their primary language and have difficulty communicating effectively in English.
- H. Locally Covered Entity: A County Agency, as defined in this section, in which the Head of the County Agency has declared that the agency is not covered by State or Federal language access requirements.
- I. State or Federally Covered Entity: A County Agency, as defined in this section, that is subject to State or Federal language access requirements because it is a recipient of State or Federal funds either directly or as a passthrough; or, it is subject to State or Federal laws that requires the provision of language access.
- J. Translation: The written rendition of a text in one language to a written text in another language, completed by a human translator competent in both languages.
- K. Unforeseeable Life-Threatening Emergency: An emergency that threatens the life of a client, which is not commonly included in the scope of the County Agency's normal provision of Direct Public Services.
- L. Vital Documents: Those documents most commonly distributed to the public and individuals that contain or elicit important and necessary information regarding the provision of Direct Public Services, as determined by the Head of the County Agency.

Section 3. Applicability

- A. For the purpose of this Local Law the Head of each County Agency shall declare if their agency is either a State or Federally Covered Entity or a Locally Covered Entity.
- B. County Agencies that are declared to be a State or Federally Covered Entity shall not be subject to Section 6 of this act.
- C. County Agencies that are declared to be a Locally Covered Entity shall be subject to the requirements all sections of this Local Law.
- D. All requirements applicable to Locally Covered Entity under Section 6 of this act shall also be applicable to any contractor hired to perform Direct Public Services in the place of the County Agency.

Section 4. Compliance Documentation and Reporting

- A. Each County Agency shall be responsible for the creation and maintenance of compliance documentation as set forth in this Section, including:

1. A written declaration by the Head of each County Agency shall be made to the Language Access Advisory Board by the last day in November for the next fiscal year. This written declaration shall include:
 - a. All direct public services covered by the declaration.
 - b. The applicability declaration category selected by the Head of the County Agency from Section 2(A) above.
 - c. A brief explanation of the laws and regulations that are applicable to the County Agency.
 - d. Specific Dates of the biennial review cycle to be used by the County Agency.
2. A written Annual Report on Language Access shall be made to the Language Access Advisory Board by the last day in January each year providing data on the year prior. This Annual Report shall include:
 - a. Data on the types of services provided and the language in which they were provided, including geographic and demographic data if available.
 - b. Estimates of the number of individuals served for each language.
3. A written Language Access Plan shall be submitted to the Language Access Advisory Board by the last day in November each year. This written plan shall include at minimum:
 - a. A needs assessment considering the following factors:
 - i. the number or proportion of LEP persons in the eligible service population;
 - ii. the frequency with which LEP individuals come into contact with the agency, if such data exists. If no relevant data has been collected, such agency must exclude this factor from consideration;
 - iii. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation or translation); and
 - iv. the resources available to the agency and the costs of providing various types of language services.
 - v. The languages commonly encountered and served by the County Agency.
- b. The designation of a language access coordinator by name, title, and contact information;
- c. A list of language access services and resources, communications aids and accommodations for the disabled provided by the County Agency and a brief description of how they are provided;

- d. A description of the uniform training plan for agency employees, including annual training on the language access policies and the provision of language assistance services as well as providing a procedure that allows employees to report issues and problems implementing the language access plan;
- e. A description of the process for tracking and reporting agency language access data including the number and type of requests for language access services, what languages service requests are for, how each request was fulfilled, the number of complaints received by the agency regarding language access, and how complaints were resolved.
- B. Each County Agency shall conduct reviews of their Language Access Plans on a biennial basis as set by the Head of the County Agency.
- C. Each County Agency shall publish in a prominent place on the County's website:
 - 1. The Language Access Plan of the county agency.
 - 2. The name, title and contact information of the language access coordinator.
 - 3. Translated notices in multiple languages informing the public that language access services are available free of charge, where programmatically applicable.
- D. Any additional documentation required by future resolutions of the Erie County Legislature, unless barred by laws restricting the disclosure of that information.

Section 5. Language Access Requirements for a State or Federally Covered Entity

- A. Each County Agency that declares itself a State or Federally Covered Entity under Section 3 above shall follow the applicable requirements and standards set forth in State and Federal Law
- B. A County Agency that declares itself a State or Federally Covered Entity under Section 3 above and complies with the requirements of Section 4 by submitting a written declaration, language access plan, and annual report, shall not be subject to Section 6 of this act.
 - 1. In its written declaration under Section 4(A)(1)(b), the County Agency should reference the State or Federal Law that covers the County Agency's language access requirements.
- C. 365 days after this law is filed with the Secretary of State, a State or Federally Covered Entity under this act shall be required to meet a minimum service standard of providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material. Priority shall be given to providing in-person interpreters where programmatically possible.

Section 6. Language Access Requirements for a Locally Covered Entity

A. Each County Agency that declares itself a Locally Covered Entity under Section 3 above shall provide language access services for all direct public services it administers.

B. Language Access Services shall include, but not be limited to:

1. Providing competent and timely interpretation services to individuals in their primary or preferred language. Competent interpretation shall mean a spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture, to the greatest extent possible, all nuances intended in the source material. This interpretation services requirement shall commence 365 days after this law is filed with the Secretary of State.

2. Identifying and translating vital documents provided to the public, including but not limited to, forms, program signage and instructions provided to or completed by program participants and beneficiaries in each designated countywide language:

a. Existing vital documents must be translated within 365 days of the publication date of the Designated Countywide Languages to each County Agency. A County Agency will translate existing vital documents into any newly designated languages within 365 days of the publication date of the Designated Countywide Languages to each County Agency.

b. New vital documents, produced after the publication date of the Designated Countywide Languages to each County Agency, must be translated as soon as is practicable but no later than 120 days after the English version is released to the public

c. Emergency communications must be translated immediately, or no more than 5 days following the release of the English version.

3. Translation of pre-recorded informational messages on agency phone lines that provide vital public information in English, including emergency alerts and public service announcements.

4. Posting of multilingual signage in conspicuous locations about the availability of free interpretation services. Where practicable, the same information should be communicated via pre-recorded announcements in each designated countywide language on the public address system in public waiting areas.

