

**ERIE COUNTY LEGISLATURE
MEETING NO. 3
FEBRUARY 12, 2015**

The Legislature was called to order by Chair Mills.

All members present, except Mr. Hardwick.

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

The Pledge of Allegiance was led by Ms. Miller-Williams.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 2 from 2015. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. GRANT presented a resolution Honoring the Life of Sandra Archibald and Proclaiming January 16, 2015 as "Sandra Archibald Day" in Erie County.

Item 6 – MS. GRANT presented a resolution Honoring the Life of Earl Dean Gist and Proclaiming January 16, 2015 as "Earl Dean Gist Day" in Erie County.

Item 7 – MS. GRANT presented a resolution Celebrating Rev. Vernal Harris Jr on his 68th Birthday and 58th Anniversary in the Ministry.

Item 8 – MR. LORIGO presented a resolution Honoring Patrick Braunscheidel on Being Named Educator of the Year by the West Seneca Chamber of Commerce.

Item 9 – MR. LORIGO presented a resolution Honoring Delores Mendolia on Being Named Citizen of the Year by the West Seneca Chamber of Commerce.

Item 10 – MR. LORIGO presented a resolution Honoring Integrys Energy Services on Being Named Chamber Member of the Year by the West Seneca Chamber of Commerce.

Item 11 – MR. LORIGO presented a resolution Honoring Just Pizza, 889 Center Road, on Being Named Business of the Year by the West Seneca Chamber of Commerce.

Item 12 – MR. LORIGO presented a resolution Honoring the West Seneca Civic & Patriotic Commission on Being named Service Organization of the Year by the West Seneca Chamber of Commerce.

Item 13 – MR. MILLS presented a resolution Honoring Chris Pulinski for His Assistance in Saving the Life of a Traffic Accident Victim.

Item 14 – MR. RATH presented a resolution Congratulating Patrick Casilio Jr on Being Named the Clarence Chamber of Commerce's 2015 Lifetime Achiever of the Year.

Item 15 – MR. RATH presented a resolution Honoring Edward McGrew Jr on 50 Years of Service to the East Amherst Fire Department.

Item 16 – MR. RATH presented a resolution Congratulating Timothy Pazda on Being Named the Clarence Chamber of Commerce's 2015 Citizen of the Year.

MR. LORIGO moved for consideration of the above twelve items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above twelve items to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above twelve items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 17 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2014 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2014 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 9 (Print #1) 2014 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 1 (Print #2) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 2 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 26 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 25

February 5, 2015	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 26E-27 (2014)

GRANT: “County Dental Network Card Program”
(5-0)

b. COMM. 1E-9 (2015)

COUNTY EXECUTIVE: “Appointment of Commissioner of the Department of Mental Health”
(5-0)

c. COMM. 2E-28 (2015)

MILLER-WILLIAMS: “Roswell Park Cancer Institute Memorandum of Support of E-Cigarette Legislation”
(5-0)

2. INTRO. 26-5 (2014)

DIXON, RATH, LORIGO, MORTON, MILLS & HARDWICK

WHEREAS, for three days this year, November 18th, 19th, and 20th, many parts of Erie County were hit with record levels of snow fall; and

WHEREAS, in the past few weeks the news has been full of stories about emergency services personnel helping individuals with chronic conditions that require frequent medical treatments like kidney failure requiring dialysis; and

WHEREAS, while these dedicated men and women should be congratulated we need to use this disaster as a learning experience to help better prepare for future events of similar magnitude; and

WHEREAS, even with the efforts of our excellent service personnel many in our community with life threatening chronic conditions went without treatment, during the period that Winter Storm Knife ravaged parts of our region, in large part because no one knew they needed assistance; and

WHEREAS, a voluntary database containing the name, address, and condition of Erie County residents with chronic conditions that might require specialized medical assistance during a situation that cripples their ability to go and seek help and prevents most others from coming to them, as the last winter event did.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby directs the Departments of Health, Emergency Services, and Central Police Services to work together to create and maintain a database, for use in emergency situations, containing the name, address, and condition of county residents who might be in need of medical treatment at a time where they are under County orders not to leave their residence; and be it further

RESOLVED, that said list must remain within all applicable personal privacy laws; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the Erie County Health Department, the director of Emergency Services, the Commissioner of Central Police Services and all parties deemed necessary and proper.
(5-0)

LYNNE M. DIXON
CHAIR

Item 27 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 26

February 5, 2015	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-9 (2015)
MILLS: “Letter to County Attorney Regarding Appointment to Buffalo & EC Public Library Board of Trustees”
(5-0)
 - b. COMM. 2E-10 (2015)
MILLS: “Letter to Buffalo & EC Public Library Director Requesting Board of Trustees Bylaws”
(5-0)
 - c. COMM. 2E-13 (2015)
MILLER-WILLIAMS: “Letter Regarding Partnership for the Public Good”
(5-0)
 - d. COMM. 2M-1 (2015)
BUFFALO & EC PUBLIC LIBRARY: “January 18, 2015 Board of Trustees Agenda”
(5-0)
2. COMM. 1E-12 (2015)
COUNTY EXECUTIVE
WHEREAS, on July 18, 2013 the Erie County Legislature authorized the County Executive to execute a Memorandum of Understanding with Erie Community College (ECC) regarding construction of a new academic building; and

WHEREAS, completion of said building construction will require numerous actions by the Erie County Legislature, including matters pertinent to the design, contractor agreements, and financing issues; and

WHEREAS, the Erie County Legislature is desirous to contribute toward the timely completion of the project.

NOW, THEREFORE, BE IT

RESOLVED, that an Open Item be established in the Community Enrichment Committee of this Legislature for the purpose of considering prerequisite resolutions pertaining to the design and construction of a new academic building for the Erie Community College; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Public Works; the County Comptroller; the County Attorney the Director of the Division of Budget and Management; and ECC President, 121 Ellicott Street, Buffalo, NY 14203. (4-1) Legislator Burke voted in the negative.

