REGULAR TOWN BOARD MEETING- Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:00 p.m., open to the public and practicing safe social distancing amid the Covid 19 virus crisis at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. Roll Call followed.

Town Board Members Present:
Councilman Geoffrey Hack
Councilman William Kolacki
Councilwoman Karen Kline
Councilwoman Roberta Herr
Supervisor Michael Kasprzyk

Other Officials Present:
Town Clerk Jill M. Zientek

APPROVAL OF TOWN BOARD MEETING MINUTES
RESOLUTION #30-2020
Motion made by Councilwoman Kline and seconded by Councilman Kolacki to approve the March 11, 2020 Regular Meeting minutes
5 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

SUPERVISOR’S REPORT
A. The Town of Holland and the Holland Kiwanis have offered publicly to provide residents with any food or prescription needs as needed.
B. Meals on Wheels is still in operation during the Covid 19 crisis but have split the routes to single persons for safe social distancing.
C. Rural Transit has ceased operation during the Covid 19 crisis
D. Supervisor Kasprzyk is preparing for the effects on Erie County Sales Tax revenue during the Covid 19 crisis.

COMMITTEE REPORTS
Buildings- Councilman Kolacki-new outdoor lighting is complete
Beautification- Councilwoman Herr will watch the updates for social distancing for the Covid 19 crisis to potentially cancel the summer Music in the Park series of events.

COMMUNICATIONS
A. Zoning Board of Appeals minutes. One variance granted.


GRANT WRITER – Jill Zientek


NEW BUSINESS

A. Iron, Magenese and Methane Removal System- Water District

RESOLUTION # 31-2020

STATUTORY INSTALLMENT BOND RESOLUTION

WHEREAS, the Town Board of the Town of Holland, by a resolution duly adopted on the 8TH day of April, 2020, authorized the Town to enter into a Contract with TC Water, Inc. in regard to a proposal dated January 28, 2020, for the completion of the water supply for the Holland Water District #1 at a total cost of $97,295.00 with estimated additional cost to the Town for a total of $100,000, such cost to be paid from the proceeds of the obligations issued pursuant to Local Finance Law,

NOW, THEREFORE, BE IT RESOLVED:

1. The specific object or purpose for which obligations are to be issued pursuant to this resolution is to finance the cost of water supply completion in conformity with the New York State Department of Health.

2. The maximum cost of such materials and service is $100,000, and the plan of financing such cost is as follows:

   $97,295.00 is to be provided for the completion of the water supply and current funds in the amount of $2,705.00. The total cost is to be provided by the issuance of a statutory installment bond in the amount of $100,000 pursuant to this Resolution.

3. The following determinations are made:

   (a) The probable period of usefulness of the water supply is 40 years.

   (b) The subdivision of paragraph A of section 11.00 of the Local Finance Law which is applicable in the circumstances is subdivision “1”.

   (c) The proposed maturity of the obligation authorized will not be in excess of 10
years.

4. That the Town of Holland on behalf of the Holland Water District #1 to issue its statutory installment bond in the amount of $100,000 to finance such cost in accordance with the financial plan as herein described. Such bond shall be dated as of the date of the issuance.

5. Such bond shall be in the amount of $100,000, and shall mature 10 years from the date of the bond and shall be paid in equal annual installments of $10,000 on the 1st year of the bond together with interest at the rate to be determined by public bidding.

The power to determine the date upon which such installments of principal and of interest shall become due and payable is hereby delegated to the Supervisor. The bond shall be issued in bearer form without coupons and shall not contain a power to convert to registered form. The bond shall bear interest at a rate not exceeding five per cent payable per annum payable semi-annually. Both the installments of principal and the interest on this bond shall evidence by notation on the bond at the time of the payment. The bond shall be in the form as approved by the Town Board upon issuance of the statutory installment bond.

6. The Supervisor is hereby delegated the power to prepare such bond and to sell such bond at private sale at an interest rate not to exceed five percent rate said interest to be borne by such bond within the limitations as set forth in this resolution. The Supervisor shall deliver such bond to purchaser thereof only against cash or certified check. The proceeds of the sale of the bond shall be deposited in a special bank account as required by section 165.00 of the Local Finance Law. The powers delegated to the Supervisor by this resolution shall be exercised in conformity with the provision of the Local Finance Law.

7. The validity of said statutory installment bond issued in the anticipation of the sale of said bond may contested only if:

   1. (a) Such obligations are authorized for an object or purposed for which the Town is not authorized to expend money, or

   (b) The provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication, or
2. Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

8. The Town Clerk is hereby authorized and directed to publish this resolution with a Notice and substantially the form provided by section 81 of the Local Finance Law and section 92 of the New York Town Law in the newspaper of general circulation in the Town and designated as the official of the Town for such publication. Such Notice shall be published within 10 days of the adoption of this resolution.

9. This resolution is effective immediately.

The resolution, having received at least two-thirds vote of the members of the Town Board, being declared by the Supervisor to be duly adopted.

The question of the adoption of this resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Kasprzyk  Voted AYE
Councilwoman Kline  Voted AYE
Councilwoman Herr  Voted AYE
Councilman Hack  Voted AYE
Councilman Kolacki  Voted AYE

AYES: 5  
NAYS: 0  
ABSENT: 0

RESOLVED, the Town Clerk is hereby directed to publish notice of the Resolution subject to a permissive referendum.

