

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 8**  
**APRIL 24, 2025**

The Legislature was called to order by Chair Meyers.

All members present.

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

The Pledge of Allegiance was led by Chair Meyers.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. GILMOUR moved for the approval of the minutes for Meeting Number 7 from 2025. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – Miscellaneous Resolutions were offered, as follows:

MAJORITY CAUCUS	Acknowledging World Semicolon Day in Erie County
MAJORITY CAUCUS	Celebrating Earth Day in Erie County
MAJORITY CAUCUS	Acknowledging National Librarian Day in Erie County
DUPRE	Honoring The Dance Camp during National Dance Week
DUPRE	Honoring Big Ditch during National Beer Day
ST. JEAN TARD	Honoring Mortalis Brewing Company during National Beer Day
ST. JEAN TARD	Honoring Neglia Conservatory of Ballet during National Dance Week
KOOSHOIAN	Honoring Step in Time Studio of Dance during National Dance Week

KOOSHOIAN	Honoring Froth Brewing Company during National Beer Day
BARGNESI	Honoring Fusion Dance Studio during National Dance Week
BARGNESI	Honoring Beer Kind Brewing during National Beer Day
VINAL	Honoring Darlene Ceglia's Dance Project during National Dance Week
VINAL	Honoring Britesmith Brewing during National Beer Day
GREENE	Celebrating National Volunteer Week and Honoring Kim Podpora
GREENE	Celebrating National Volunteer Week and Honoring Alyssa Russillio
GREENE	Celebrating National Volunteer Week and Honoring David Drabinski
GREENE	Celebrating National Volunteer Week and Honoring Annette Helda
GREENE	Celebrating National Volunteer Week and Honoring Dawn Evans
GREENE	Celebrating National Volunteer Week and Honoring Liz Girardi
GREENE	Celebrating National Volunteer Week and Honoring Kathi Lederman
GREENE	Celebrating National Volunteer Week and Honoring Megan Schapp
GREENE	Celebrating National Volunteer Week and Honoring Bridget Scott
GREENE	Celebrating National Volunteer Week and Honoring Dr. Pei Grant
MEYERS	Honoring Center Stage Dance Studio during National Dance Week
MEYERS	Honoring Buffalo Olde Brewery during National Beer Day
TODARO	Congratulating Jeff Jondle on His Retirement as the President of the Erie County Federation of Sportsmen's Clubs
TODARO	Honoring the Bowmansville Garden Club During National Lawn and Garden Month
TODARO	Honoring Mitchells Greenhouse During National Lawn and Garden Month
TODARO	Recognizing Cultured Landscaping During National Lawn and Garden Month
TODARO	Honoring the Cheektowaga Garden Club During National Lawn and Garden Month

TODARO	Honoring the Alden Garden Club During National Lawn and Garden Month
TODARO	Honoring the Lancaster Garden Club During National Lawn and Garden Month
TODARO	Honoring Adams Nursery & Garden Center During National Lawn and Garden Month
GILMOUR	Honoring Charlotte Croscutt and Jennifer Short during Girl Scout Leader Appreciation Day
GILMOUR	Honoring Future Dance Center during National Dance Week
GILMOUR	Honoring Hamburg Brewing Company during National Beer Day
LORIGO	Recognizing Seneca Greenhouse & Garden Shop on Gifts from the Garden Month
LORIGO	Honoring Dylan Trzepacz on Receiving the Robert Insalaco Youth Award for Heroism
LORIGO	Honoring Edgar C. Wilke on His 100th Birthday
LORIGO	Recognizing Telco Construction on Building Safety Month
MILLS	Honoring Sue and Andy Benz during National Volunteer Week
MILLS	Honoring Gene Degraff during National Volunteer Week
MILLS	Honoring Darlene Wittmeyer during National Volunteer Week
MILLS	Honoring Cheryl and Ken Campell during National Volunteer Week
MILLS	Honoring Deb and Bill Anderson during National Volunteer Week
MILLS	Honoring Fred Turner during National Volunteer Week
MILLS	Honoring Carol DeNysschen during National Volunteer Week
MILLS	Honoring Donna Sullivan during National Volunteer Week
MILLS	Honoring Walh Performing Arts Studios on International Dance Day
MILLS	Honoring Performing Arts Dance Academy on International Dance Day

MR. GILMOUR moved for consideration of the above fifty items. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to amend the above fifty items by including Et Al Sponsorship. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved for approval of the above fifty items as amended. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

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

GRANTED.