3. COMM. 2E-11 (2015)

COUNTY EXECUTIVE

WHEREAS, the New York State Office of Children and Family Services (OCFS) has provided additional funding to the Erie County Youth Bureau to help support local youth development programs, and

WHEREAS, the Erie County Youth Board has reviewed and identified high-achieving agencies eligible for the additional funds and has received State approval to increase agency funding.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into and or amend existing contracts with the agencies identified in order to provide additional agency funding, and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the 2014 Budget of the Youth Bureau as follows:

Fund Center 12530 – Youth Bureau

Revenue		Increase
408020	Youth Reimbursement Programs	\$85,000
Expense		
517876	Youth Development Programs	\$85,000
	Net Change	-0-

and be it further;

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Department of Social Services.

(5-0)

4. COMM. 2E-12 (2015)

COUNTY EXECUTIVE

WHEREAS, Erie Community College's existing buildings, are worn and outdated, and the spaces are not scalable to accommodate new technology and pedagogies; and

WHEREAS, the construction of a New Academic Building is recommended for Science, Technology, Engineering and Math (STEM) and advanced technical program spaces; and

WHEREAS, this new flagship facility will provide opportunities for interdisciplinary collaboration, shared resources and will showcase the programs needed to attract and educate the region's future innovators; and

WHEREAS, a portion of the project will be reimbursed by New York State and partially funded by Erie Community College; and

WHEREAS, Erie County has solicited proposals from qualified architecture and engineering firms for the design of the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project; and

WHEREAS, Erie County has conducted a proposal review, firm selection and contract negotiation process for the design of the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project; and

WHEREAS, Kideney Architects and their sub consultants shall provide architecture and engineering services for design and construction administration services of a new state-of-the-art academic building that will help ECC remain competitive and attract the regions potential students while remaining at the forefront of education in the area; and

WHEREAS, the County Executive is requesting authorization from the Legislature to enter into an Agreement with Kideney Architects to provide design and construction administration services for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Kideney Architects to provide professional architecture and engineering services for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project, for a basic fee of \$1,726,800.00, plus \$36,600.00 of reimbursables, and a project design contingency of \$136,600.00 for a total not to exceed \$1,900,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP project account:

<u>E.12002</u>	<u>2012 ECC – New Academic Building</u>	<u>1,900,000.00</u>
Total Payments Not To Exceed:		\$1,900,000.00

;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 Office of the County Executive, the Commissioner of the Department of Environment and Planning, the Division of Budget and Management and the Office of the Comptroller, and one copy to Erie Community College Office of the Chief Administrative and Financial Officer.

(4-1) Legislator Burke voted in the negative.

KEVIN R. HARDWICK
CHAIR

Item 28 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27

February 5, 2015	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 2D-11 (2015)

COUNTY ATTORNEY: "Transmittal of New Claims Against Erie County"
(5-0)

2. COMM. 2E-27 (2015)

COUNTY EXECUTIVE

WHEREAS, the New York State Office of Indigent Legal Services ("ILS") has provided a three year grant totaling \$1,455,129 to the County for the provision of indigent defense services, and

WHEREAS, Erie County has contracted with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to establish the final two years of ILS Distribution 3 grant funding in the County Attorney’s Office as follows:

Erie County Attorney’s Office
Grant Fund 281 – Three Year Quality Improvement Grant
160D3ILSFY1416
June 1, 2014 to May 31, 2016

Revenue	Increase
Account 409000 - State Aid Revenue	\$970,086
Appropriation	Increase
Account 516601 - Legal Aid Bureau	\$485,044
Account 516602 - EC Bar Association	<u>485,042</u>
Total Appropriation	\$970,086

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts: and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney, the Office of the Comptroller, the County Executive’s Office and the Division of Budget and Management.

(5-0)

KEVIN R. HARDWICK
CHAIR

Item 29 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

February 5, 2015	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 26D-3 (2014)

DEPARTMENT OF BUDGET AND MANAGEMENT: “Budget Monitoring Report for Period Ending October 2014”

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$6,860.00	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$6,860.00	
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,003.00

OWNER Cancel \$5,172.00
S-B-L 220.15-1-4.1 8157 Erie Rd 144489 EVANS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$5,172.00	Town/SpecialDist/School
	44062 ECSD#2 USER CHARGE	\$5,172.00	
<u>Charge To :</u>	144489 EVANS		\$0.00

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2014 Petition No. 215,004.00

ASSESSOR Refund \$6,420.00
S-B-L 67.65-3-26 349 Maynard Dr 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$6,420.00	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$6,420.00
	Relevy School	\$6,420.00	

RPTL550(2): Failed to apply enhanced STAR exemption
Refund to be issued to Michael Zobel Jr.

FISCAL YEAR 2015 Petition No. 215,005.00

ASSESSOR Cancel \$556.12
S-B-L 68.06-8-13 34 Hampton Ct 142289 AMHERST

	Acct. No. 112	\$316.87	County
	Acct. No. 132	\$239.25	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$239.25

RPTL550(2): Failed to apply aged exemption
New tax bill to be issued

FISCAL YEAR	2015	Petition No.	215,006.00
	ASSESSOR	Cancel	\$848.84
S-B-L	114.08-7-7	569 Rowley Rd 143003 DEPEW	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$848.84	Town/SpecialDist/School
<u>Charge To :</u>	143003 DEPEW		\$848.84

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR	2015	Petition No.	215,007.00
	ASSESSOR	Cancel	\$776.64
S-B-L	125.07-10-23	16 Birchwood Dr143089 CHEEKTOWAGA	
	Acct. No. 112	\$296.19	County
	Acct. No. 132	\$480.45	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$480.45

RPTL550(2): Error in calculating aged exemption
New tax bill to be issued

FISCAL YEAR	2015	Petition No.	215,008.00
	ASSESSOR	Cancel	\$403.76
S-B-L	112.68-2-1	2033 William St 143089 CHEEKTOWAGA	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$403.76	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$403.76

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,009.00

 ASSESSOR Cancel \$399.00

S-B-L 135.08-12-26 696 Bordon Rd 143089 CHEEKTOWAGA

 Acct. No. 112 \$209.86 County

 Acct. No. 132 \$189.14 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$189.14

RPTL550(2): Error in calculating aged exemption
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,010.00

 ASSESSOR Cancel \$206.29

S-B-L 67.77-3-32 251 Edgewood Ave 146489 TONAWANDA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$206.29 Town/SpecialDist/School

Charge To : 146489 TONAWANDA \$206.29

RPTL550(2): Failed to apply disabled exemption
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,011.00