B. R & S Development- 7238 Olean Rd

RESOLUTION #32-2020

A RESOLUTION REGARDING THE DECLARATION AS LEAD AGENCY

WHEREAS, R&S Property Development LLC has submitted an application of a Special Use Permit for property located at 7238 Olean Rd in the Town of Holland; and
WHEREAS, pursuant to 6 NYCRR 617.4, the proposed project is identified as a Type 1 action, requiring the determination of Lead Agency; and
WHEREAS, the Town Board of the Town of Holland is duly qualified to act as Lead Agency for environmental review of the project;
NOW, THEREFORE, BE IT,

RESOLVED that the Town Board of the Town of Holland hereby declares itself as Lead Agency of SEQRA review purposes and hereby determines that the proposed action is a Type 1 action.

DULY ADOPTED, this 8th day of April, 2020, by the following vote:
Supervisor Kasprzyk Voted AYE
Councilwoman Kline Voted AYE
Councilwoman Herr Voted AYE
Councilman Hack Voted AYE
Councilman Kolacki Voted AYE

OLD BUSINESS-
A. Attorney Bennett is finalizing the lease agreement for 7 South Main Street for the Holland Historical Society

TOWN ATTORNEY – Ronald Bennett

TOWN CLERK – Jill M. Zientek

PAYMENT OF VOUCHERS - The following vouchers were presented for payment:

- **Abstract 4** in the amount of $21,667.48
  - General District Claims as set
  - Forth in Abstract A-4

- in the amount of $152,755.13
  - Highway District Claims
  - Forth in Abstract DA-4

- in the amount of $4,371.12
  - Water District Claims
  - Forth in Abstract SW-4

- in the amount of $910.72
  - Light District Claims
  - Forth in Abstract SE-4

- in the amount of $24,259.84
  - Garbage District Claims
  - Forth in Abstract SR-4

- in the amount of $466,144.62
  - Trust and Agency Claims as set
  - Forth in Abstract TA-4

RESOLUTION #33-2020
Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland pay the preceding vouchers.
5 YEA / 0 NAY / 0 ABSTAIN
MOTION CARRIED

COMMENTS FROM THE PUBLIC- none

ADJOURNMENT – Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:24 p.m. in honor of Rita Langford

RESPECTFULLY SUBMITTED,
Jill M. Zientek

Holland Town Clerk
April 30, 2020

Michael Kasprzyk  
47 Pearl Street  
PO Box 36  
Holland, NY 14080

RE: Olean Road Development

Dear Mr. Kasprzyk,

The Department does not object to the Town of Holland’s request to act as lead agency pursuant to Sections 617.6(b)(2) and (3) of 6 N.Y.C.R.R. of the Environmental Conservation Law. Based upon information provided, it appears that the proposed action could occur within a county adopted, State certified, agricultural district (see attached image).

Because the proposed action will occur within an agricultural district, protection of farmland in the wake of public projects that benefit the residents of a municipality is a priority of the Department of Agriculture and Markets. A link to the Department’s webpage is provided in this document. This site provides guidelines for construction on lands located wholly or partially within an agricultural district. These documents will provide you with some standards to follow and will address some of the possible concerns during construction. Michael Saviola is a specialist in this office that can assist you with any questions you may have on the construction aspects of this project.


Section 305(4) of the Agriculture and Markets Law (AML) requires any state agency, public benefit corporation or local government which intends to acquire land or any interest therein within a state certified agricultural district in excess of one acre on an actively operated farm or in excess of ten acres within the district, or which intends to construct or advance public funds for the construction of dwellings, commercial, or industrial facilities, or water or sewer facilities to serve non-farm structures, to file a Final Notice of Intent with the Commissioner of Agriculture and Markets and with the County Agricultural and Farmland Protection Board.
The Town is also limited in its power to impose benefit assessments, special ad valorem levies or other rates or fees in certain improvement districts or benefit areas. Section 305(5) of the AML states that:

"Within improvement districts or areas deemed benefited by municipal improvements including, but not limited to, improvements for sewer, water, lighting, non-farm drainage, solid waste disposal, including those solid waste management facilities established pursuant to section two hundred twenty-six-b of the county law, or other landfill operations, no benefit assessments, special ad valorem levies or other rates of fees charged for such improvements may be imposed on land used primarily for agricultural production within an agricultural district on any basis, except a lot not exceeding one-half acre surrounding any dwelling or non-farm structure located on said land nor on any farm structure located in an agricultural district unless such structure benefits directly from the service of such improvement district or benefited area; provided, however, that if such benefit assessments, ad valorem levies or other rates of fees were imposed prior to the formation of the agricultural district, then such benefit assessments, ad valorem levies or other rates or fees shall continue to be imposed on such land or farm structure."

If you have any questions concerning the processes noted, please contact me at (518) 457-6320 or judy.littrell@agriculture.ny.gov.

Sincerely,

Judy Littrell, Senior Environmental Analyst

Enc.
Cc: Russell Ciothier, R & S Property Development
BUDGET MODIFICATIONS

TOWN OF HOLLAND

MICHAEL KASPRZYK
Supervisor

HIGHWAY FUND

From: DA599  Unappropriated Fund Balance $28,868.00
To:     DA5130.2  Machinery- Capital Equipment $28,868.00

5/13/2020
April 2020

A Report on New York State Budget Impacts on Erie County

STEFAN I. MYCHAHLIW
ERIE COUNTY COMPTROLLER

HON. STEFAN I. MYCHAHLIW
ERIE COUNTY COMPTROLLER'S OFFICE
DIVISION OF AUDIT & CONTROL
April 9, 2020

Erie County Legislature
92 Franklin Street 4th Floor
Buffalo, New York 14202

Dear Honorable Members:

On April 2, 2020, the New York State budget was approved by the New York State Assembly and Senate and signed into law by the Governor. Because New York State’s fiscal year began on April 1, 2020, the budget was passed nearly in a timely fashion.