5. Accommodations for communication access for disabled members of the public shall be available upon request including, but not limited to:

a. American Sign Language Interpretation via an on-site interpreter or Video Remote Interpreter (VRI).

- b. Communication Access Realtime Translation for individuals who are deaf, hard of hearing or have hearing loss.
 - c. All other communications access accommodations as required by the application of the Americans with Disabilities Act.
- C. Language Access Services provided by the County Agency must meet or exceed the following quality standards:
- 1. Translation or interpretation via online applications, artificial intelligence, or machine interpretation software shall only be used after a County Agency has attempted to secure qualified translators or interpreters via booking on-site personnel, human reviewed translation processes, or telephone or video call services.
 - 2. Family members, other clients, and any other member of the public who is not a qualified interpreter, shall not be used for interpretation with respect to the provision of services or benefits, except in the case of an unforeseeable life-threatening emergency.
 - 3. Minors shall not be used for interpretation with respect to the provision of services or benefits, except in the case of an unforeseeable life-threatening emergency.
 - 4. All language access services must be provided by qualified human interpreters and translators competent in both languages, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning.
 - 5. All language access services must be provided at no cost to the person seeking services from the County Agency.

Section 7. Amending Article 17 of the Erie County Charter

Erie County Local Law No. 1-1959, constituting the Erie County Charter, as amended, is hereby amended at Article 17 to add a new Section 1708 to read as follows:

Section 1708. Language Access Advisory Board. There shall be a Language Access Advisory Board to advise on matters relating to LEP individuals and language access. The Board shall consist of eleven (11) members including:

- 1. County Executive, or their designee;
- 2. County Clerk, or their designee;
- 3. County Comptroller, or their designee;
- 4. District Attorney, or their designee;
- 5. Sheriff, or their designee;

6. Six community members appointed by the County Executive. All six community member appointments will be subject to confirmation by the County Legislature.

Community Members. Community members appointed to the board shall be reflective of the diversity of the County's limited English proficient communities, disability communities in need of communications access, representatives from community organizations and faith-based organizations serving either LEP or disabled communities in need of communications access.

Board Membership for Six Community Member Seats. These members of the Board shall be appointed for a term of three years. No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The Board shall annually designate one member to serve as Board chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership. Board seats occupied by an Elected Official, or their designee, are not subject to term limits.

The Advisory Board shall be empaneled within ninety days following the effective date of this act. A quorum shall consist of a majority of the members of the Advisory Board entitled to vote on the matter under consideration. Approval of any matter shall require the affirmative vote of a majority of the members voting thereon. The Advisory Board shall adopt by-laws for the management and regulation of its affairs.

The Board shall:

1. Designate the top six languages LEP individuals speak in Erie County as the Countywide Languages for translation and issue notices to all County Agencies by the last day in February on a biennial basis. This process shall consider a wide variety of data sources, including but not limited to data collected by the U.S Census and American Community Survey, public schools, local interpreting agencies, federal refugee resettlement programs and County Agencies to determine which language groups are most in need of language services.
2. Advise County Agencies in developing and implementing their Language Access Plan.
3. Review Agency Language Access Plans and provide written evaluation of the implementation of those plans.
4. Create a mechanism to interact with public regarding proper language access plan implementation.
5. Collect and review annual reports from County Agency language access coordinators.
6. Submit a comprehensive annual report based on County Agency compliance submissions, publish findings on the data collected and additional policy recommendations to the Erie County Legislature no later than the last day in June each year.

Section 8. Right to Privacy

The need for/use of language services by an individual contacting the County shall not be deemed by any County employee as a basis for inquiring into information related to an individual's immigration status or other personal attributes. No County employee shall inquire about or disclose confidential information, including, but not limited to, immigration status, unless such inquiry or disclosure is required by law.

Section 9. Effective Date

A. This Local Law shall take effect 180 days after it is filed with the Secretary of State.

Section 10. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

Sponsors:

April N.M. Baskin
Timothy Meyers
Lawrence J. Dupre
John J. Gilmour
Jeanne M. Vinal

MR. MEYERS moved to approve Local Law Intro. No 6 (Print #1) 2024. MR. GILMOUR seconded.

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

AYES: CHAIR BASKIN, MR. DUPRE, MR. GILMOUR, MR. KOOSHOIAN, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MS. LORIGO, MR. MILLS and MR. TODARO. (AYES: 6; NOES: 4)

CARRIED.

Item 10 – CHAIR BASKIN directed that Local Law No. 7 (Print #1) 2024 be laid on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.
RESOLUTION NO. 142

October 3, 2024	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GILMOUR.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-6 (2024)
COUNTY CLERK: “Clerk’s Office Supplemental Response to Mortgage Tax Audit”
(Chair’s Ruling)
 - b. COMM. 16E-7 (2024)
COUNTY CLERK: “External Audit of the Erie County Clerk’s Office”
(Chair’s Ruling)
 - c. COMM. 16E-8 (2024)
COMPTROLLER: “Notification of Forthcoming 2024 Series B Bond Sale”
(Chair’s Ruling)
 - d. COMM. 16E-9 (2024)
COMPTROLLER: “Erie County's NYSDOT Single Audit Report”
(Chair’s Ruling)
 - e. COMM. 16E-10 (2024)
COMPTROLLER: “External Auditor's Management Letter for 2023”
(Chair’s Ruling)
 - f. COMM. 16E-11 (2024)
COMPTROLLER: “Erie County's Federal Financial Assistance Audit Report for 2023”
(Chair’s Ruling)
 - g. COMM. 16E-13 (2024)
COMPTROLLER: “Fiscal Comments Concerning Erie County”
(Chair’s Ruling)
 - h. COMM. 16D-1 (2024)
DIRECTOR OF BUDGET & MANAGEMENT: “July 2024 Budget Monitoring Report”
(Chair’s Ruling)
 - i. COMM. 16D-2 (2024)
DEPUTY COMPTROLLER FOR AUDIT & CONTROL: “EC Comptroller's Office Audit of County Owned Vehicles - Notification of Expanded Scope”
(Chair’s Ruling)

j. COMM. 16D-3 (2024)
COUNTY ATTORNEY: "Update on Effort to Hire Accounting Firm for Independent Audit of Clerk's Account"
(Chair's Ruling)

k. COMM. 16M-3 (2024)
THE KNOER GROUP: "Response to Monitoring Report - Explore & More The Ralph C. Wilson Jr. Children's Museum"
(Chair's Ruling)

2. 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 NewVision 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-a-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-a-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.