 ASSESSOR Cancel \$783.01

S-B-L 217.00-4-24.112 7604 Hunters Creek 145000 HOLLAND

 Acct. No. 112 \$482.91 County

 Acct. No. 132 \$300.10 Town/SpecialDist/School

Charge To : 145000 HOLLAND \$300.10

RPTL550(2): Failed to apply veterans exemption
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,012.00

 ASSESSOR Cancel \$162.72

S-B-L 77.26-5-20 107 140200 BUFFALO

 Acct. No. 112 \$162.72 County

Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 140200 BUFFALO \$0.00

RPTL550(2): Error in calculating aged exemption
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,013.00

ASSESSOR Cancel \$786.01
S-B-L 53.14-3-1.1 3939 Delaware Ave 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$786.01 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$786.01

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,014.00

ASSESSOR Cancel \$9,724.94
S-B-L 102.03-2-22.1 1745 Walden Ave 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$9,724.94 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$9,724.94
Relevy School \$9,724.94 143001 CHEEKTO.

CENTRAL

RPTL550(2): Incorrect school relevy amount
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,015.00

ASSESSOR Cancel \$7,371.31
S-B-L 92.17-4-34.2 760 Dick Rd 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$7,371.31 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$7,371.31
Relevy School \$7,371.31 143003 CHEEK. UNION #3

RPTL550(2): Incorrect school relevy amount

New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,016.00

 ASSESSOR Cancel \$38,196.77
S-B-L 92.03-1-19.11 4243-4271 Genesee 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$38,196.77 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$38,196.77
 Relevy School \$38,196.77 143003 CHEEK. UNION #3

RPTL550(2): Incorrect school relevy amount
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,017.00

 ASSESSOR Cancel \$15,125.54
S-B-L 92.03-1-15 4201 Genesse St 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$15,125.54 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$15,125.54
 Relevy School \$15,125.54 143003 CHEEK. UNION #3

RPTL550(2): Incorrect school relevy amount
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,018.00

 OWNER Cancel \$4,280.64
S-B-L 142.16-4-28 1710 Abbott Rd 140900 LACKAWANNA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$4,280.64 Town/SpecialDist/School
 9992 ECSD#6 SAN SEWER \$4,280.64
Charge To : 140900 LACKAWANNA \$0.00

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 215,019.00

OWNER	Refund	\$210.00	
S-B-L 162.08-2-4.1 7755 Milestrip Rd	146001 ORCHARD PARK		
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$210.00	Town/SpecialDist/School
60139 ERIE CO SEW DST 3	\$210.00		
<u>Charge To :</u>	146001 ORCHARD PARK		\$0.00

RPTL550(2): Incorrect special district charge
Refund to be issued to Margaret Coeoy

FISCAL YEAR 2014 Petition No. 215,020.00

OWNER	Refund	\$215.00	
S-B-L 162.08-2-4.11 7755 Milestrip Rd	146089 ORCHARD PARK		
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$215.00	Town/SpecialDist/School
60139 ERIE CO SEW DST 3	\$215.00		
<u>Charge To :</u>	146089 ORCHARD PARK		\$0.00

RPTL550(2): Incorrect special district charge
Refund to be issued to Margaret McCooey

FISCAL YEAR 2015 Petition No. 215,021.00

OWNER	Refund	\$220.00	
S-B-L 162.08-2-4.11 7755 Milestrip Rd	146089 ORCHARD PARK		
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$220.00	Town/SpecialDist/School
60139 ERIE CO SEW DST 3	\$220.00		
<u>Charge To :</u>	146089 ORCHARD PARK		\$0.00

RPTL550(2): Inccorredt special district charge
Refund to be issued to Margaret McCooey

FISCAL YEAR 2015 Petition No. 215,022.00

ASSESSOR	Cancel	\$1,914.48	
S-B-L 113.06-6-2.22 125 Allied Dr	143089 CHEEKTOWAGA		

	Acct. No. 112	\$524.67	County
	Acct. No. 132	\$1,389.81	Town/SpecialDist/School
	30022 FIRE # 3 FORKS	\$124.19	
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$1,265.62

RPTL550(2): Incorrect assessed value
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,023.00

 ASSESSOR Cancel \$2,012.66
S-B-L 28.04-2-61.11 4750-4900 N Frenc 142289 AMHERST

	Acct. No. 112	\$2,012.66	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$0.00

RPTL550(2): Error in calculating 485b exemption
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,024.00

 ASSESSOR Cancel \$243.89
S-B-L 176.00-2-10 41 Reiter Rd 142289 AURORA

	Acct. No. 112	\$156.69	County
	Acct. No. 132	\$87.20	Town/SpecialDist/School
<u>Charge To :</u>	142289 AURORA		\$87.20

RPTL550(2): Removed vet exemption in error
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,025.00

 ASSESSOR Cancel \$15,307.84
S-B-L 92.02-3-18 4950 Genesee St 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$15,307.84	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$15,307.84

RPTL550(2): Error in calculation rptl520 amount.
 New tax bill to be issued

FISCAL YEAR	2015	Petition No.	215,026.00
	ASSESSOR	Cancel	\$19,665.41
S-B-L	65.13-1-3.1	83 Sawyer Ave 146489 TONAWANDA	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$19,665.41 Town/SpecialDist/School
	64999 EXEMPTION REMOVAL		\$19,665.41
<u>Charge To :</u>	146489 TONAWANDA		\$0.00

RPTL550(2): exemption removal applied in error
 New tax bil to be issued

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
 (5-0)

3. COMM. 2E-24 (2015)
COUNTY EXECUTIVE

RESOLVED, that the following abstracts of the adopted Town and Special District Budgets for the year 2015, as certified and presented to this Legislature by the appropriate Town Officers; be printed by the Clerk in the minutes of the proceedings of this Legislature; and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby amended and levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget and Management, County Comptroller, County Attorney and Joseph Maciejewski, Director of Real Property Tax Services.