While timely, the budget was passed amid the most urgent public health crisis that the United States has ever experienced, with its epicenter in New York. The passage of the budget came just five days after the signing into law of the federal CARES Act, the largest aid package in United States history. It also was passed before the apex of COVID-19, with many uncertainties about the ultimate physical and fiscal impacts of the virus.

In contrast, the Erie County budget was passed by the Legislature on December 5, 2019 and the County Executive notified the Legislature of his acceptance of the budget as amended on December 12, 2019, weeks before news of COVID-19 began spreading outside of China.

When crafting the county budget, the Legislature must not only consider forecasting regarding the fiscal year ahead, which coincides with the calendar year, but it also must prognosticate about New York State’s fiscal year, which commences the following April 1. Erie County relies significantly on revenue provided in the New York State budget.

Given recent events, it may be useful to consider certain aspects of the New York State budget which were unanticipated at the time of passage and implementation of the Erie County budget. In this way, Erie County can better prepare and make adjustments to ensure that a budget deficit be avoided.
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Background

The timing of budgets can vary depending on the model it either chooses or is mandated to follow. Erie County and local governments budget according to a calendar year. School districts and colleges budget according to an academic year. New York State's fiscal year begins on April 1 each year.

Local governments and school districts tend to be intertwined with the New York State budget to varying degrees. Erie County relies on funds provided by New York State to a significant degree. So do local school districts and public colleges. As such, budgeting is frequently a challenge, requiring educated guesses as to whether New York State will include various funding which will be approved by elected officials. When these predictions turn out to be false, or other conditions arise, it may necessitate revisiting budgets to accommodate changes in expectations.

The New York State budget is a voluminous document that allocates over $100 billion in expenditures. Many of these budgetary decisions will have a significant impact on Erie County finances, while others will have either trivial or no effect at all on Erie County finances. Some of these impacts were anticipated, while others were decidedly not.

The purpose of this report is to briefly examine a few of the more significant New York State budget items as they relate to Erie County. It is not intended to be a comprehensive analysis of the New York State budget. Rather, it is intended as a tool for use in monitoring and potentially adjusting the Erie County 2020 budget.

Because the New York State fiscal year runs from April 1, 2020 through March 31, 2021, this report will refer to the budget recently passed and adopted by New York State as the 2021 budget.

Budget Balancing Failsafes

In order to help ensure that the New York State budget remains in balance, the budget director has been given authority to institute across-the-board spending cuts during certain periods and according to certain parameters. Although it is not entirely clear how these cuts will be made, the language offers some guidance that may assist local governments who rely on New York State assistance in anticipating impact on local budgets.

The New York State financial plan has been broken down into three measurement periods. We are currently in the first measurement period, which runs from April 1, 2020 through April 30, 2020. The second measurement period runs from May 1, 2020 through June 30, 2020. The third measurement period relevant to the 2020 Erie County budget runs from July 1, 2020 through December 31, 2020.

If the budget is out of balance during any measurement period, the budget director is authorized to reduce spending uniformly and across-the-board to bring the budget back toward being balanced. However, there are certain areas that are immune from spending cuts. These include:
- Public assistance payments for families and individuals and payments for eligible aged, blind and disabled persons related to supplemental social security;

- Any reductions that would violate federal law;

- Payments of debt service and related expenses for which the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service; and

- Payments the state is obligated to make pursuant to court orders or judgments.

It is somewhat unclear whether this refers to payments made directly by the state, or if it also includes payments through the county as a conduit. The distinction is somewhat moot, however, because if it refers to, for example, all public assistance payments regardless of ultimate issuing authority, the shortfall will simply be respread to eligible areas.

At this time, the Governor is anticipating a revenue shortfall of $10 billion to $15 billion. It should be assumed that triggering shortfalls will occur in each measurement period. As such, plans should be made to address a 10 to 15% decrease in New York State funding.

The 2020 Erie County budget anticipated the following revenue from New York State:

<table>
<thead>
<tr>
<th>Service/Department</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Services</td>
<td>$79,183,440</td>
</tr>
<tr>
<td>Youth Detention</td>
<td>$9,567,520</td>
</tr>
<tr>
<td>Youth Bureau</td>
<td>$1,916,550</td>
</tr>
<tr>
<td>Health Department</td>
<td>$4,451,119</td>
</tr>
<tr>
<td>Early Intervention/Special Needs</td>
<td>$38,480,727</td>
</tr>
<tr>
<td>Mental Health</td>
<td>$42,574,467</td>
</tr>
<tr>
<td>Probation</td>
<td>$3,355,994</td>
</tr>
<tr>
<td>Sheriff Police Services/ Jail Management</td>
<td>$357,869</td>
</tr>
<tr>
<td>Buildings and Grounds</td>
<td>$2,206,762</td>
</tr>
<tr>
<td>All Other Departments</td>
<td>$445,581</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$182,539,939</strong></td>
</tr>
</tbody>
</table>

The above figures do not include certain other sources of state funding, such as the road fund and certain other grants. Rather, they include sources of revenue for the operational budget. Erie County is also slated to receive $15,119,445 in grant funding and $26,786,880 in capital project funding from New York State and federal sources. Some of these funds may be impacted by budget director cuts.