(4-0)

MICHAEL H. KOOSHOIAN
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 143

October 3, 2024	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16E-14 (2024)
COUNTY EXECUTIVE: “ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-A)”
(Chair’s Ruling)
 - b. COMM. 16E-15 (2024)
COUNTY EXECUTIVE: “ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Improvements Project (Contract No. 62-D)”
(Chair’s Ruling)
 - c. COMM. 16E-16 (2024)
COUNTY EXECUTIVE: “ECSD Nos. 1,4, & 5 - Construction Inspection Term Contract Agreement”
(Chair’s Ruling)

d. COMM. 16M-1 (2024)
NYS DEC: “Notification of Review of EC Agricultural District No. 15”
(Chair’s Ruling)

2. COMM. 16E-18 (2024)
COUNTY EXECUTIVE

WHEREAS, the County of Erie (County) and the Village of Blasdell (Village) entered into agreements effective June 1, 2003 for the County to take over the sanitary sewer system of the Village as an extension of Erie County Sewer District (ECSD) No. 3; and

WHEREAS, the Village executed a Quit Claim Deed on November 3, 2004, granting the County ownership of 1.35 acres, and a permanent easement over the remainder 2.25 acres of the Blasdell Sewage Treatment Plant (STP) site, filed under Liber 11090, Page 6613, in the Erie County Clerk’s Office; and

WHEREAS, the Village’s purpose in maintaining ownership of the area under permanent easement was for their use of the existing four-bay vehicle garage on the site; and

WHEREAS, under the Rush Creek Interceptor project the Blasdell STP was taken out of service and all sanitary sewer flows from the Village were redirected to the Southtowns Advanced Wastewater Treatment Facility as part of the Rush Creek Interceptor project; and

WHEREAS, the treatment structures at the former Blasdell STP site were subsequently demolished and the site was cleared as part of the Blasdell Sewage Treatment Plant Decommissioning Project; and

WHEREAS, the Division of Sewerage Management desires to construct a new Collection System Maintenance Facility (the Facility) on the former Blasdell STP site; and

WHEREAS, to maximize the effectiveness of the Facility, the County has requested ownership the existing vehicle garage on the former Blasdell STP site and a change to the metes and bounds of the property that would result in a net increase of approximately 0.15 acres for the County’s use; and

WHEREAS, the Village desires a new two-bay vehicle garage on an adjacent parcel in exchange for the County’s requests; and

WHEREAS, the Division of Sewerage Management recommends entering into a real estate agreement with the Village to facilitate the property transfer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or the Deputy County Executive to execute a real estate agreement with the Village of Blasdell to facilitate the transfer of land and/or garage facilities in the vicinity of the former Blasdell STP, subject to approval as to form by the County Attorney’s office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that said agreement shall note future authorization from this Honorable Body will be required for funds to construct the Facility and/or the new vehicle garage for the Village; 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.
(4-0)

3. COMM. 16E-19 (2024)
COUNTY EXECUTIVE

WHEREAS, zoning is a municipal law which governs how pieces of land may or may not be developed within a municipal division of government; and

WHEREAS, every Town, Village and City in Erie County possesses a zoning code; and

WHEREAS, New York State's zoning enabling statutes require that zoning laws be adopted in accordance with a comprehensive plan; and

WHEREAS, updated zoning codes in accordance with updated Comprehensive Plans are necessary to reflect the current conditions and legal standards, and the community's desired development; and

WHEREAS, Erie County desires to aid the Towns of Grand Island, Newstead, Orchard Park, and Wales, the Villages of Kenmore and Orchard Park, and the City of Tonawanda in the updating of municipal planning documents.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Grand Island in the amount of \$20,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Newstead in the amount of \$27,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Town of Orchard Park in the amount of \$35,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the

Town of Wales in the amount of \$20,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Village of Kenmore in the amount of \$50,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the Village of Orchard Park in the amount of \$40,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that authorization is hereby given to the County Executive and/or Deputy County Executive to execute intermunicipal agreements, contracts, agreements as necessary with the City of Tonawanda in the amount of \$10,000, for the purpose of administration of planning document updates; and be it further

RESOLVED, that the source of funds for the allocations shall be the Capital Account entitled "Municipal Planning Grant Program" (A.23061); and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to implement any budget adjustments as required to comply with funding requirements; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Environment and Planning, and the Department of Law.
(4-0)

4. COMM. 16E-25 (2024)
COUNTY EXECUTIVE

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

WHEREAS, the existing capacity and condition of the existing sanitary sewer serving the Wendt Beach property is in need of repair to support the restoration of the Mansion and Stables; and

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

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

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

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

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

WHEREAS, the Department of Public Works (DPW) received bids for the Wendt Beach Park Sewer Replacement on August 21, 2024 after resolution (COMM 10E-17) 2024 was approved; and

WHEREAS, additional funds are necessary for pending NYS DEC requirements at their direction along with bid proposals received were higher than the cost estimate prepared by the consultant on the project; and

WHEREAS, the lowest responsible bidder was Pinto Construction services, Inc.; and

WHEREAS, received bid results were higher than anticipated due to horizontal directional boring; and

WHEREAS, additional funding is required to award this project to Pinto Construction Services Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that \$61,620.27 in unexpended American Rescue Plan Act funding remaining within the Division of Building & Grounds (Fund 410, Funds Center 12220) Capital Project A.21162 – Parks Managed by DPW Expanded Capital Program be re-appropriated into the Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.21201 – Wendt Beach Sewer Line Replacement as follows:

Project A.21162
Parks Managed by DPW Expanded Capital Program
Fund 410, Funds Center 12220

	BUDGET	CHANGE	REVISED BUDGET
REVENUES			
486050 Interfund Revenue Subsidy ARPA	<u>\$8,536,389.81</u>	<u>(\$61,620.27)</u>	<u>\$8,474,769.54</u>
	<u>\$8,536,389.81</u>	<u>(\$61,620.27)</u>	<u>\$8,474,769.54</u>
APPROPRIATIONS			
Capital Project Expense	<u>\$8,536,389.81</u>	<u>(\$61,620.27)</u>	<u>\$8,474,769.54</u>
TOTAL	<u>\$8,536,389.81</u>	<u>(\$61,620.27)</u>	<u>\$8,474,769.54</u>