EVANS

FOR THE YEAR 2015	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	7,938,086.00	1,220,315.00	6,717,771.00
General Town Outside	737,100.00	737,100.00	-
Highway Townwide	85,000.00	85,000.00	-

Highway Town Outside	2,556,737.00	2,065,092.00	491,645.00
Community Development	100,000.00	100,000.00	-
Risk Retention	185,200.00	185,200.00	-
Total Town & Highway	11,602,123.00	4,392,707.00	7,209,416.00
Water Districts	1,187,088.00	1,125,615.00	61,473.00
Water (Eden Extension)	1,522.20	-	1,522.20
Fire Protection District	841,644.00	80,500.00	761,144.00
Lighting Districts	291,500.00	1,100.00	290,400.00
Hydrant Districts	5,500.00	500.00	5,000.00
Refuse & Garbage	1,019,028.00	500.00	1,018,528.00
Debt Services	136,339.00	136,339.00	-
Fire District N. Evans	782,750.00	66,200.00	716,550.00
Total Special Districts	4,265,371.20	1,410,754.00	2,854,617.20
Delinq. Water (Evans)	7,201.38	-	7,201.38
Delinq. Water (ECWA)	18,722.53	-	18,722.53
Demolition Charges	289,610.50	-	289,610.50
Premium Assessment (ECSA)	3,300.00	-	3,300.00
Backflow Prevention	14,082.79	-	14,082.79
Omitted Tax - Town	1,493.82	-	1,493.82
Omitted Tax - County	-	-	-
Total Other Items	334,411.02	-	334,411.02
GRAND TOTALS	16,201,905.22	5,803,461.00	10,398,444.22
(5-0)			

4. **COMM. 2E-25 (2015)**

COUNTY EXECUTIVE

WHEREAS, municipalities, school districts and small businesses generate hazardous waste and are in need of proper disposal opportunities; and

WHEREAS, the significant cost associated with proper hazardous waste disposal can be mitigated through the implementation of a coordinated County program; and

WHEREAS, the Erie County Department of Environment and Planning (DEP) offers municipalities, school districts and small businesses an opportunity to properly and efficiently dispose of hazardous waste through the Conditionally Exempt Small Quantity Generator (CESQG) Program; and

WHEREAS, revenues from the CESQG Program participant billing exceed expenses, CESQG Program participation exceeded expectations for 2014 and expenses associated with the proper disposal of collected CESQG hazardous waste exceeded allocations provided in the 2014 budget; and

WHEREAS, an amendment to the CESQG Program is necessary to pay the invoice associated hazardous waste disposal; and

(5-0)

6. COMM. 2D-8 (2015)
DIRECTOR, REAL PROPERTY TAX SERVICES

January 23, 2015

RE: Cost to Prepare Village Tax Rolls & Bills
Honorable Members:

Please receive, file and print the attached billing for the preparation of Village Tax Rolls and Bills for the year 2014-2015 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading Village Tax Rolls and Bills.

Sincerely,
JOSEPH L. MACIEJEWSKI, CCD
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2014-2015

**STATEMENT, MATERIALS AND LABOR IN PRODUCING
VILLAGE BILLS AND THE SPREADING OF ASSOCIATED COSTS:**

Tax Bills/Paper Costs	\$3,700.00
Tax Rolls, Assessment Roll & Worksheets	\$1,000.00
Wages	\$4,862.34
<u>Data Processing Time</u>	<u>\$6,733.67</u>
Total Cost	\$16,296.01
Extra Bills	\$102.00
	\$16,398.01
Cost per parcel	0.456279

Village	parcels	1 Extra set of bills	Rate	Cost
Akron	1263	\$15.00	0.456279	\$591.28
Alden	872		0.456279	\$397.88
Angola	936		0.456279	\$427.08
Blasdell	1154	\$15.00	0.456279	\$541.55
Depew	6667		0.456279	\$3,042.01
East Aurora	2593		0.456279	\$1,183.13
Farnham	209	\$7.00	0.456279	\$102.36
Gowanda	1198	\$15.00	0.456279	\$561.62
Hamburg	3774		0.456279	\$1,722.00
Kenmore	5665		0.456279	\$2,584.82
Lancaster	4326		0.456279	\$1,973.86
North Collins	544		0.456279	\$248.22
Orchard Park	1156	\$15.00	0.456279	\$542.46
Sloan	1588		0.456279	\$724.57

Springville	1646	\$5.00	0.456279	\$756.04
Williamsville	2124	\$30.00	0.456279	\$999.14
	35715	\$102.00		\$16,398.01

(5-0) Received, filed and printed.

7. **COMM. 2D-9 (2015)**
DIRECTOR, REAL PROPERTY TAX SERVICES

January 23, 2015

RE: Cost to Prepare City of Tonawanda Tax Rolls & Bills
Honorable Members:

Please receive, file and print the following billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2014 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills.

Sincerely,
JOSEPH L. MACIEJEWSKI, CCD
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2014
STATEMENT, MATERIALS AND LABOR IN PRODUCING CITY OF
TONAWANDA BILLS AND THE SPREADING OF ASSOCIATED COSTS

Tax Bills	\$225.00
Tax Rolls, Assessment Roll & Worksheets	\$210.00
Wages	\$1,030.20
<u>Data Processing Time</u>	<u>\$1,730.13</u>

Total Cost \$3,195.33

(5-0) Received, filed and printed.

8. **COMM. 2D-10 (2015)**
DIRECTOR, REAL PROPERTY TAX SERVICES

January 23, 2015

RE: Cost to Prepare School District Tax Rolls & Bills
Honorable Members:

Please receive, file and print the attached billing for the preparation of 2013-2014 School District Tax Rolls at your next meeting.

As directed by Section 4-3.1 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading School District Tax Rolls, together with the apportionment to each School District benefitted for the year 2014-2015.