Given the Governor's anticipation of a 10% to 15% revenue shortfall, Erie County could see a decrease in revenue from New York State in the range of $18,253,994 to $27,380,991. It is important to note that this anticipated revenue shortfall is independent of revenue decreases speculated as the result of sales tax revenue decreases and other revenue sources.
Aid and Incentives to Municipalities

Last year, during deliberations regarding the New York State 2020 budget, consideration was given to eliminating Aid and Incentives to Municipalities (AIM). Ultimately, New York State decided to maintain AIM, funding the program by intercepting sales tax revenues due to counties.

AIM was again included in the New York State budget at the same levels as last year. This is undoubtedly welcome news for Erie County’s municipalities. The state clarified the mechanism for funding AIM for Erie County’s municipalities, given the unique situation whereby sales tax flows through the Erie County Fiscal Stability Authority.

It is unclear whether the mechanisms authorizing the New York State budget director to uniformly reduce expenditures will affect AIM. Because the program is funded through sales tax owed to counties, reduction of AIM would not have an impact on New York State’s budget. As such, it is unlikely that AIM would be reduced.

Because AIM is a fixed number for municipalities, the program could exacerbate Erie County’s anticipated sales tax shortfall. Municipalities will be paid from a shrinking pool of available funds. Because the funding level is static, this will leave less resources ultimately available for county use.

Funding for Early Voting

The New York State 2021 budget does not include funding for early voting, as was anticipated by some. This particular exclusion is not, in and of itself, remarkable. However, during budget deliberations about Erie County’s 2020 budget, it was revealed that the budget numbers for the Board of Elections submitted in the proposed budget were not reflective of the actual elections calendar. While the Legislature made some adjustments, it was discussed that the Board of Elections budget would be revisited during the process of creating 2019 budget balancing amendments.

Of course, numerous events have occurred which affect the deliberations about the Board of Elections 2020 budget. For one, the prioritization of allocation of surplus funds from the 2019 budget may have been altered due to recent events. Further, the election year calendar has changed once, and may change again. For example, the special election for New York’s 27th Congressional District was originally scheduled to coincide with the Democratic Presidential primary on April 28, 2020. Both of these elections have now been moved to coincide with all other offices which face primary elections, currently scheduled for June 23, 2020. This date may also be subject to change.

Regardless, the budget for the Board of Elections should be revisited as a result of COVID-19 impacts, as well as possible changes in expectations due to the final New York State budget and spending priorities.
Federal Medicaid Assistance Program

Leading up to the passage of the New York State 2021 budget, there was discussion about raising the Medicaid cap on counties. For months, discussions were had regarding a multi-billion dollar deficit associated with the program. This would have the effect of increasing the costs for Medicaid to counties.

However, as a result of the COVID-19 pandemic, the federal government passed the first stimulus measure. This bill provided enhanced federal Medicaid matching funds. New York State seems to have accepted these funds, despite expressing concerns about some of the conditions associated with acceptance of the funds. The federal government has committed to providing funds for as long as the national public health emergency remains active.

New York State representatives elected to federal office have touted that this particular relief measure will provide $6.7 billion in funds for New York State if the funds are made for the entirety of the year. The funds are slated to be paid quarterly, which amounts to approximately $1.68 billion per quarter. Based on current federal requirements for sharing these funds, New York’s counties and New York City are entitled to approximately 20% of these stimulus funds. However, the exact amount that Erie County will receive, and the mechanism and timing of the receipt, is not yet known.

Fiscally Distressed Health Facilities Pool

The New York State 2021 budget includes a fund to assist fiscally distressed health facilities, such as hospitals and nursing homes. This fund will be partially funded with county share sales tax. The fund relies upon $500 million collected over two years. New York City sales tax will fund $400 million of the fund, while counties will fund $100 million from their sales tax revenue.

The funds are intended to be diverted on April 15, July 15, October 15 and January 15. However, the first several collections will be deferred until January 15, 2021, at which time four payments will be due. However, this does not change that the obligations were accrued in 2020. Based on the fact that Erie County collects 9.7% of all sales tax outside of New York City, Erie County is expected to owe $4,848,971 for New York State fiscal year 2021.

As such, Erie County faces the prospect of setting aside $4.8 million from what is anticipated to be a smaller fund of sales tax revenue in 2020, or prepare to remit $9.7 million to the fund in 2021. Either option deserves prospective discussion as part of a larger discussion regarding the budget.
Consolidated Local Street and Highway Improvement Program

The New York State 2021 budget maintains Consolidated Local Street Highway Improvement Program (CHIPS) and Marchiselli program aid at 2020 levels. These are a pool of $477.8 million from which Erie County can apply for assistance for highway projects. In addition, the $100 million budgeted for the PAVE NY program and the $100 million budgeted for BRIDGE NY program will be maintained at 2020 levels.

As stated above, these programs are subject to uniform cuts by the budget director. It is anticipated that the cuts will occur somewhere between 10% and 15%. As such, Erie County may have 10% to 15% less CHIPS, Marchiselli, PAVE NY and BRIDGE NY funds available. Given this significant reduction in funding, it is advisable for the Legislature to discuss the prioritization of highway projects and possibly the prioritization of funding projects in general, and where the highway infrastructure exists in those priorities.

Sales Tax Extenders

Erie County is reliant on sales tax revenue to fund its annual budget. As been previously reported to the Legislature, it is anticipated that sales tax will not only fail to meet budgeted amounts, but will also fall short of last year’s actual sales tax receipts.

It is apparent that not only Erie County is reliant on its share of sales tax. As stated above while discussing AIM and the fiscally distressed healthcare facilities pool, New York State is also becoming reliant on Erie County’s share of sales tax revenue. Those programs are funded by sales tax revenue due to counties.