Item 7 – CHAIR MEYERS directed that Local Law No. 5 (Print #2) 2024 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 8 – CHAIR MEYERS directed that Local Law No. 7 (Print #1) 2024 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

There were none.

### **LEGISLATOR RESOLUTIONS**

Item 9 – CHAIR MEYERS directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 8-1 from VINAL. A Resolution Calling on President Donald J. Trump to Honor His Promise to Fully Repeal the Cap on State and Local Tax (SALT) Deductions.

Item 10 – CHAIR MEYERS directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 8-2 from the MINORITY CAUCUS. A Resolution Opposing the EC Charter Revision Commission's Consideration of any Proposal to Remove a Public Referendum on the Approval of Sales Tax & Eliminating the Need for a Supermajority Vote to Extend Sales Tax Without a Public Referendum.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 11 – MR. GILMOUR moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of INTRO. 6-1 (2024). MS. VINAL seconded.

CARRIED UNANIMOUSLY.

MR. GILMOUR moved to approve INTRO. 6-1 (2024). MS. VINAL seconded.

CARRIED. 10-1 (MR. KOOSHOIAN in the negative.)

RESOLUTION NO. 71

RE: Opposing Wind Turbines in Lake Erie's Waters

WHEREAS, Erie County, New York lies along the shore of Lake Erie, the 12th largest lake in the world; and

WHEREAS, Lake Erie is the shallowest, warmest and most biologically productive of the five Great Lakes; and

WHEREAS, more fish are produced each year for human consumption from Lake Erie than the total from the other four Great Lakes combined; and

WHEREAS, Lake Erie is fed by a drainage basin that is 22,720 square miles and is an important source of drinking water for approximately 11 million people; and

WHEREAS, Lake Erie is the source of water for Niagara Falls, a tourist attraction known for its natural beauty and a major source of hydroelectric power, supplying one-quarter of the power used in New York State and Ontario; and

WHEREAS, Erie County understands the importance of Lake Erie to health, tourism, industry, recreation and quality of life; and

WHEREAS, the installation of windmills on Lake Erie could negatively impact the quality of life for residents in Erie County; and

WHEREAS, the Erie County legislature is concerned that New York State and/or a body created under the auspices of the State might allow private and/or public entities build or direct to be placed wind turbines in the water of Lake Erie; and

WHEREAS, the Erie County Legislature is concerned about the impact of such structures on human and wildlife habitats that depend on Lake Erie; and

WHEREAS, the New York State Energy and Development Authority (NYSERDA) conducted a study, which was completed in 2022, which concluded "Great Lakes wind is technically feasible and potentially economically feasible in some locations of the Great Lakes, however some major gaps in the available data were identified that contribute to high uncertainty"; and

WHEREAS, understanding the deep concern about installing wind turbines in the Great Lakes in the midst of this "high uncertainty," United States H.R. 426, the "Lakes Before Turbines Act," has been introduced to protect our environment and local economies from ill- advised wind energy projects on the Great Lakes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the installation of offshore wind turbines in the waters of Lake Erie and requests that a moratorium be imposed on any such projects; and be it further

RESOLVED, that the Erie County Legislature supports the passage and implementation of H.R. 426, the "Lakes Before Turbines Act"; and be it further

RESOLVED, that a copy of this resolution be transmitted to the Governor of New York State, the local delegations of the New York State Senate and Assembly, the local delegation of the United States House of Representatives, and the two United States Senators from the State of New York.

### **SUSPENSION OF THE RULES**

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

GRANTED.

INTRO. 8-3 from ST. JEAN TARD Re: Re-Appropriation of Community/Neighborhood Development Funds to the Buffalo African American Museum

MR. GILMOUR moved to approve the item. MS. VINAL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

RE: Re-Appropriation of Community/Neighborhood

Development Funds to the Buffalo African  
American Museum

WHEREAS, the Erie County Legislature has historically supported community enrichment and cultural heritage initiatives through allocations from Fund 110, Fund Center 1332010 Community/Neighborhood Development; and

WHEREAS, the Buffalo African American Museum, located at 108 Gillette Avenue, Buffalo, NY 14214, serves as a vital institution preserving, celebrating, and educating the public about the contributions of African Americans in Buffalo and beyond; and