Sincerely,
 JOSEPH L. MACIEJEWSKI, CCD
 Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2014-2015

STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL DISTRICT TAX
 BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills Paper	\$11,000.00
Tax Roll Paper	\$1,000.00
Data Processing Charges	\$58,083.08
Wages	\$72,288.42
Total	\$142,371.50

268,141.00 parcels 0.530957593 Cost per parcel

Alden Out of County	\$50.00
AKC1 Out of County	\$75.00
Gowanda Extra Roll	\$0.00
Attica Flat Charge @ \$ 125.00	\$125.00
Silver Creek Charge@ \$125.00	\$125.00
Pioneer Extra Set Bills	\$50.00

Total to Spread: Cost per parcel and Flat Charge \$142,796.50

School	Parcels	Rate	Amount Due
Alden	4913	0.530957593	\$2,658.59
Akron	3787	0.530957593	\$2,085.74
Amherst	9124	0.530957593	\$4,844.46
Sweet Home	11060	0.530957593	\$5,872.39
Attica	0	0	\$125.00
East Aurora	6076	0.530957593	\$3,226.10
Cheektowaga	8217	0.530957593	\$4,362.88
Maryvale	7490	0.530957593	\$3,976.87
Cleveland Hill	4597	0.530957593	\$2,440.81
Sloan	5146	0.530957593	\$2,732.31
Clarence	11999	0.530957593	\$6,370.96
Springville	6717	0.530957593	\$3,566.44
Depew	6779	0.530957593	\$3,599.36
Eden	4893	0.530957593	\$2,597.98
Frontier	16925	0.530957593	\$8,986.46
Grand Is	8941	0.530957593	\$4,747.29
Gowanda	1454	0.530957593	\$772.01
Hamburg	10354	0.530957593	\$5,497.53
Holland	3529	0.530957593	\$1,873.75
Iroquois	8282	0.530957593	\$4,397.39
Lancaster	17707	0.530957593	\$9,401.67
Lake Shore	10251	0.530957593	\$5,442.85
North Collins	2689	0.530957593	\$1,427.74

Orchard Park	13933	0.530957593	\$7,397.83
Pioneer	962	0.530957593	\$560.78
Silver Creek	0	0	\$125.00
Ken-Ton	26539	0.530957593	\$14,091.08
Williamsville	27701	0.530957593	\$14,708.06
West Seneca	21638	0.530957593	\$11,488.86
City of Tonawanda	6438	0.530957593	\$3,418.30
Total	268,141		\$142,796.50

(5-0) Received, filed and printed.

JOSEPH C. LORIGO
CHAIR

Item 30 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

February 5, 2015	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-21 (2015)
COUNTY EXECUTIVE: “EC Sewer District No. 3 - Change Order No. 1 to Contracts, Southtowns Influent Pumping Station and ORF Improvements Project”
(5-0)
 - b. COMM. 2M-3 (2015)
COUNTY EXECUTIVE: “Cleanup Requirements Achieved at Brownfield Webster Block Site, 75 Main St, Buffalo”
(5-0)
 - c. COMM. 2M-4 (2015)
NYSDEC: “Cleanup Requirements Achieved at Brownfield Site, 822 Seneca St, Buffalo”
(5-0)
 - d. COMM. 2M-5 (2015)
NYSDEC: “Cleanup Requirements Achieved at Brownfield Site, 1001/979 Main St, Buffalo”
(5-0)
 - e. COMM. 2M-6 (2015)

NYSDEC: “Remedy Proposed for Brownfield Site, 295 Maryland St, Buffalo”
(5-0)

f. **COMM. 2M-7 (2015)**

NYSDEC: “Draft Investigation Work Plan for Brownfield Site, 73-79 W. Huron St, Buffalo”
(5-0)

g. **COMM. 2M-8 (2015)**

NYSDEC: “Cleanup and Remedial Measures Proposed, 500 Seneca St, Buffalo”
(5-0)

h. **COMM. 2M-9 (2015)**

NYSDEC: “Brownfield Cleanup Program Public Notice, Northtown Inc. Site, Amherst”
(5-0)

i. **COMM. 2M-10 (2015)**

NYSDEC: “Funding to Complete Cleanup of 13 Municipally Owned Contaminated Sites”
(5-0)

j. **COMM. 2M-11 (2015)**

NYS DEPARTMENT OF PUBLIC SERVICE: “Reforming the Energy Initiative”
(5-0)

2. **COMM. 2E-18 (2015)**

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Elma Meadows Golf Course -2014- Club House Roof Replacement project on December 15, 2014; and

WHEREAS, the lowest responsible bidder is Javen Construction Co., Inc.; and

WHEREAS, the Erie County Department of Public Works and its consultant is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder, Javen Construction Co., Inc., for the Elma Meadows Golf Course -2014- Club House Roof Replacement project for an amount not to exceed \$339,000.00; and be it further

RESOLVED, that the sum of \$36,000.00 be allocated to a Construction Contingency Fund for the Elma Meadows Golf Course -2014- Club House Roof Replacement project 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 deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project account A.20918- 2009 Countywide Roof Replacement & Waterproofing for an amount not to exceed \$375,000.00, 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 Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(5-0)

3. COMM. 2E-19 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature through Communication 19E-7 (2014) authorized the Erie County Executive to enter into easements with the New York State Department of Transportation (NYSDOT) and National Grid allowing said State and utility to undertake necessary work related to rehabilitation of culvert number 530266, Niagara Street over Two Mile Creek in the City of Tonawanda; and

WHEREAS, said culvert is located on lands under the ownership of the County of Erie; and

WHEREAS, the NYSDOT has established a value of said easement at \$7,100.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$7,100 from the NYSDOT and to adjust the 2015 Erie County Department of Parks, Recreation and Forestry budget accordingly; and be it further

RESOLVED, that the following account within the 2015 Erie County budget shall incorporate the additional \$7,100 noted above:

Fund 110 – Fund Center 16410, GL 420520 – Rent for Real Property
– ROW – Easements

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and the Commissioner of the Department of Parks, Recreation, and Forestry, Rath Building, 13th Floor.

(5-0)

4. COMM. 2E-20 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract No. 52 to Progressive Roofing, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 52 in the final contract amount of \$117,217.50, which includes Change Order No. 1 (final), a decrease of (\$6,782.50).