The base New York State sales tax is 4%. Counties are allowed to charge up to an additional 3% without making a home rule request for further taxation authority. Every county in New York State charges the additional 3%. With the exception of three counties, all other counties impose sales tax above the additional 3%. Erie County charges 8.75% sales tax, among the highest rates in New York State.

In order to have the authority to charge more than 7% sales tax, counties seek permission from New York State. Erie County recently took the first step toward extending the 8.75% sales tax. As part of the New York State 2020 budget, it appears that all county sales tax extenders are extended until 2023. This allows New York State to more easily depend on continued sales tax with which to finance AIM, and allows counties to continue to have access to this heightened revenue without voting to seek authorization from New York State to do so.

WE RECOMMEND that the Division of Budget and Erie County Attorney seek confirmation that steps need not be taken to extend the 8.75% sales tax, not just at the New York State level, but at the local level as well.
Community College Funding

In the New York State 2020 budget, community college base aid was established at $2,947/full time equivalent (FTE) student. The New York State 2021 budget maintains the $2,947/FTE funding. However, unlike the New York State 2020 budget, the New York State 2021 budget eliminates a 98% floor. Last year, if a community college saw decreasing enrollments, its community college base aid from New York State would not be below 98% of the previous year’s funding. Due to the elimination of the 98% floor, community colleges could realize a significant drop in aid from New York State. It is also not clear if community college base aid will be subject to reduction by the budget director.

A March 2019 report by this office described that SUNY Erie (ECC) has seen its enrollment drop 30.2% between 2010 and 2018. Anecdotal reports indicate that this trend has continued. As such, ECC may see significant revenue decreases as it prepares its next budget.

The Legislature approves the ECC budget. The consideration of the ECC budget typically occurs in May and June. ECC may, or may not, require or request additional local support as a result of decreased enrollment and consequent community college base aid. The Legislature must consider where ECC lies on its list of funding priorities.

Other Funding Impacts

There are other items in the New York State 2021 budget which may not impact Erie County directly and immediately, but may have fiscal impacts that need addressing by the county over time. A sample of such items includes: a decrease in funding for rabies prevention programs; shifting of certain costs for caring for children with special needs from the state to school districts; and, increased aid for indigent criminal defense. These items, as well as many others in the budget, may have either positive or negative fiscal impact for the county in the future.

Conclusion

The New York State 2021 budget will have an impact on Erie County's 2020 budget. It offers both revenue enhancers and items deleterious to revenue which need to be considered. The Erie County 2020 budget was passed before COVID-19 arrived on our shores. Regardless, its impacts and the impacts of the New York State budget passed after the initial impact of the virus, must be addressed to provide Erie County taxpayers with fiscally responsible government.

As a positive, the expanded federal FMAP, which New York State appears willing to accept, will provide Erie County with some much-needed revenue to address certain revenue shortfalls. Such increased funds can prove very helpful. In response to the 2008 "Great Recession," the federal government provided enhanced FMAP funding. Erie County emerged from that crisis without a
property tax increase and having raised its fund balance from $32,961,000 in 2007 to $83,489,000 in 2011.

However, along with this fiscal assistance, the New York State 2021 budget also creates unfunded mandates and increased costs which may require adjustments to the Erie County 2020 budget. Revenue from New York State is not guaranteed and may be decreased if the state does not meet its own fiscal targets. Further, New York State will continue to fund AIM through sales tax intercepts, as well as intercept sales tax for a fund to address fiscally distressed health care facilities.

Potential decreases in funding may also require Erie County to revisit budget priorities to determine if adjustments are advisable to compensate a reduction in state funding. An example of such an area is the ECC budget.

As such, WE RECOMMEND that the Erie County Legislature consider the impacts of not just COVID-19, but also the New York State 2021 budget, and make adjustments as necessary.
## April 2020 - Building Inspector Report

### New Permits Issued

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date Issue</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
<th>Estimated Cost</th>
<th>Permit Fee</th>
<th>Renewal Fee/Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>20013</td>
<td>GB</td>
<td>4/15/20</td>
<td>56 W Main</td>
<td>Pratt, James</td>
<td>6x50 Porch Roof</td>
<td>10,000</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>20014</td>
<td>RA</td>
<td>4/22/20</td>
<td>7207 Hunters Creek (87)</td>
<td>Bellman, Scott</td>
<td>14x11 Trailer Addition</td>
<td>2,000</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>20015</td>
<td>RA</td>
<td>4/22/20</td>
<td>7114 Hunters Creek</td>
<td>Bender, Dave</td>
<td>24x24 Deck</td>
<td>5,000</td>
<td>55</td>
<td></td>
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<tr>
<td>20016</td>
<td>HB</td>
<td>4/28/20</td>
<td>11669 N Canada St</td>
<td>Wilke, Martin</td>
<td>Replace 24' Basement Wall</td>
<td>5,000</td>
<td>50</td>
<td></td>
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<tr>
<td>20017</td>
<td>RA</td>
<td>4/28/20</td>
<td>7369 Hunters Creek</td>
<td>Lowandowski, Josh</td>
<td>16x48 Pole barn Lean To</td>
<td>8,000</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>20018</td>
<td>RA</td>
<td>4/28/20</td>
<td>9948 S Protection</td>
<td>Twin Lakes Homes</td>
<td>Demo Existing Dwelling</td>
<td>10,000</td>
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<td>20019</td>
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<td>4/28/20</td>
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<td>Twin Lakes Homes</td>
<td>Single Family Dwelling</td>
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<tr>
<td>20020</td>
<td>RA</td>
<td>4/30/20</td>
<td>12892 Day Rd</td>
<td>Husman, Kim</td>
<td>Single Family Dwelling</td>
<td>200,000</td>
<td>960</td>
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<tr>
<td>20021</td>
<td>RA</td>
<td>4/30/20</td>
<td>11352 Partridge Rd</td>
<td>Hoffer, Matt</td>
<td>16x40 Garage Addition</td>
<td>15,000</td>
<td>50</td>
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<tr>
<td>20022</td>
<td>RA</td>
<td>4/30/20</td>
<td>13481 Ward Rd</td>
<td>Uplinger, Robert</td>
<td>13 Kw Generator</td>
<td>5,000</td>
<td>50</td>
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*Year to Month End Total: $498,060 $2,417 $0*