WHEREAS, it is the intention of this Honorable Body to appropriate \$25,000 from Community/Neighborhood Development funds to support the programming, outreach, and operational capacity of the Buffalo African American Museum.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to allocate \$25,000 in Community/Neighborhood Development funds (Fund 110, Fund Center 1332010) to the Buffalo African American Museum; and be it further

RESOLVED, that the Director of the Division of Budget and Management is authorized to make all necessary adjustments to effectuate the intent of this resolution and to coordinate with the Office of the Erie County Comptroller as needed; 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 FROM ELECTED OFFICIALS**

**FROM THE SHERIFF**

Item 13 – (COMM. 8E-1) Reappointment to the ECCSAB

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 14 – (COMM. 8E-2) ECSD No. 6: Public Benefit Services Agreement - Buffalo Olmsted Parks Conservancy

Item 15 – (COMM. 8E-3) ECSD No. 3 - Southtowns Advanced Wastewater Treatment Facility, Bid Opening

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

FROM THE COUNTY EXECUTIVE

Item 16 – (COMM. 8E-4) 2025 Overlay A - Contract for Construction Services, ECDPW Project

Item 17 – (COMM. 8E-5) Bridge NY Culvert Project Agreements with NYSDOT & Contract for Engineering Design Services

Item 18 – (COMM. 8E-6) 2023-2024 On-Call/Emergency Bridge and Culvert Engineering Services Amendment

Item 19 – (COMM. 8E-7) 2025 Budget Transfer - Commissioner's Cost Center

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

FROM THE COUNTY EXECUTIVE

Item 20 – (COMM. 8E-8) Erie County Buffalo River RAP Project Extension

Item 21 – (COMM. 8E-9) Property Transfer of Nine Old Land Reclamation Site Parcels from County to Village of Depew

Item 22 – (COMM. 8E-10) ECSD No. 3 - Air Permit Assistance Term Contract Agreement

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

FROM THE COUNTY EXECUTIVE

Item 23 – (COMM. 8E-11) 2024 Year-End Budget Balancing Amendments and Designations

Item 24 – (COMM. 8E-12) Position Associated with Local Law Intro. No. 3-2-2025

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

FROM THE COUNTY EXECUTIVE

Item 25 – MR. GILMOUR presented the following resolution and moved for immediate consideration and approval. MS. VINAL seconded.

CARRIED UNANIMOUSLY.



RESOLUTION NO. 73

RE: Assembly & Senate Bill Home Rule Request for the Passage of Legislation Authorizing Extension of Additional 1.0% and Additional 0.75% Sales & Compensating Use Tax (COMM. 8E-13)

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$390 million in the Erie County budget, and

WHEREAS, Assembly Bill No. A.7753 and Senate Bill No. S.5247, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2025 to November 30, 2027;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.7753 entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$390 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$390 million in the Erie County budget, and

WHEREAS, Senate Bill No. S.5247 and Assembly Bill No.A.7753, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2025 to November 30, 2027;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S.5247, entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$390 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Senate and two copies to the New York State Assembly.

### **COMMUNICATIONS FROM THE DEPARTMENTS**

#### **FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 26 – (COMM. 8D-1) Quarterly Capital Projects Update Report

Item 27 – (COMM. 8D-2) February 2025 Budget Monitoring Report

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

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE TOWN OF LANCASTER BUILDING & ZONING DEPARTMENT**

Item 28 – (COMM. 8M-1) Support for The Zombie Property Task Force

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NFTA EXECUTIVE DIRECTOR**

Item 29 – (COMM. 8M-2) Metro Cash Flow Statements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 30 – Chair Meyers announced that the Legislature will conduct committee meetings on Thursday, May 1, 2025, and the schedule will be distributed. Chair Meyers further announced that the next session of the Legislature will be held on Thursday, May 8, 2025.

**MEMORIAL RESOLUTIONS**

Item 31 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Richard C. Osborne.

Item 32 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Nancy R. Lyon.

**ADJOURNMENT**

Item 33 – At this time, there being no further business to transact, CHAIR MEYERS announced that the Chair would entertain a Motion to Adjourn.

MR. TODARO moved that the Legislature adjourn until Thursday, May 8, 2025 at 11:30 AM. MR. GREENE seconded.

CARRIED UNANIMOUSLY.

CHAIR MEYERS declared the Legislature adjourned until Thursday, May 8, 2025 at 11:30 AM.

**OLIVIA M. OWENS**

**CLERK OF THE LEGISLATURE**