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 52 between the County of Erie and Progressive, Inc., 331 Grote Street, Buffalo, N.Y. 14207, is accepted in the amount of \$117,217.50 which includes Change Order No. 1 (final), a decrease of (\$6,782.50); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 52 between the County of Erie and Progressive Roofing, Inc. in the amount of \$117,217.50 and make final payment from Erie County Sewer District No. 6 Account C.00064 and return the unused balance in Account C.00064; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Erie County Comptroller's Office; Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10th floor.
(5-0)

5. COMM. 2E-31 (2015)

COUNTY EXECUTIVE

WHEREAS, the Commissioner of Parks, Recreation and Forestry has requested a study that analyzes site irrigation and drainage improvements of the Elma Meadows and Grover Cleveland golf courses. A qualified design professional consultant is required to properly design an irrigation system and water source at Elma Meadows golf course and to improve the golf course drainage at Grover Cleveland golf course; and

WHEREAS, the County is required, pursuant to the 2014 Lease Agreement between the Buffalo Bills, Erie County Stadium Corporation, dba Empire State Development (ESD) and Erie County to provide Capital Improvement Allowance projects to Ralph Wilson Stadium on an annual basis; and

WHEREAS, the existing roof system located at the west end suites of Ralph Wilson Stadium is past its useful life and actively leaking into the building interior space and systems; and

WHEREAS, your Honorable Body has previously approved a General Architectural/Engineering agreement with the engineering firm of DiDonato Associates for providing professional A/E services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue Agreement Amendment to DiDonato Associates for providing professional A/E services for an irrigation and

drainage study for the Elma Meadows and Grover Cleveland Golf Courses – 2014 - Site Irrigation and Drainage Improvement project and for the design and construction of the Ralph Wilson Stadium-2014-West End Suites Roof Replacement project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement Amendment with the A/E firm of DiDonato Associates for providing professional A/E services for an irrigation and drainage study of the Elma Meadows and Grover Cleveland Golf Courses -2014- Site Irrigation and Drainage Improvement projects for an amount not to exceed \$55,000.00, including a design contingency; and be it further

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with the A/E firm of DiDonato Associates for providing professional A/E services for the design and construction administration of the Ralph Wilson Stadium-2014-West End Suites Roof Replacement project, for an amount not to exceed \$25,000.00, including a design contingency; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.12014 - 2012 - Golf Course Drainage (Bflo & Elma)	\$43,375.33
A.13008 – 2013 – Countywide Park Improvements	\$11,624.67
A.13001 – 2013 - Rehabilitation of Ralph Wilson Stadium	<u>\$25,000.00</u>

for a total amount not to exceed \$80,000.00

;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 Office of the County Executive, Commissioner of Parks Recreation & Forestry, Division of Budget and Management, and the Office of the Comptroller.

(5-0)

TED B. MORTON
CHAIR

Item 31 – MR. RATH presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 30

February 5, 2015	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 26D-2 (2014)
COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING: “National Award for Bethlehem Rail Project Presented to the ECIDA and Department of Environment and Planning”
(5-0)
 - b. COMM. 26M-6 (2014)
EC BRIDGE & ROAD INFRASTRUCTURE MAINTENANCE ADVISORY BOARD: “Minutes from Meeting No. 1 - Oct 21, 2014”
(5-0)
 - c. COMM. 1D-3 (2015)
COMMISSIONER, DEPARTMENT OF PUBLIC WORKS: “2014 Highway Projects Completion List”
(5-0)
 - d. COMM. 1M-1 (2015)
NFTA: “October 23, 2014 Board Minutes”
(5-0)

2. COMM. 2E-14 (2015)
COUNTY EXECUTIVE
WHEREAS, the Erie County Rath Building – 15th Floor Data Center/Computer Room that was constructed in the early 1980s is no longer functional and the aged cooling units are no longer able to provide sufficient cooling for the room; and

WHEREAS, this Honorable Body has previously authorized the renovation of this room utilizing state of the art cooling equipment, security systems and fire suppression technologies; and

WHEREAS, National Grid is offering a rebate to the County for installing these measures to incentive and encourage the increased adoption of energy efficient technology and provide substantial savings to Erie County and its residents.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to accept rebates from National Grid for the installation of energy efficiency measures for the Erie County Rath Building – 15th Floor Data Center/Computer Room for an amount not to exceed \$25,187.00; and be it

RESOLVED, that the appropriations & revenues be increased in Business Area 122, Fund 110, SAP Project Account A.14004 – Countywide Mechanical, Electrical & Plumbing Improvements for an amount not to exceed \$25,187.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(5-0)

3. COMM. 2E-15 (2015)

COUNTY EXECUTIVE

WHEREAS, to improve the efficiency within the Department of Social Services, the County of Erie desires to renovate office space on the first and second floor of the Erie County Rath Building; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering Services Agreement with the firm of Buffalo Engineering, PC and Watts Architecture/Engineering PC for providing design, construction documents and project monitoring services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to Buffalo Engineering, PC and Watts Engineering Architecture/Engineering for providing design, construction documents and project monitoring services for the Rath Building first floor, Social Service renovations; and

WHEREAS, the Construction Contingency must be increased for the current second floor renovations for additional work requested by Social Services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to Buffalo Engineering, PC for providing design, construction documents and project monitoring services for the Rath Building, first and second floor Social Services renovation, for an amount not to exceed \$25,000.00; and be it further

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to Watts Architecture/Engineering for providing design, construction documents and project monitoring services for the Rath Building first and second floor Social Services renovation in an amount not to exceed \$20,000.00; and be it further

RESOLVED, that the County Executive is authorized to increase the current construction contingency account for the second floor by \$15,000.00, from \$65,000.00 to \$80,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account A.00308 – Social Services Renovations, for an amount not to exceed \$60,000.00; 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 Office of the County Executive, the Division of Budget and Management, Department of Social Services and the Office of the Comptroller.

(5-0)

4. COMM. 2E-17 (2015)

COUNTY EXECUTIVE

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the federal Department of Housing and Urban Development; and

WHEREAS, the Erie County Community Development Block Grant Consortium and HOME Consortium approved the 2015-2019 Consolidated Plan and 2015 Action Plan at their session held on January 22, 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2015-2019 Consolidated Plan and 2015 Annual Action Plan Component for the Community Development, Emergency Solutions, and Home Investment Partnership Programs having estimated dollar amounts as indicated.