### Certificate of Occupancy and/or Compliance Issued

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date Issue</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
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<tbody>
<tr>
<td>10061</td>
<td>RA</td>
<td>4/1/20</td>
<td>13304 Day Rd</td>
<td>Rogers Hemlock Homes</td>
<td>General Remodel / 29x50 2 story Addition</td>
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<tr>
<td>18070</td>
<td>RA</td>
<td>4/14/20</td>
<td>9940 Warner Gulf</td>
<td>Emelting, Roy</td>
<td>Vintage Sign</td>
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<tr>
<td>19002</td>
<td>GB</td>
<td>4/14/20</td>
<td>23 Savage</td>
<td>Clemmer Const.</td>
<td>Reroof Asphalt &amp; General Remodel</td>
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<tr>
<td>19021</td>
<td>RA</td>
<td>4/30/20</td>
<td>13679 Whitney Rd</td>
<td>Christensen, Josh</td>
<td>Single Family Dwelling</td>
</tr>
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### Inspections

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
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<tbody>
<tr>
<td>19094</td>
<td>R2</td>
<td>4/20</td>
<td>113/7 Blanchard Rd</td>
<td>Duell, David</td>
<td>Status</td>
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<tr>
<td>19105</td>
<td>RA</td>
<td>4/11/20</td>
<td>7812 Hunters Creek</td>
<td>Gerbec, Andy</td>
<td>Status</td>
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<tr>
<td>19005</td>
<td>RA</td>
<td>4/14/20</td>
<td>9522 S Protection</td>
<td>Barron, Jeremy</td>
<td>Status</td>
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<tr>
<td>19074</td>
<td>RA</td>
<td>4/14/20</td>
<td>13566 Wilkins Road</td>
<td>Harrer, Joan</td>
<td>Status</td>
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<tr>
<td>19038</td>
<td>RA</td>
<td>4/17/20</td>
<td>9493 Warner Gulf</td>
<td>Raw Properties LLC</td>
<td>Status</td>
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<tr>
<td>19075</td>
<td>RA</td>
<td>4/17/20</td>
<td>7207 Hunters Creek (#5)</td>
<td>Murphy, Tim</td>
<td>Status</td>
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<tr>
<td>19088</td>
<td>HB</td>
<td>4/20/20</td>
<td>7538 Olean</td>
<td>S &amp; S Development</td>
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<tr>
<td>19006</td>
<td>GB</td>
<td>4/20/20</td>
<td>289 N Main</td>
<td>Kramer, Scott</td>
<td>Status</td>
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<tr>
<td>19040</td>
<td>RA</td>
<td>4/25/20</td>
<td>13911 Sanders Hill</td>
<td>Brey, Kip</td>
<td>Status</td>
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<tr>
<td>19041</td>
<td>RA</td>
<td>4/25/20</td>
<td>9665 Savage</td>
<td>Miller, Jesse</td>
<td>Status</td>
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<tr>
<td>19111</td>
<td>HB</td>
<td>4/25/20</td>
<td>7238 Olean</td>
<td>R &amp; S Development</td>
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<td>19101</td>
<td>RA</td>
<td>4/27/20</td>
<td>8666 Vermont Hill</td>
<td>Ellis, Sydney</td>
<td>Status</td>
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<tr>
<td>19113</td>
<td>R1</td>
<td>4/28/20</td>
<td>64 Vermont St</td>
<td>Weber, Jared</td>
<td>Status</td>
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<tr>
<td>20017</td>
<td>RA</td>
<td>4/28/20</td>
<td>7389 Hunters Creek</td>
<td>Lewandowski, Josh</td>
<td>Post Hole Inspection</td>
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### Variance-Approved

<table>
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<tr>
<th>Var. #</th>
<th>Zone</th>
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<th>Name</th>
<th>Type</th>
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### Voided Permits