Project A.21201
Wendt Beach Sewer Line Replacement Project
Fund 410, Funds Center 164

	BUDGET	CHANGE	REVISED BUDGET
REVENUES			
486050 Interfund Revenue Subsidy ARPA	<u>\$427,774.73</u>	<u>\$61,620.27</u>	<u>\$489,395.00</u>
	<u>\$427,774.73</u>	<u>\$61,620.27</u>	<u>\$489,395.00</u>
APPROPRIATIONS			
Capital Project Expense	<u>\$427,774.73</u>	<u>\$61,620.27</u>	<u>\$489,395.00</u>
TOTAL	<u>\$427,774.73</u>	<u>\$61,620.27</u>	<u>\$489,395.00</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract with Pinto Construction Services, Inc in an updated amount not to exceed \$489,395 for the Wendt Beach Park Sewer Replacement Project; and be it further

RESOLVED, that sufficient funds exist for this contract within Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.21201 – Wendt Beach Line Sewer Replacement Project; and be it further

RESOLVED, that the sum of \$24,605.00 be allocated to a Construction Contingency Fund with authorization for the County Executive or Deputy County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order deductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that sufficient funding for the Construction Contingency Fund exists within Department of Parks, Recreation & Forestry (Fund 410, Funds Center 164) Capital Project A.24005 – 2024 County Wide Parks Improvements; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the

Division of Budget and Management and the Office of the Comptroller, and the Department of Parks, Recreation and Forestry.
(4-0)

5. COMM. 16E-26 (2024)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (Parks) has identified a capital improvement project at Como Lake Park to build a new shelter and parking lot; and

WHEREAS, the new shelter will incorporate existing Historic Works Projects Administration (WPA) stone on four columns and a knee wall; and

WHEREAS, the new shelter and parking lot will be ADA compliant; and

WHEREAS, the Department of Public Works (DPW) received bids for the Como Lake Park Shelter Rehabilitation Phase II on August 7, 2024 at 10:30 am; and

WHEREAS, the lowest responsible bidder, Allgaier Construction Corp.'s bid could not be considered as the New York State Vendor Responsibility Questionnaire for Profit Construction (Form CCA-02) was not included in the sealed bid; and

WHEREAS, the lowest responsible bidder was Walter S. Johnson Building, Co., Inc.; and

WHEREAS, the Department of Public Works (DPW) is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract with Walter S. Johnson Building, Co. for the Como Lake Park Shelter Rehabilitation Phase II project for an amount not to exceed as follows:

<u>General Construction Work</u>	
Walter S. Johnson Building, Co., Inc. Base Bid:	\$397,000.00
Construction Contingency	\$ 79,000.00
<u>Alternate 1</u>	<u>\$ 73,000.00</u>
Total Award of Construction Contract:	\$549,000.00

and be it further

RESOLVED, that the sum of \$79,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order deductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that sufficient funding for the Como Lake Park Shelter Rehabilitation Phase II project is available in Fund 410, Funds Center 164, Capital Project A.24006 – 2024 Countywide Shelter, Buildings, and Restrooms; and be it further

RESOLVED, that the clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Department of Public Works, and one copy each to the Office of the County Executive’s Office, Comptroller’s Office, Department of Parks, Recreation and Forestry and Division of Budget and Management.
(4-0)

**TIMOTHY J. MEYERS
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 144

October 3, 2024	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16E-2 (2024)
COUNTY EXECUTIVE: “Appointment to the Albright-Knox Art Gallery Board of Directors”
(Chair’s Ruling)
 - b. COMM. 16E-3 (2024)
COUNTY EXECUTIVE: “Appointment to the Zoological Society of Buffalo Board of Directors”
(Chair’s Ruling)
 - c. COMM. 16E-4 (2024)
COUNTY EXECUTIVE: “Appointment to the Arts in Public Places Committee”
(Chair’s Ruling)
 - d. COMM. 16E-5 (2024)
COUNTY EXECUTIVE: “Appointment to the Buffalo & Erie County Board of Trustees”
(Chair’s Ruling)

2. COMM. 16E-23 (2024)
COUNTY EXECUTIVE

WHEREAS, the replacement of two existing motor starters for the main pool's pumps with variable frequency drives is necessary to minimize an abrupt stoppage of water within the pool's circulation pumps thereby preventing potential damage to recently installed piping and surrounding equipment; and

WHEREAS, the electrical construction work for the ECC Natatorium Improvements project was completed by CIR Electrical Construction Corporation per the previously approved resolution (COMM. 21E-13 (2021) on December 16, 2021 and the issue has been reviewed by the original aquatic consultant to be design-related unrelated to the builder's warranty; and

WHEREAS, per General Municipal Law Section 103, the work total is less than \$35,000 and therefore does not have to be publicly bid; and

WHEREAS, a proposal was solicited from CIR Electrical Construction Corporation due to their familiarity with the scope; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works ("DPW") and CHA are recommending award of the purchase order contract to CIR Electrical Construction Corporation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works to enter into a purchase order contract with CIR Electrical Construction Corporation for the SUNY ECC City Campus Burt Flickinger Athletic Center Pool Pump Motor Starter Replacement project; and be it further

RESOLVED, that sufficient funding for all the above is available from the approved 2019 Capital Budget, Fund 480, Funds Center 122, E.19001 – Erie Community College Collegewide Improvements and Renovations, in an amount not to exceed \$24,300.00; and be it further

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

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

3. COMM. 16E-24 (2024)
COUNTY EXECUTIVE

WHEREAS, this project is part of a larger multi-phased Power Distribution/Wiring and Mechanical upgrade project as capital funds are secured and become available, and is consistent with JMZ Architect's Masterplan; and

WHEREAS, the air handler and cooling plant serving the main dining hall of the Spring Student Center, the (8) entry and hallway cabinet heating units, and the electrical panels serving the cafeteria and foodservice equipment are original to the 1958 building and have reached the end of their service life; and

WHEREAS, in order to reduce maintenance costs associated with temporary “stop-gap” measures to keep the heating equipment functioning, a full replacement is warranted. Significant energy savings will be achieved utilizing energy efficient upgraded mechanical heating systems with advance control operations like demand control ventilation, night setback and ventilation control strategies; and

WHEREAS, the project may be eligible for rebates and incentives from various agencies such as National Grid, NYSERDA and/or utility companies; and

WHEREAS, the County of Erie received bids for the SUNY Erie Community College (ECC) North Campus Spring Student Center Cafeteria HVAC Systems Upgrade project on Thursday, September 5, 2024; and

WHEREAS, the lowest responsible bidder for the Mechanical Construction Work is JWDanforth Company, and Electrical Construction Work is Frey Electric Construction Co., Inc.; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works (“DPW”) and IBC Engineering P.C. are recommending award of the contract to the lowest responsible bidders; and

WHEREAS, the County of Erie previously entered into an Agreement with IBC Engineering PC to complete a campus-wide MEP building assessment (COMM. 3E-11 on February 18, 2021) and an Agreement Amendment for design and construction administration services for power distribution/wiring and mechanical upgrades at Breschger and Kittinger Halls (COMM. 5E-17 on March 17, 2022), and an additional professional services in the amount of \$40,000; inclusive of A/E design fee of \$28,500 required for construction administration and commissioning services necessary to complete this project as well as additional A/E design contingency in the amount of \$11,500 to address unforeseen conditions.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a contract with the lowest responsible bidders for the SUNY Erie ECC North Campus Spring Student Center Cafeteria HVAC Systems Upgrade Project as follows:

Mechanical Construction Work

JWDanforth Company

Base Bid:	\$ 1,517,000.00
Add Alternate No M-1	\$ 199,500.00

Total Award of Mechanical Construction Contract:	\$ 1,716,500.00
<u>Electrical Construction Work</u>	
Frey Electric Construction Co., Inc Base Bid:	\$ 231,800.00
Add Alternate No E-1	\$ 4,400.00
Total Award of Electrical Construction Contract:	\$ 236,200.00

and be it further

RESOLVED, that authorization is hereby given for the sum of \$107,300.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order deductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller’s Office to accept any rebates and incentives and deposit it into E.23050 – 2023 SUNY Erie Facility Master Plan Phase 2, Fund 480, Funds Center 122; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into a Second Agreement Amendment with IBC Engineering P.C. for additional A/E design fee and design contingency for a total amount not to exceed \$40,000.00 to address unforeseen conditions; and be it further

RESOLVED, that sufficient funding for all of the above is available from the approved Capital Budgets, Funds Center 122, Fund 480, as follows:

E.19001	2019 Collegewide Improvements and Renovations	\$ 16,849.95
E.20001	2020 Collegewide Improvements and Renovations	\$ 298,656.00
E.23050	2023 SUNY Erie Facility Master Plan Phase 2	\$ 588,482.90
E.24051	2024 SUNY Erie Facility Master Plan Phase 3	\$1,196,011.15
For a Total Amount Not to Exceed		\$2,100,000.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management, and one copy to Erie Community College of the Chief Administrative and Financial Officer.

(5-0)

- 4. COMM. 16E-27 (2024)
COUNTY EXECUTIVE

WHEREAS, the County of Erie (“County”) provides legal guidance pertaining to a variety of matters involving Erie Community College ("SUNY Erie") through its Department of Law. The legal guidance provided by the Erie County Department of Law is not only of critical importance to SUNY Erie but involves a significant allocation of staff resources by the County which SUNY Erie currently does not reimburse to the County; and

WHEREAS, due to complexities of operating a large, comprehensive SUNY Community College, SUNY Erie has significantly increased its requests for legal guidance from the Erie County Department of Law. In order to continue to provide the College with prompt legal guidance, the College and County have discussed the potential for a shared employee, similar to the structure that currently has been in place for many years involving a shared employee with the County Department of Public Works; and

WHEREAS, the County and SUNY Erie have proposed that SUNY Erie will hire a full-time employee that will spend approximately 60% of his/her time on legal matters involving SUNY Erie, and approximately 40% of his/her time on legal matters involving the Erie County Department of Law; and

WHEREAS, there is currently a full-time employee in the Erie County Department of Law who is SUNY Erie’s primary point of contact, and who would serve in an Interim role of SUNY Erie’s Executive Director of Legal Affairs, and would be a shared employee with the County under this shared employee agreement. The annual salary for the position will be \$160,000, of which SUNY Erie would pay \$100,000 of the salary annually, plus fringes, and the County would reimburse SUNY Erie \$60,000 of the salary annually; and

WHEREAS, on August 29, 2024, SUNY Erie’s Board of Trustees authorized its President and/or her staff to negotiate and execute a written agreement with the County as to the terms and conditions of the shared employee arrangement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into an agreement with SUNY Erie for the purposes of a shared employee arrangement which shall continue into future years; and be it further

RESOLVED, that authorization is hereby given to amend the Division of Law’s 2024 Adopted Budget (Fund 110, Funds Center 16010) as follows:

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

APPROPRIATIONS	CHANGE
500000 Full Time - Salaries	(\$15,000)
516055 Department Payments to SUNY ERIE	<u>\$15,000</u>
TOTAL	<u>\$ 0</u>

and be it further

RESOLVED, that authorization is hereby given to appropriate the pro-rated amount of \$15,000 for reimbursement of the shared employee’s salary for the remainder of 2024; and be it further

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

**JEANNE M. VINAL
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 145

October 3, 2024	PUBLIC SAFETY 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. 16E-6 (2024)
COUNTY EXECUTIVE: “Appointments to the Fire Advisory Board”
(Chair’s Ruling)

2. COMM. 16E-29 (2024)
SHERIFF
WHEREAS, it is the mission of the Erie County Sheriff’s 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 Medication Assisted Treatment program has assisted thousands of Incarcerated Individuals with addiction treatment since its launch in July 2022; and

WHEREAS, the Erie County Sheriff’s Office wishes to hire two Licensed Master Social Workers to work in the Community Reintegration Division of the Jail Management Division; and

WHEREAS, these social workers would provide one-on-one and group counseling for MAT program participants; and

WHEREAS, the Erie County Sheriff’s Office wishes to delete a Senior Account Clerk Typist-Civil position and add a Principal Account Clerk Typist-Civil position within the Jail Management Division; and

WHEREAS, the Erie County Sheriff’s Office wishes to add a Correction Officer CF position to work within the forestry program at the Erie County Correctional Facility; and

WHEREAS, the Erie County Sheriff’s Office wishes to delete four vacant positions to create a cost-savings for the county; and

WHEREAS, these transactions will save \$704.00 on the 2024 county budget; and

WHEREAS, the 23rd pay period of 2024 commences on October 19th, 2024.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff’s Office and Personnel Department to delete the following positions:

<u>Delete</u>	<u>Cost Center</u>	<u>Delete</u>
Head Nurse (Holding Center) (FT) – 51007834	1165020	89,760
Head Nurse (Holding Center) (FT) – 51010781	1165020	89,760
Sr. Account Clerk Typist-Civil (FT) – 8138	1161020	58,899
Kitchen Helper (Holding Center) (FT) – 5426	1161040	41,500
TOTAL DELETE		279,919

and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff’s Office and Personnel Department to create the following full-time positions, commencing with the beginning of the 23rd pay period of 2024:

<u>Add</u>	<u>Cost Center</u>	<u>Add</u>
Licensed Master Social Worker (JG 8)	1161090	80,080
Licensed Master Social Worker (JG 8)	1161090	80,080
Principal Account Clerk Typist-Civil (JG 7B)	1161020	63,698
Correction Officer CF (JG 11)	1163020	55,357
TOTAL ADD		279,215

and be it further

RESOLVED, the Director of Budget and Management and the 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 County Comptroller, the Division of Budget and Finance, the Personnel Department and the Sheriff's Office for implementation.
(6-0)

**JOHN J. GILMOUR
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

October 3, 2024	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 16E-20 (2024)
COUNTY EXECUTIVE

WHEREAS, a grantmaking fund was created under Office of Children and Family Services (OCFS) for the purpose of providing annual awards to support sports programs for underserved children and youth between the ages of 6 and 17; and

WHEREAS, these awards are designed to promote positive youth development and family engagement; and

WHEREAS, the Department of Social Services -Youth Bureau has been awarded funding in the amount of \$223,430; and

WHEREAS, the Department of Social Services -Youth Bureau distributed a request for proposal (RFP #2024-018VF) to interested parties and the Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to accept \$223,430 in State Aid to provide Youth Sports and Education services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

Department of Social Services-Youth Bureau
Fund 110, Funds Center 12530

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
408055	Youth Sports and Education	<u>\$223,430</u>
	TOTAL	<u>\$223,430</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
517874	Youth Sports and Education	<u>\$223,430</u>
	TOTAL	<u>\$223,430</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to enter into contract with the community providers (RFP 2024-018VF) in the amount of \$223,430 for the provision of Youth Sports and Education Services; 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 authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

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

(6-0)

2. COMM. 16E-21 (2024)
COUNTY EXECUTIVE

WHEREAS, a new fund was created under Office of Children and Family Services (OCFS) for the purpose of providing annual awards to support youth team sports programs for underserved children and youth under the age of 18; and

WHEREAS, these awards are designed to promote positive youth development; and

WHEREAS, the Department of Social Services-Youth Bureau has been awarded funding in the amount of \$472,082; and

WHEREAS, the Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2023-056VF) to interested parties and the Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to accept \$472,082 in State Aid to provide Youth Team Sports services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

Department of Social Services-Youth Bureau
Fund 110, Funds Center 12530

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
408056	Youth Team Sports	<u>\$472,082</u>
	TOTAL	<u>\$472,082</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
517880	Youth Team Sports	<u>\$472,082</u>
	TOTAL	<u>\$472,082</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to enter into contract with the community providers (RFP 2023-056VF) in the amount of \$472,082 for the provision of Youth Sports Services; 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 authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

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

(6-0)

3. COMM. 16E-22 (2024)
COUNTY EXECUTIVE

WHEREAS, the New York State Office of Children and Family Services (OCFS) established Youth Development Program allocations based on youth census data in each county; and

WHEREAS, these awards are designed to provide a variety of developmental opportunities to youth under 21years of age; and

WHEREAS, the Department of Social Services-Youth Bureau has been awarded funding in the amount of \$806,055; and

WHEREAS, the Department of Social Services-Youth Bureau distributed a request for proposal (RFP #2024-011VF) to interested parties and the Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards, and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive and Deputy County Executive to accept \$806,055 in State Aid to provide Youth Development Program services to Erie County Youth and the 2024 Adopted Budget be amended as follows:

Department of Social Services-Youth Bureau
Fund 110, Funds Center 12530

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>CHANGE</u>
408020	Youth – Reimbursement	<u>\$806,055</u>
	TOTAL	<u>\$806,055</u>

<u>ACCOUNT</u>	<u>APPROPRIATION</u>	<u>CHANGE</u>
517876	Youth Development Programs	<u>\$806,055</u>
	TOTAL	<u>\$806,055</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive and Deputy County Executive to enter into contract with the community providers (RFP 2024-011VF) in the amount of \$806,055 for the provision of Youth Development Programs; 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 authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

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

(6-0)

4. COMM. 16E-28 (2024)
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature hereby confirms the appointment of Karen Rybicki to the position of the Commissioner of the Department of Social Services.

(6-0)

**LAWRENCE J. DUPRE
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

October 3, 2024	SMALL BUSINESS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BARGNESI.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.
(Chair’s Ruling)

**JEANNE M. VINAL
CHAIR**

LEGISLATOR RESOLUTIONS

Item 17 – CHAIR BASKIN directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 17-1 from BASKIN & MEYERS. A Resolution Adjusting from the Income Limits for an Erie County Senior Citizen Property Tax Exemption

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

RE: Re-Appropriation of Cultural
Agency Funding
(INTRO. 17-2)

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

WHEREAS, the Old First Ward Community Center was awarded \$100,000 in Cultural Agency Capital funding by the Erie County Legislature in Intro. 12-3 (2024); and

WHEREAS, the organization was incorrectly listed as the recipient organization and the funding should be transferred to the correct organization; and

WHEREAS, the funding was intended for Buffalo River Fest Park, a non-profit organization whose mission is to preserve, protect, and work to beautify Buffalo's waterfront and the Buffalo River and promote educational and recreational events in connection therewith; 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 the \$100,000 of Cultural Agency Capital funding to Buffalo River Fest Park; 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, including the creation of any general fund or capital project accounts; and be it further

RESOLVED, the Department of Environment and Planning is authorized to review the above project pursuant to 6 N.Y.C.R.R. § 617.1 to determine the environmental impact of the projects listed above to per the State Environmental Quality Review Act; and

RESOLVED, that authorization is hereby given to the Comptroller's Office, following the necessary approvals of the Division of Budget & Management and Department of Environment and Planning, to make payment up to the contractual limit indicated above; and be it further

RESOLVED, that authorization is hereby given to the Department of Law and County Executive/ Deputy County Executive to execute easements, deed restrictions, intermunicipal agreements and/or place additional requirements on the aforementioned contracting entity and associated real property (project location) as necessary to implement the projects; 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.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

RE: Appointment of Commissioners
of Elections
(INTRO. 17-3)

**A RESOLUTION TO BE SUBMITTED BY
THE LEGISLATURE**

WHEREAS, on September 30, 2024, pursuant to Election Law §3-204(2), the Erie County Democratic Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Jeremy Zellner, residing at 613 Niagara Street, Tonawanda, New York 14150, for appointment to the office of Democratic Commissioner of Elections for a full four-year term; and

WHEREAS, on October 3, 2024, pursuant to Election Law §3-204(2), the Erie County Republican Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, for appointment to the office of Republican Commissioner of Elections for a full four-year term; and

WHEREAS, said appointments are to commence January 1, 2025.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Jeremy Zellner, residing at 613 Niagara Street, Tonawanda, New York 14150, as Democratic Commissioner of Elections for a full four-year term commencing January 1, 2025; and be it further

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, as Republican Commissioner of Elections for a full four-year term commencing January 1, 2025; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioners of the Erie County Board of Elections; and pursuant to Election Law §3-210, a certificate of appointment of Commissioners Jeremy Zellner and Ralph M. Mohr shall be filed in the Erie County Clerk's Office and the New York State Board of Elections.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

There were none.

SUSPENSION OF THE RULES

Item 20 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 17D-3 from the COUNTY ATTORNEY Re: Opinion as to Form Local Law Intro No. 6-1 2024

CHAIR BASKIN directed that the item be received, filed and printed.

GRANTED.

October 8, 2024

Via Email Only

Hon. April N.M. Baskin, Chairwoman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 6-1 2024

Dear Chairwoman Baskin:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 6-1 2024 (6-1).

Preemption

Under New York state law, preemption occurs when a local law directly conflicts with a state statute, or where a state statute expressly states that local laws on a given subject matter are preempted. Preemption can also occur where the State Legislature has assumed full regulatory responsibility in a field related to the proposed local law.

Here, 6-1 does not present any direct conflicts with state statute and since the State Legislature has not taken specific action to assume sole regulatory authority on this topic, 6-1 does not present a preemption issue of concern.

Grammar

The stated purpose of 6-1 is to mandate the development of County Agency-specific language access plans, practices and training in the County of Erie. We find the grammar and usage of 6-1 to be sufficient in order to achieve the stated purpose.

Ambiguities

While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, 6-1 does not present any facial ambiguities that would frustrate its implementation and enforcement.

Conclusion

We find that Local Law Intro. 6-1 2024 is sufficient as to form.

Very truly yours,
JEREMY C. TOTH

Erie County Attorney

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE SHERIFF

Item 21 – (COMM. 17E-1) Acceptance of Smart Reentry Grant

Item 22 – (COMM. 17E-2) Acceptance of FY2024 Port Security Grant

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

FROM THE COUNTY EXECUTIVE

Item 23 – (COMM. 17E-3) Appointments to the Erie County Charter Review Commission

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 24 – (COMM. 17E-4) Response to Letter Concerning Deputy Comptroller for Audit

Item 25 – (COMM. 17E-5) Sales and Compensating Use Tax Report - June, July & August 2024

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

FROM THE SHERIFF

Item 26 – (COMM. 17E-6) Ownership Transfer of K9 Ciro

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 27 – (COMM. 17E-7) Certificate of Determination - Buffalo Bills Stadium Project Bond

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 28 – (COMM. 17E-8) Appointments to the Youth Services Board

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 29 – (COMM. 17E-9) ECSD No. 3 - Proposed Increase and Improvement of Facilities

Item 30 – (COMM. 17E-10) ECSD No. 3 - Engineering Term Contract Agreement (DD-3)

Item 31 – (COMM. 17E-11) ECSD No. 3 - Engineer Term Contract Agreement (GHD-4)

Item 32 – (COMM. 17E-12) ECSD Nos. 1 & 4 Construction Close Out - Rehabilitation of Borden Road

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

FROM THE COUNTY EXECUTIVE

Item 33 – (COMM. 17E-13) Rehabilitation of Abbott and Willet Roads - Erie County Sewers Repairs

Item 34 – (COMM. 17E-14) Rehabilitation of Dodge Road - Contract for Engineering Design Services

Item 35 – (COMM. 17E-15) 2022 On-Call General Civil Engineering & Land Survey Services, Countywide Term Agreement Amendment 1

Item 36 – (COMM. 17E-16) Rath Building Elevator Modernization Project - Contingency Fund Increase

Item 37 – (COMM. 17E-17) Authorization to Enter into Contract with Lightspeed Commerce Inc.

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

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 17E-18) Authorization to Enter into Contract with P&A Group

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE & SHERIFF

Item 39 – (COMM. 17E-19) Creation of Shared Regional Medical Director Position

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$229,251.82 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
2024 General Election
150GENERALELECTION2024
4/1/2024 to 3/31/2025

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>CHANGE</u>
409000	State Aid Revenues	<u>\$229,251.82</u>
	TOTAL	<u>\$229,251.82</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>CHANGE</u>
505000	Office Supplies	\$100,000
516020	Pro Services, Contracts and Fees	\$65,000
516030	Maintenance Contracts	\$100
530000	Other Expenses	\$63,951.82
545000	Rental Charges	\$100
561410	Lab and Technical	\$100
	TOTAL	<u>\$229,251.82</u>

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$364,407.06 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
Ballot by Mail
150BALLOTBYMAIL2024
4/1/2024 to 3/31/2025

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>CHANGE</u>
409000	State Aid Revenues	<u>\$364,407.06</u>
	TOTAL	<u>\$364,407.06</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>CHANGE</u>
505000	Office Supplies	\$100,000
516020	Pro Services, Contracts and Fees	\$62,000.06
516030	Maintenance Contracts	\$100
530000	Other Expenses	\$202,107
545000	Rental Charges	\$100
561410	Lab and Technical	\$100
	TOTAL	<u>\$364,407.06</u>

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept \$714,809.51 from NYS Board of Elections and be made available as a grant to the Erie County Board of Elections in Fund 281, Funds Center 1500020 as follows:

Erie County Board of Elections
Electronic Poll Book
150ELECTRONICPOLLBOOK2024
4/1/2024 to 3/31/2025

<u>ACCOUNT</u>	<u>REVENUES</u>	<u>CHANGE</u>
409000	State Aid Revenues	\$714,809.51
	TOTAL	<u>\$714,809.51</u>

<u>ACCOUNT</u>	<u>APPROPRIATIONS</u>	<u>CHANGE</u>
505000	Office Supplies	\$14,609.51
516020	Pro Services, Contracts and Fees	\$50,000
516030	Maintenance Contracts	\$50,000
530000	Other Expenses	\$100
545000	Rental Charges	\$100
561410	Lab and Technical	\$600,000
	TOTAL	<u>\$714,809.51</u>

and be it further

RESOLVED, that authorization is hereby given for a no-cost time extension for four existing State of New York grants: Absentee Ballot Pre-Paid Postage (150ABSENTEEPOST2022), Early Voting Expansion (150EARLYVOTING2122), Early Voting Aid to Localities (150EARLYVOTING2122), and Election Cybersecurity Remediation (150CYBERSECURITY1921) as well as future no-cost time extensions of New York State grants to the Erie County Board of Elections; 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 with the approval of the grantor, the Director of Budget and Management, and subject to the provision of notice to the Erie County Legislature; 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 grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; 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 authorization is hereby given to the Director of the Division of Budget to amend contracts as necessary to implement any no-cost extension that may be permitted by the grantor; and be it further

RESOLVED, that authorization is hereby given to the Director of Purchasing to create all necessary documents to allow for eligible purchases authorized by the 2024 General Election Grant, the Ballot by Mail Grant, and the Electronic Poll Book Grant; and that it be further

RESOLVED, that the Clerk of the Legislature is hereby instructed to forward certified copies of this resolution to the County Executive's Office, Comptroller's Office, Department of Law, Division of Budget and Management, Division of Purchasing, and Board of Elections.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

Item 43 – CHAIR BASKIN directed that the following resolution be received, filed and printed.

GRANTED.

COMM. 17M-1 from THE ERIE COUNTY REPUBLICAN COMMITTEE. 2024 Certificate of Recommendation for Republican Commissioner of Elections.

To the Clerk of the County Legislature, County of Erie:

I, Michael A. Kracker, certify that at a meeting of the county committee members of the Erie County Republican Committee, held on the 30th day of September, 2024, at the Knights of Columbus located at 2735 Union Rd, Cheektowaga, NY 14227, conducted pursuant to the provisions of the election law of the state of New York and the rules of the Erie County Republican Committee, a quorum being present,

Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086

was unanimously recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections for a full four year term commencing January 1, 2025 and ending December 31, 2028, and that said designee is a registered voter of the County of Erie and a duly enrolled member of the Republican Party.

Dated at Buffalo, New York
October 3, 2024

Michael A. Kracker, Chairman
Erie County Republican Committee

Item 44 – CHAIR BASKIN directed that the following resolution be received, filed and printed.

GRANTED.

COMM. 17M-2 from THE ERIE COUNTY DEMOCRATIC COMMITTEE. 2024
Certificate of Recommendation for Democratic Commissioner of Elections.

**To the Clerk of the Erie County Legislature:
We do hereby certify that:**

At the biennial reorganization meeting of the Erie County Democratic Committee, duly convened and held at the Buffalo Niagara Convention Center, 153 Franklin St., Buffalo NY 14202, County of Erie, and State of New York, on the 28th of September, 2024, under the provisions of section 3-204 of the Election Law of the State of New York and the rules of the Erie County Democratic Committee, a quorum of members of such committee being present,

Jeremy J. Zellner, residing at 613 Niagara St., Tonawanda, NY 14150 (City of Tonawanda) was recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections. Said designee is a registered voter of the County of Erie and a duly enrolled member of the Democratic Party.

September 28, 2024
Buffalo, New York

IN WITNESS WHEREOF, we have made and executed this Certificate, this 30th day of September 2024

Jeremy J. Zellner, Chair and Presiding Officer
Erie County Democratic Committee

Jennifer L. Hibit, Secretary
Erie County Democratic Committee

FROM THE BOARD OF HEALTH CHAIR

Item 45 – (COMM. 17M-3) Notification of Board of Health Meeting

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE BOARD OF ETHICS CHAIR

Item 46 – (COMM. 17M-4) EC Board of Ethics - 2023 Annual Report of Activities

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 47 – Chair Baskin announced that the Legislature will conduct committee meetings on Thursday, October 17, 2024, and the schedule will be distributed. Chair Baskin further announced that the next session of the Legislature will be held on Thursday, October 24, 2024.

MEMORIAL RESOLUTIONS

Item 48 – Legislator Meyers requested that when the Legislature adjourns, it do so in memory of Deborah M. Nowak.

Item 49 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Audrey A. Hamernik.

Item 50 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Patricia A. Healy, and Joan B. Litwin.

ADJOURNMENT

Item 51 – 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, October 24, 2024 at 12:00 Noon. MR. GILMOUR seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, October 24, 2024 at 12:00 Noon.

**OLIVIA M. OWENS
CLERK OF THE LEGISLATURE**