- | | |
|--|-------------|
| 1. Erie County Consortium Community Development Program: | \$2,681,397 |
| 2. Emergency Solutions Program: | \$ 200,598 |
| 3. HOME Investment Partnership Program: | \$ 671,941 |
| 4. Town of Hamburg Community Development Program: | \$ 370,200 |

and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the federal Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.
(5-0)

EDWARD A. RATH, III
CHAIR

Item 32 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

February 5, 2015	PUBLIC SAFETY COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. COMM. 2E-29 (2015)

COUNTY EXECUTIVE

WHEREAS, the Department of Emergency Services would like to accept reimbursements for assisting with the 2015 Buffalo Marathon and all future special events to provide Emergency Services assets for the 2015 Buffalo Marathon and other special events in the future, with staffing billed at \$40.00 per hour; and

WHEREAS, the use of the Emergency Services assets will allow for Emergency Services assisting in communication, traffic management and security for the thousands of runners and spectators who will attend the 2015 Buffalo Marathon and other future events.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature hereby authorizes the County Executive to execute an agreement wherein the Department of Emergency Services will receive reimbursements from the Buffalo Marathon and all future events for Emergency Services personnel deployed at the 2015 Buffalo Marathon and future special events; and be it further

RESOLVED, that the Division of Budget and Management and Department of Emergency Services are hereby authorized to accept the reimbursements from the Buffalo Marathon Association and other groups and to make the necessary deposits into GL account 466000, fund 110, business area 167; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.
(4-0) Legislator Grant not present for vote.

2. COMM. 2E-30 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health provides medical oversight and medical staffing to provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, to resolve a grievance filed by Civil Service Employees Association representing nurses in the Division of Correctional Health and to avoid a prolonged and costly arbitration process that would likely be against the County, the proposed 2015 Budget included two new nursing positions; and

WHEREAS, those positions were deleted from the 2015 Budget during the 2015 Budget process; and

WHEREAS, the 2015 Budget also included the reallocation of two part time nursing positions in Correctional Health into one full time position and that position was also deleted in the 2015 Budget process; and

WHEREAS, to ensure the CSEA grievance is addressed and staffing levels are maintained at the necessary levels to address union and federal oversight concerns, it is necessary to create the three nursing positions in the 2015 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of three full time positions of Correctional Facility Medical Aide, JG 12, (\$44,234 annual salary) in the CSEA bargaining unit as noted in B-100#8146; and be it further

RESOLVED, that the following budgetary adjustments to the 2015 Budget are hereby authorized effective January 1, 2015:

Fund 110 - 2015 Budget	
12760 - Correctional Health	
Expense Accounts	Increase/ (Decrease)
500000 Full Time Salaries	\$ 132,702
502000 Fringe Benefits	82,275
Total	214,977

Fund 110 - 2015 Budget
120- Social Services

<u>Expense Account</u>	<u>Increase/ (Decrease)</u>
525000 MMIS Medicaid Local Share	(\$ 214,977)
Total	(214,977)

and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the necessary budgetary transfers to provide funding for the Correctional Health positions; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Deputy Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.

(4-0) Legislator Grant not present for vote.

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

Item 33 – MR. LORIGO presented the following resolution and moved for consideration.
MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

RE: Encouraging Congress and the Federal
Aviation Administration to Preserve and
Expand Regulations on Aviation Safety
(INTRO. 3-1)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR BURKE

WHEREAS, The Buffalo Niagara International Airport, located in the Town of Cheektowaga is a major international airport connecting flights and people throughout the world; and

WHEREAS, on February 12, 2009, Continental Airlines Flight 3407 crashed into the Clarence Center home of Douglas and Karen Wielinski, killing Douglas Wielinski and all forty- nine people on the inbound flight to Buffalo Niagara International Airport; and

WHEREAS, pilot error was identified as the cause of that accident due to lowered airline industry flight experience time for pilots; and

WHEREAS, in response to this tragedy, the families of the Flight 3407 victims came together to advocate for pilot training reforms in order to avoid future tragedies; and

WHEREAS, the successful advocacy of the families of Flight 3407 resulted in policy implementation on August 1, 2010, when Public Law 111-216, the Airline Safety and Federal Aviation Administration Extension Act of 2010 was signed into law by President Obama; and

WHEREAS, Public Law 111-216 made significant improvements to airline safety, including regulations requiring more experience for entry level pilots, increased pilot training from 250 flight hours to a minimum of 1,500 flight hours in order to earn an Airline Transport Pilot Certificate, performance records in the form of a Pilot Record Database, and measures to safeguard against pilot fatigue; and

WHEREAS, FAA reauthorization comes before Congress again this year, and the Families of Flight 3407 are rightfully concerned that reauthorization could lead to a roll back- or even an outright repeal of the hard fought reforms in airline safety regulations; and

WHEREAS, the Families of Flight 3407 have a strong and respected advocate in their corner in Captain Chesley "Sully" Sullenberger, the Hero Pilot of the "Miracle on the Hudson," who came to Clarence, NY on February 2, 2015 to join the Families of Flight 3407 in the battle to retain the airline safety reforms they worked so very hard to achieve; and

WHEREAS, Captain Sullenberger enthusiastically endorsed the FAA regulation changes promulgated by the Families of Flight 3407, and Captain Sullenberger acknowledged that government is duty bound to provide for the safety of its citizens in urging, along with the

Families of Flight 3407, that federal policymakers in any debate of FAA reauthorization prioritize maintaining and enhancing the aviation reforms to save lives.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby proclaims its strongest encouragement to Congress and the Federal Aviation Administration to extend all safety regulations contained in Public Law 111-216, in order for the FAA reforms in airline safety to continue unchanged, maintaining and strengthening aviation; and be it further

RESOLVED, that the Erie County Legislature further declares that legislative and/or administrative changes that would degrade, roll back, reverse or in any way diminish the authority of Public Law 111-216, the Airline Safety and Federal Aviation Administration Extension Act of 2010 and the new standards or regulations implemented by the FAA in response to the advocacy of the Families of Flight 3407, would be irresponsible and unconscionable; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to Congressmen Higgins and Collins; Senators Schumer and Gillibrand; The White House (1600 Pennsylvania Avenue NW, Washington, DC 20500); The House of Representatives (H-232 The Capitol, Washington, DC 20515); The United States Senate (Washington, D.C. 20510); and to the Federal Aviation Administration, Michael Huerta, FAA Administrator (800 Independence Avenue, SW, Washington, DC 20591).

MR. LORIGO moved to amend to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the item as amended. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 34 – CHAIR MILLS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 3-2 from LEGISLATOR BURKE. Resolution in Favor of Vaccination as an Important Measure in Public Health and Safety.