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date</th>
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<th>Name</th>
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<tbody>
<tr>
<td>19031</td>
<td>RA</td>
<td>5/26/16</td>
<td>7207 Hunters Creek (#35)</td>
<td>Snyder, Dave</td>
<td>24x88 Roof Structure</td>
</tr>
<tr>
<td>DATE</td>
<td>LOCATION</td>
<td>VIOLATION</td>
<td>ACTION TAKEN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>----------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/9/20</td>
<td>117 S. MAIN ST</td>
<td>STORAGE OF JUNK VEHICLES ON THE PROPERTY WITHOUT A PERMIT FOR A JUNK YARD LICENSE.</td>
<td>FOLLOW UP -- RECEIVED A CALL FROM THE TOWN SUPERVISOR ADVISING ME TO LET THE OWNER KNOW WHAT THE DEFINITION OF A JUNK YARD IS. WILL SEND A LETTER TO THE OWNER TOMORROW FOR THE DEFINITION OF A JUNK YARD.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/10/20</td>
<td>117 S. MAIN ST</td>
<td>STORAGE OF JUNK VEHICLES ON THE PROPERTY WITHOUT A PERMIT FOR A JUNK YARD LICENSE.</td>
<td>FOLLOW UP -- SENT THE OWNER A LETTER EXPLAINING THE DEFINITION OF A JUNK YARD AND THE VIOLATION EXISTING AT THIS LOCATION.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/17/20</td>
<td>117 S. MAIN ST</td>
<td>STORAGE OF JUNK VEHICLES ON THE PROPERTY WITHOUT A PERMIT FOR A JUNK YARD LICENSE.</td>
<td>FOLLOW UP -- IT APPEARS THAT THE OWNER'S FLAT BED TRUCK WAS BACKED UP TO THE ENTRANCE WHERE THE VEHICLES BEHIND THE BUILDING ARE STORED AND SOME OF THE VEHICLES HAVE EITHER BEEN REMOVED OR REPLACED WITH OTHER INCOMING VEHICLES. WILL CONTINUE TO MONITOR THIS SITUATION.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/29/20</td>
<td>101 S. MAIN ST</td>
<td>COMPLAINTS RECEIVED REGARDING VIOLATIONS AT THIS LOCATION.</td>
<td>FOLLOW UP INSPECTION SHOWS THERE ARE STILL SOME VEHICLES THAT APPEAR TO BE NON-OPERABLE BEING STORED BEHIND THE BUILDING. ALSO, THE FENCE STILL NEEDS TO BE PUT BACK UP AND THE HOLE NEEDS TO BE FILLED IN OR A PROTECTIVE FENCE NEEDS TO BE INSTALLED AROUND IT. THE SMALLER HOLE HAS BEEN FILLED IN AND THE PILES OF DIRT IN FRONT OF THE BUILDING HAVE BEEN REMOVED.</td>
<td></td>
<td></td>
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<tr>
<td>4/30/20</td>
<td>101 S. MAIN ST</td>
<td>COMPLAINTS RECEIVED REGARDING VIOLATIONS AT THIS LOCATION.</td>
<td>FOLLOW UP -- UNABLE TO CONTACT THE OWNER AT THIS TIME. FURTHER ACTION PENDING.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/30/20</td>
<td>117 S. MAIN ST</td>
<td>STORAGE OF JUNK VEHICLES ON THE PROPERTY WITHOUT A PERMIT FOR A JUNK YARD LICENSE.</td>
<td>FOLLOW UP -- ATTEMPTING TO DETERMINE THE STATUS OF THE VEHICLES BEING STORED BEHIND THE BUILDING. UNABLE TO CONTACT THE OWNER AT THIS TIME. FURTHER ACTION PENDING.</td>
<td></td>
<td></td>
</tr>
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</table>
FIRE INSPECTION REPORT

4/27/20  47 PEARL ST  INSPECTED THE FIRE EXTINGUISHERS ON THE PREMISES INCLUDING THE ONE IN THE TROOPER'S ROOM AND FOUND THEM FULLY CHARGED AND READY FOR USE. ALSO, A DEFIBRILLATOR (CHECKED GREEN) IS READY FOR USE.
(TOWN HALL)  

4/27/20  3 LEGION DR  INSPECTED ALL FIRE EXTINGUISHERS ON THE PREMISES AND FOUND THEM TO BE FULLY CHARGED AND READY FOR USE. ALSO, A DEFIBRILLATOR (CHECKED GREEN) IS READY FOR USE.
(COMMUNITY CENTER)  

4/27/20  EDGEWOOD DR  INSPECTED ALL FIRE EXTINGUISHERS ON THE PREMISES AND FOUND THEM TO BE FULLY CHARGED AND READY FOR USE. ALSO, A DEFIBRILLATOR (CHECKED GREEN) IS READY FOR USE.
(HIGHWAY DEPT.)  

4/27/20  VERMONT ST  INSPECTED ALL FIRE EXTINGUISHERS ON THE PREMISES AND FOUND THEM TO BE FULLY CHARGED AND READY FOR USE. ALSO, A DEFIBRILLATOR (CHECKED GREEN) IS READY FOR USE.
(BOYS & GIRLS CLUB)  

NOTES

4/3/20  RECEIVED A CALL FROM THE AGENT FOR THE POTENTIAL NEW OWNER OF THE HUNTERS CREEK MOBILE HOME PARK WANTING TO KNOW IF THE PLANNING BOARD MET BECAUSE THE NEW OWNER COULDN'T BE THERE DUE TO THE COVID-19. ADVISE HER TO CALL THE TOWN CLERK FOR THAT INFORMATION.

4/6/20  RECEIVED A CALL FROM AN ATTORNEY FOR A TENANT AT THE KNOX ROAD APARTMENTS WANTING SOME INFORMATION REGARDING A COMPLAINT FROM 3/31/20. GAVE HER THE INFORMATION THAT I HAD FROM MY NOTES AND ADVISED HER TO CALL THE PROPERTY MANAGER FOR THE APARTMENTS.

4/9/20  RECEIVED A CALL FROM THE TOWN SUPERVISOR ADVISING ME THAT THERE WAS NO ACTION TAKEN BY THE PLANNING BOARD OR THE TOWN BOARD REGARDING THE NEW OWNERSHIP OF THE HUNTERS CREEK MOBILE HOME PARK.

4/13/20  RECEIVED A CALL FROM A TENANT AT LOT #7 IN THE HUNTERS CREEK MOBILE HOME PARK WANTING TO KNOW WHAT HE NEEDS TO DO IN ORDER TO PUT AN ADDITION ON AN EXISTING ADDITION. ADVISED HIM TO CONTACT THE BUILDING INSPECTOR AND HE WILL GIVE HIM ALL THE NECESSARY INFORMATION.

MICHAEL J. SLOCE
ZONING ENFORCEMENT OFFICER
<table>
<thead>
<tr>
<th>DATE</th>
<th>WORK PERFORMED</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-08-20</td>
<td>Lady from H.C. Trailer Park called. Took dog in that was wandering around mobile home park. She said she wanted me to know in case I get a call from the owner. She left her phone number.</td>
</tr>
<tr>
<td>4-10-20</td>
<td>I received a call from a gentleman who reported that he was attacked by a dogs on Olean Road, Holland. I took his report.</td>
</tr>
<tr>
<td>4-10-20</td>
<td>I called the resident on Olean Road to make sure the dogs had rabies shots up-to-date.</td>
</tr>
<tr>
<td>4-10-20</td>
<td>I received call from attorney for the owners of the dogs. I gave information that I had.</td>
</tr>
<tr>
<td>4-13-20</td>
<td>I filled out report for Health Department.</td>
</tr>
<tr>
<td>4-16-20</td>
<td>Call from gentleman at EC Health Department regarding dog bite that occurred on Rt. 16. Information was exchanged.</td>
</tr>
<tr>
<td>4-16-20</td>
<td>Call from Hunters Creek Trailer Park regarding a dog running loose.</td>
</tr>
<tr>
<td>4-16-20</td>
<td>I went to check on dog in H.C. Trailer Park. No dog running loose.</td>
</tr>
<tr>
<td>4-20-20</td>
<td>Call from Hunters Creek Trailer Park of dog running around.</td>
</tr>
<tr>
<td>4-20-20</td>
<td>I went to check on dog running loose at H.C. Trailer Park. I explained to the owner that their dog needs to be on a leash.</td>
</tr>
<tr>
<td>DATE</td>
<td>WORK PERFORMED</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4-28-20</td>
<td>Call from Hunters Creek Road resident. She states her two dogs are missing and left her phone number in case I get a call. I told her I would let her know and asked if she would do the same and call me if they returned, or if anyone should call with information about them.</td>
</tr>
<tr>
<td>4-28-20</td>
<td>Hunters Creek lady called stating her two dogs did return in six hours; somewhat dirty, but doing fine!</td>
</tr>
</tbody>
</table>
Highway Superintendent Report for April 2020

Road Work:
- Met with Matuszak's Paving - lined up dates for Legion Drive
- Met with Donegal Milling – lined up dates for Legion Drive about milling up Legion Drive
- Met with Suit Kote – lined up dates for overlay on Wilkins Road
- Erie County Soil & Water is helping to fund the pipe replacement project on Wilkins Road ($4,000)
- Swept roads outside of town; swept and picked up all streets in the Hamlet
- Grade off all plow damage in the turnarounds
- Met with Tree Care to trim trees on Wilkins Road
- Ditched Blanchard, Cherrywood Ridge, Raiber and Parker

Equipment:
- Repaired hydraulic hose on broom tractor
- Painted and repaired Dynamark equipment trailer
- Sent 2003 International to Spring Shop for repairs
- Repaired tailgate latch on 2016 Kenworth
- Fixed air valve on 2007 International
- Took off winter tires and mount summers on 2010 and 2016 Kenworths
- Put new fuel tank in 2013 pickup to fuel equipment on job sites
- Serviced excavator
- New gear box in broom tractor
- Cleaned out and took off sander on 2019 F350 pickup

Snow Removal:
- Submitted April snow removal reports to Erie County
- Patrolling roads- 5 trips
- Plowing and Sanding with pick up- 3 trips
- Plowing and Sanding with plow trucks- 1 trip

Water:
- Monthly report submitted to Department of Health
- Monthly samples submitted to Department of Health
- Replaced starter motor in Water St. pumphouse
- Cleaned and organized Water shop
- Brought buildings up to PESH guidelines
- Flushing lines
- Installed new meters
- Serviced generator
- Install new battery in portable generator

Facilities:
- Tore down playground at Elementary School, to be put up at Town Park in the Fall
- New garage doors put up at Town Shelter (Rupp Overhead Door)
- Cleaned up lawn damage at Park, Town Hall and Town Parking Lot
- Cleaned up wood at Town Park
- Called Modern Disposal to pick up tires – truck is in shop for repairs for two months
- Finished Lock Out Tag Out procedures for Highway Employees
- Finished violations at Highway Bldg from PESH
- Cleaned out cold storage building – inventory items to be declared surplus
May Tasks:

- Patch roads
- Prep Legion Drive for paving
- Finish ditching and putting in culverts
- Clean D.I.
- Paint crosswalks
Items to be declared surplus and sold at auction:

1997 Dynaweld Trailer  
Large lot of Furnco Gaskets  
Pacer Electric Pump  
Muffler for Ford 1710 Tractor  
Large lot of Romac Pipe saddles  
(3) sets of single truck tire chains  
Pallet of sander parts  
Power snake  
Powermatic Dust Collector  
Hobart Mig Welder  
Wheel jack  
Floor jack  
Transmission jack  
CH&E De-watering pump  
Aluminum Pickup Toolbox  
(3) steel bumper concrete forms  
Pallet of plow wing parts  
46” ditching bucket for Gradall  
York Broom  
(2) truck sander spinner units  
Truck rims and spacers  
(15) various tires  
Truck fuel tank  
Craftsman riding mower  
Fuel tank  
(2) 60kw gen set Detroit 4 cylinder  
US Military Gen set 4 cylinder  
York rake  
PVS tank

05/11/2020

Jason Simmons, Highway Superintendent