Item 35 – CHAIR MILLS directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO. 3-3 from LEGISLATOR MORTON. Gas Tax Cap in Erie County.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 36 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-11 from the COUNTY EXECUTIVE. Re: Federal Aid Project Agreement - NYSDOT - EC Shoreline Trail Bethlehem Steel Project - Preliminary Engineering - Buffalo and Lackawanna.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 37 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-12 from the COUNTY EXECUTIVE. Re: Blue Star Memorial at Chestnut Ridge Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 38 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-13 from the COUNTY EXECUTIVE. Re: EC Sewer District No. 4 - Aurora North Pump Station Elimination Sanitary Sewer Project - Opening Bid.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 39 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-14 from the COUNTY EXECUTIVE. Re: US Housing and Urban Development - LEADSAFE 2015-2017 Grant.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 40 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-15 from the COUNTY EXECUTIVE. Re: OPEN ITEM – Black Rock Canal Park Phase II Construction.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 3E-16 from the COUNTY EXECUTIVE. Re: Supplemental Nutrition Assistance Program Process and Technology Improvement Grant.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 3E-1) Appointment to the Youth Services Board

January 29, 2015

Dear Honorable Members:

RE: APPOINTMENT TO THE YOUTH SERVICES BOARD

Pursuant to Section 11.09 of the Erie County Code, I hereby appoint the following individual to the Erie County Youth Services Board to a term ending December 31, 2016:

Brian Rochar
22 Colvinhurst Dr.
Buffalo, New York 14223

Sincerely,
MARK C. POLONCARZ
Erie County Executive

Received, filed and printed.

FROM LEGISLATOR HARDWICK

Item 43 – (COMM. 3E-2) Letter of Absence from Legislative Session

February 9, 2015

Dear Clerk McCarthy:

Please be advised that due to a death in my family, I am unable to attend the upcoming third legislative session. I apologize for my absence from session on February 12, 2015.

By copy of this letter, I have notified the Chair of the Legislature of my unavailability during this period.

Sincerely,
KEVIN R. HARDWICK
Erie County Legislator, 4th District

Received, filed and printed.

FROM LEGISLATOR GRANT

Item 44 – (COMM. 3E-3) City of Buffalo Updated Smoking Ordinance - Amendment for Electronic Cigarettes

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 45 – (COMM. 3E-4) Foreclosure Pursuant to the In Rem Provisions of the EC Tax Act, In Rem Action No. 163

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 46 – (COMM. 3E-5) Report on Motor Fuel Tax in Erie County

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 3E-6) Nine Hole Greens Fee Rate at Elma Meadows and Thank a Vet Discount

Item 48 – (COMM. 3E-7) Designation of Equitable Business Opportunities Administrator for Federal-Aid Highway Local Projects with NYSDOT

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 49 – (COMM. 3E-8) Letter in Response to County Clerk Letter Regarding Proposed Merger of Departments of Mental Health and Social Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 50 – (COMM. 3E-9) Sheriff - 2015 - Alden Firing Range Facility Upgrades Project

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 51 – MR. LORIGO presented the following resolution and moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

RE: Aviation Fuel
(COMM. 3E-10)

MR. LORIGO moved to amend the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Insert the following:

WHEREAS, during the November storm, the Erie County Sheriff's Office helicopter, Air-1, operated reconnaissance flights to provide real-time situational awareness for county, state, and other response agencies, and

WHEREAS, fuel was ordered from a vendor that could deliver aviation fuel to the heliport during the storm, and

WHEREAS, without the additional fuel, Air-1 would not have been able to operate the number of lengthy sorties throughout the response and cleanup efforts by county, state and federal agencies, and

WHEREAS, no additional cost for the fuel and delivery.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize a one-time payment to Superior Plus Energy Services for the purchase and delivery of aviation fuel, and be it further;

RESOLVED, that certified copies of this resolution will be forwarded to the Director of Purchasing, Budget Office, Office of the Comptroller and the Office of the Sheriff.

MR. LORIGO moved to approve as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 52 – (COMM. 3D-1) Documents Received Regarding LL Int. 9-1 (2014)

Item 53 – (COMM. 3D-2) Organizations Funded by EC - 2014 Closeout Report

Item 54 – (COMM. 3D-3) Organizations Funded by EC - 2015 Budget Submissions

Item 55 – (COMM. 3D-4) Organizations Submissions Pursuant to 2015 Budget Resolution

B

The above four items were received and filed.

FROM THE COUNTY ATTORNEY

Item 56 – (COMM. 3D-5) Response to Chair Mills' Letter Regarding Appointment to the Buffalo & EC Public Library Board

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 57 – (COMM. 3D-6) Bi-Monthly Report - ECC Academic Building

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 58 – (COMM. 3D-7) NYSDEC Documents Received

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ROSWELL PARK CANCER INSTITUTE

Item 59 – (COMM. 3M-1) Memorandum of Support to Make Electronic Cigarettes Subject to all Current Smoking Laws

Received and filed.

FROM ANDREW HYLAND

Item 60 – (COMM. 3M-2) Comments from E-Cigarettes Public Hearing

Received and filed.

FROM THE NFTA

Item 61 – (COMM. 3M-3) December 18, 2014 Board Minutes

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

Item 62 – (COMM. 3M-4) Fiscal Year 2014-15 Revenues & Expenditures Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE EC WATER AUTHORITY

Item 63 – (COMM. 3M-5) Unaudited Comparative Financial Statements December 2013 and 2014

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE MWBE UTILIZATION ADVISORY BOARD

Item 64 – (COMM. 3M-6) November 24, 2014 Meeting Minutes

Received and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE.

ANNOUNCEMENTS

Item 65 – CHAIR MILLS announced Erie Community College's Mid-Year Budget Hearing will be held February 19, 2015 during the Finance & Management Committee Meeting at 11:00 a.m.

Item 66 – CHAIR MILLS announced the committee schedule for February 19, 2015 has been distributed.

MEMORIAL RESOLUTIONS

Item 67 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Elizabeth Fisher and Raymond Markiewicz.

Item 68 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Robert E. Hardwick, Clinton R. Wyckoff III, and the Victims of Flight 3407 on the 6th Anniversary of the Crash.

ADJOURNMENT

Item 69 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, February 26, 2015 at 2:00 p.m. Eastern Standard Time. MR. Rath seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, February 26, 2015 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE