

**ERIE COUNTY LEGISLATURE
MEETING NO. 17
OCTOBER 10, 2013**

The Legislature was called to order by Chair Grant.

All members present, except Legislator Mazur.

An Invocation was held, led by Ms. Marinelli, who offered a short prayer.

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. MARINELLI moved for the approval of the minutes for Meeting Number 16 from 2013. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. MARINELLI presented a Memorial Proclamation Honoring Aaron Podolefsky, Ph.D., President of Buffalo State College (2010-2013).

Item 6 – CHAIR GRANT presented a resolution Recognizing October 20-26, 2013 as Freedom from Workplace Bullies Week.

Item 7 – MS. MARINELLI presented a resolution Recognizing October as Domestic Violence Awareness Month.

Item 8 – MR. HARDWICK presented a resolution Honoring Ashli Skura Dreher on Being Named NYS Teacher of the Year For 2014.

Item 9 – MR. HARDWICK presented a resolution Honoring Jacob Alexander Tucker on Achieving the Rank of Eagle Scout.

Item 10 – MS. DIXON presented a resolution Congratulating Jack Reid for Receiving the Michal J. Diggins Community Service Award at the Ryan Purcell Race.

Item 11 – MR. MILLS, MS. DIXON, MR. LORIGO, MR. HARDWICK and MR. RATH presented a resolution Recognizing Fire Prevention Week, Oct. 6-12, 2013 and Applauding the Year-Round Efforts of Erie County's Local Fire Companies.

Item 12 – MS. MARINELLI presented a resolution Congratulating the Broadway Market on Its 125th Anniversary.

Item 13 – MR. HOGUES presented a resolution Congratulating Delaine - Waring African Methodist Episcopal Church 57th Anniversary.

Item 14 – MS. MARINELLI presented a memorial resolution Honoring the Life of Lorne Keating.

Item 15 – MS. GRANT, MR. MAZUR, MR. MILLS, MR. HOGUES, MS. MARINELLI, MR. HARDWICK, MR. LOUGHRAN, MR. RATH, MR. McCracken, MS. DIXON and MR. LORIGO presented a resolution Celebrating National Opera Week (October 25 - November 3, 2013), Highlighted by Opera Day (October 26, 2013).

Item 16 – CHAIR GRANT presented a resolution Congratulating Lelia F. Byrdon on Being a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., "Elder Award."

Item 17 – CHAIR GRANT presented a resolution Congratulating Nicolette Jasmine McCalister on Being Selected to Receive the Buffalo Association of Black Social Workers, Inc., "Member of the Year" Award.

Item 18 – CHAIR GRANT presented a resolution Congratulating Michael A. McDuffie on Being Named a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., "Unsung Hero" Award.

Item 19 – CHAIR GRANT presented a resolution Congratulating Ralph J. Fleming on Being a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., "Unsung Hero" Award.

Item 20 – CHAIR GRANT presented a resolution Congratulating Sandra Williams-Bush on Being a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., Community Service Award.

Item 21 – CHAIR GRANT presented a resolution Congratulating Ronjonette Harrison on Being a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., Community Service Award.

Item 22 – CHAIR GRANT presented a resolution Congratulating Mrs. Viola Hill on Being a Much Deserved Recipient of the Buffalo Association of Black Social Workers, Inc., "Elder Award."

MS. MARINELLI moved for consideration of the above fifteen items. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the above fifteen items by including Et Al Sponsorship. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved for approval of the above fifteen items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 23 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 24 – CHAIR GRANT directed that Local Law No. 3 (Print #1) 2012 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 25 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

October 1, 2013	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16E-3 (2013)
COMPTROLLER: “Review of Department of Social Services - Child Protective Services & Reorganization of Management (COMM. 15E-29)”
(5-0)

b. COMM. 16D-3 (2013)
DEPUTY COUNTY EXECUTIVE: “Response Letter to Legislator Lorigo Regarding Questions Concerning DSS Reorganization Plan”
(5-0)

c. COMM. 16D-4 (2013)
DEPUTY DIRECTOR OF BUDGET & MANAGEMENT: “Letter to Legislature Concerning Comm. 15E-29 - DSS Reorganization”
(5-0)

2. COMM. 16E-12 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a grant award from the New York State Department of Health in the amount of \$75,000 for the purpose of working with the New York State Health Department and AIDS Institute to facilitate the re-engagement in medical care to persons thought to be out-of-care and living with HIV/AIDS; and

WHEREAS, this program will also notify, test and treat partners and distribute condoms to sexually active HIV positive persons and their partners; and

WHEREAS, in order to fulfill the requirements of the program it will be necessary to create one full-time position of Senior Disease Intervention Specialist, JG 8, Step 1.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from the New York State Department of Health to be budgeted as follows:

Expanded Partner Services
127EXPS1314
10/1/13 – 6/30/14

SAP	REVENUE	BUDGET
409000	State Aid	<u>\$75,000</u>
	Total	<u>\$75,000</u>
EXPENSES		
500000	Full Time Staff	\$27,790
502000	Fringe Benefits	21,905
505000	Office Supplies	500
510000	Local Travel	1,200
510100	Out of Area Travel	2,775
510200	Training & Education	500
530000	Other Expenses	3,000
561410	Lab & Technical Equipment	1,150
912700	ID – Health Services	15,580

980000	DISS	<u>600</u>
	Total	<u>\$75,000</u>

and be it further

RESOLVED, that one full-time position of Senior Intervention Specialist, JG 8, is hereby created as indicated on B100# 7411; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building
(5-0)

**THOMAS J. MAZUR
CHAIR**

Item 27 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

October 1, 2013	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.

1. COMM. 16E-5 (2013)
COUNTY CLERK

WHEREAS, the Erie County Clerk is responsible for processing all pistol permits in Erie County and the maintenance of related records; and

WHEREAS, the County Clerk purchased Gunkeeper, a proprietary software created by Vivax Corporation, several years ago for the tracking and issuing of permits; and

WHEREAS, the Clerk's office has identified several modifications that would allow for a more efficient pistol permit process; and

WHEREAS, Vivax Corporation has agreed to make these modifications; and

WHEREAS, the proprietary nature of the software necessitates that only Vivax can make the requested modifications and requires the waiving of the RFP procedure as outlined in Section 19.08 of the Erie County Administrative Code; and

WHEREAS, since the beginning of 2013 the Pistol Permit Division has experienced an unanticipated increase in requests for new permits, duplicate permits and address changes; and

WHEREAS, the Clerk's 2013 Office Supply budget does not contain adequate funding to cover this unexpected increase; and

WHEREAS, the Clerk's Office/Registrar Division has identified funding from unanticipated revenue recorded in 2013 Revenues - Pistol Permits.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the allocation of the following funds:

2013 BUDGET – County Clerk, Business Area 113
Fund Center 11310 – Registrar Division

		Increase
421000	Pistol Permits	\$8,000
516030	Maintenance Contracts	\$2,250
505000	Office Supplies	\$5,750

and be it further

RESOLVED, that the Budget Director is hereby authorized to make all necessary budget adjustments relative to this funding; and be it further

RESOLVED, that the provisions of Section 19.08 of the Erie County Administrative Code are hereby waived as it relates to the completion of the modifications to Gunkeeper software by Vivax Corporation; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.
(5-0)

**THOMAS J. MAZUR
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 214

October 1, 2013	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12M-11 (2013)
BUFFALO & EC PUBLIC LIBRARY: "Proposed Agenda for Meeting Held 6/20/2013"
(5-0) Chair Grant not present for vote.
 - b. COMM. 14E-16 (2013)
MILLS: "Letter to County Executive Concerning Minority Caucus Appointment
Recommendation to the Commission on the Status of Women"
(5-0) Chair Grant not present for vote.
 - c. COMM. 14M-4 (2013)
BUFFALO COMMON COUNCIL: "Copy of Resolution Concerning Construction of ECC's
Health Sciences Building"
(5-0) Chair Grant not present for vote.
 - d. COMM. 14M-6 (2013)
BUFFALO & EC PUBLIC LIBRARY: "Proposed Agenda for Meeting to be
Held 7/18/2013"
(5-0) Chair Grant not present for vote.
 - e. COMM. 16M-2 (2013)
BUFFALO & EC PUBLIC LIBRARY: "Agenda for Meeting Held 9/19/2013"
(5-0) Chair Grant not present for vote.
2. COMM. 16E-13 (2013)
COUNTY EXECUTIVE
WHEREAS, Erie Community College has an existing lease of space on the South Campus
cell tower with T-Mobile for their purpose of transmission and reception of communication systems;
and

WHEREAS, the existing lease includes the operation of antennae and T-Mobile wishes to
replace five of the antennae with technologically improved antennae, and add a sixth antennae as
sought in its original lease; and

WHEREAS, the five year lease with five renewal terms of five years commenced September
6, 2006; denial of this request would negatively impact such renewals and the \$30,346 annual
revenue stream provided ECC thereunder during this first renewal with 15% increases thereto for
future renewals.

NOW, THEREFORE, BE IT

RESOLVED, that the ECC Board of Trustees hereby approves this 2nd Amendment to the T-
Mobile South Campus Cell Tower Lease; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Erie County Executive, President of Erie Community College and the Chairman of the ECC Board of Trustees.
(5-0) Chair Grant not present for vote.

LYNN M. MARINELLI
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 215

October 1, 2013	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12E-12 (2013)
COUNTY EXECUTIVE: “Initiatives for a Smart Economy”
(5-0)
 - b. COMM. 13M-4 (2013)
LANCASTER TOWN BOARD: “Copy of Resolution Calling on the County Executive & County Legislature to Help Resolve Snow Removal & De-Icing Issues of County Roads”
(5-0)
 - c. COMM. 14D-2 (2013)
DEPARTMENT OF PUBLIC WORKS: “Sowles Road - Town of Hamburg”
(5-0)
 - d. COMM. 14D-4 (2013)
DEPARTMENT OF PUBLIC WORKS: “Update: Resolution 10E-14 (2013) - Award of Contract - Abbott Road Bridge over Neuman Creek Replacement - Town of Orchard Park”
(5-0)
 - e. COMM. 14M-8 (2013)
EDEN TOWN BOARD: “Copy of Resolution Concerning Eden-Evans Center Road, Eden, NY”
(5-0)
 - f. COMM. 14M-9 (2013)
JAMES H. BRAUN JR.: “Letter to County Executive Concerning Ransom Creek Bridge at Heise Road Intersection”

- (5-0)
- g. COMM. 15D-3 (2013)
COMPTROLLER'S OFFICE: "Letter to Commissioner of Public Works Concerning Audit of the Maintenance & Inspection of County Elevators"
(5-0)
- h. COMM. 15D-16 (2013)
COMMISSIONER OF PUBLIC WORKS: "Letter to Chair of Legislature Concerning Mid-Block Crosswalk - 92 Franklin St., Buffalo, NY"
(5-0)
- i. COMM. 15D-21 (2013)
COMPTROLLER'S OFFICE: "Letter to County Executive Concerning NYSDOT Single Audit Report for the Year Ended 12/31/2012"
- j. COMM. 15D-29 (2013)
COMMISSIONER OF PUBLIC WORKS: "Letter to Legislator Rath Concerning Snowplowing Contract Comments in Amherst & Clarence Bee"
(5-0)
- k. COMM. 15M-1 (2013)
SECRETARY TO THE NYS GOVERNOR: "Letter to State Comptroller Concerning the Nomination of Wesley Hicks, Jr., MD as a Member of the NFTA Board"
(5-0)
- l. COMM. 15M-3 (2013)
NFTA: "Minutes from Meeting Held 6/27/2013"
(5-0)
- m. COMM. 15M-13 (2013)
SARDINIA TOWN BOARD: "Copy of Resolution Resolving Issues of Contract Between EC Department of Public Works & Various Towns in EC for Snowplowing & De-Icing Services"
(5-0)
- n. COMM. 15M-14 (2013)
AURORA TOWN BOARD: "Copy of Resolution Concerning EC Snowplowing"
(5-0)
- o. COMM. 15M-15 (2013)
ELMA TOWN BOARD: "Copy of Resolution to Help Resolve Snow Removal & De-Icing Issues of County Roads"
(5-0)
- p. COMM. 15M-16 (2013)
NFTA: "Copy of 17A Report & Capital Expenditures Report for the First Quarter of Fiscal Year Ending 3/31/2014"

(5-0)

- q. COMM. 15M-17 (2013)
HAMBURG TOWN BOARD: “Copy of Resolution Concerning Repair and Repaving of Sowles Road from McKinley Parkway to Southwestern Boulevard”
(5-0)
- r. COMM. 15M-19 (2013)
EDEN TOWN BOARD: “Copy of Resolution Concerning Snow Removal & De-Icing Issues of County Roads”
(5-0)
- s. COMM. 15M-24 (2013)
NFTA: “Minutes of Meeting Held 7/25/2013”
(5-0)
- t. COMM. 15M-25 (2013)
NFTA: “Copy of Annual 17A Report”
(5-0)
- u. COMM. 15M-27 (2013)
TOWN HIGHWAY SUPERINTENDENTS ASSOCIATION OF EC, INC.: “Letter to Commissioner of Public Works Concerning 2014-2016 Town/County Snow Plowing Contracts”
(5-0)

2. COMM. 10E-21 (2013)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Library Board of Trustees has authorized the Library Director, in cooperation with the Erie County Department of Public Works to proceed with the redesign of the second floor west area work; and

WHEREAS, the County of Erie received bids for the Buffalo and Erie County Main Central Library – Second Floor West Renovations on July 24, 2013; and

WHEREAS, the Erie County Department of Public Works, along with its Consultant, is recommending award of the contract to the lowest responsible bidders; and

WHEREAS, the lowest responsible bidders are:

GENERAL CONSTRUCTION WORK
HVAC CONSTRUCTION WORK
ELECTRICAL CONSTRUCTION WORK
PLUMBING WORK

Javen Construction Co. Inc.
Greater Niagara Mechanical Inc.
CIR Electrical Construction Corp.
Numarco, Inc.

and

WHEREAS, revenue in the amount of \$55,460.00 has been received in project F.00007, Central Library Asbestos Abatement and Environmental Remediation, and is available for budgeting to help support this work; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreement with the firm of Watts Architectural & Engineering PC for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Watts Architectural & Engineering PC for providing design and construction administration services for the Erie County Main Library, Second Floor West Renovations.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Central Library Asbestos Abatement and Environmental Remediation project (F.00007), be amended as follows:

Account	Description	Change
REVENUES		
405060	State Aid – NYSERDA	\$55,460.00
APPROPRIATIONS		
516020	Professional Services & Fees	\$55,460.00

and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders, for the Buffalo & Erie County Main Central Library Second Floor West Renovations as follows:

General Construction Work

Base Bid – Javen Construction Co, Inc.	\$570,000.00
Alt Bid #1	<u>\$ 21,000.00</u>
Total	\$591,000.00

HVAC Construction Work

Base Bid - Greater Niagara Mechanical Inc.	\$215,700.00
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Electrical Construction Work

Base Bid – CIR Electrical Construction Corp.	\$ 216,900.00
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Plumbing Construction Work

Base Bid – Numarco, Inc.	<u>\$ 97,000.00</u>
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Total Contract Award	\$1,120,600.00
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and be it further

RESOLVED, that the sum of \$69,222.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Watts Architectural & Engineering PC for providing professional design and construction administration services for Erie County Main Library Second Floor West Renovations for an amount not to exceed \$84,000 including reimbursables; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts and Library funding as follows:

F.11001 2011 Central Library Space Renovations	\$ 21,000.00
F.00007 Central Library Asbestos	\$ 81,927.00
F.00009 Central Library Mechanical Improvements	\$ 25,104.00
F.00011 Central Library Asbestos	\$ 6,721.00
Library 420 NYS Construction TR 1215	\$1,139,070.00
Available Total	\$1,273,822.00

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, the Buffalo & Erie County Central Library, Ken Stone, and the Office of the Comptroller.

(5-0)

3. COMM. 16E-9 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature via Comm. 13E-13 of July 18, 2013 authorized the participation in the construction phase of Federal Aid Bridge Maintenance Project; PIN 5760.28 Bridge Washing Two Hundred & Thirty (230) Bridges, PIN 5760.29 Deck Sealing Eighteen (18) Bridges, PIN 5760.30 Bridge Joint Replacement Three (3) Bridges (the Project) in the amount of \$625,000 from Project B.00192.322, 2008 Bridge Maintenance, fund 420, business area 123; and

WHEREAS, due to Legislative recess, execution of Project agreement and award to responsible low bidder(s) based on an estimated cost was necessary to meet required tasks within our construction season; and

WHEREAS, the awards to low bidders, Hunting Valley Construction Inc., A& A Painting, Construction Contingency, and CHA Consulting Inc. and LiRo Engineers construction services and inspection agreements exceed the project estimate of \$625,000 by approximately \$48,000; and

WHEREAS, the Erie County Department of Public Works, Division of Highways, is confident the bidders' proposals are fair and in the best economic interest to the taxpayers of Erie County, and would like to finance the shortfall from existing available funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that your Honorable Body hereby authorizes the allocation of \$48,000, from B.13016.8 2013 Capital Overlay Program, BA 123, Fund 420 for the shortfall in the federal aid project for bridge washing, deck sealing and bridge joint replacement; and be it further

RESOLVED, that the County Executive be authorized to execute award of project to the responsible low bidder(s), establish a Project contingency, and execute contracts between the County of Erie and project engineers CHA Consulting, Inc. and LiRo Engineers for construction engineering services and inspection for the Project, in an amount not to exceed the revised allowable Project construction amount of \$673,000; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of County Attorney, and the Office of the Comptroller. (5-0)

4. COMM. 16E-10 (2013)
COUNTY EXECUTIVE

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 will rehabilitate or repair six (6) County Owned Bridges; and

WHEREAS, funding for this Project was approved and is available in Fund 420, Business Area 123, Project B.11031.1 – 2011 As Directed Bridge Work-Reconstruction (\$215,850.23) and B.12008.2- 2012 Preservation of Bridges and Culverts-Construction (\$184,579.22), in the amount of \$400,429.45; and

WHEREAS, it is necessary that this approval be granted, so that the contract can be awarded to allow the contractor to order material as soon as possible and begin work this summer; and

WHEREAS, in order to facilitate the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 it will be necessary for the County to execute the construction contract with the responsible low bidder and establish a construction contingency; and

WHEREAS, a contract must be negotiated with Clough Harbour & Associates for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated contract between the County of Erie and project engineers Clough Harbour Associates; and be it further

RESOLVED, that funding for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 be allocated from Fund 420, Business Area 123, Projects B.11031.1- 2011 As Directed Bridge Work-Reconstruction (\$215,850.23) and B.12008.2-2012 Preservation of Bridges and Culverts-Construction (\$184,579.22), in an amount not to exceed \$400,429.45; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, what contractor was the successful low responsible bidder for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, 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)

5. COMM. 16E-11 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works/Highways is required to work collaboratively both internally and externally; and

WHEREAS, appropriate training will be used to improve work productivity, teamwork and communication; and

WHEREAS, this training includes a DiSC personal assessment to enhance supervisory practices; and

WHEREAS, the selection process has determined that Developing Professionals is the most appropriate firm to provide content for a DiSC assessment; and

WHEREAS, the Erie County Department of Public Works/Highways has funds allocated in their 2013 budget to pay for the professional services contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with Developing Professionals for the provision of DiSC workshop for employee training; and be it further

RESOLVED, that should the Department of Public Works find the DiSC assessment to be an effective training tool, the department may initiate a DiSC Train the Trainer program in a larger scope, subject to available funds; and be it further

RESOLVED, that the funding for this program in the amount of \$8,500 is available from 2013 Budget Business Area 123, Fund 210, G/L Account 516020 for Professional Services; 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, Management and Finance, the Office of the Comptroller, the Department of Purchase and the Department of Personnel.

(5-0)

**THOMAS A. LOUGHRAN
CHAIR**

Item 30 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 216

October 1, 2013	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 26D-4 (2012)
DIRECTOR, EC EQUAL EMPLOYMENT OPPORTUNITY: “EC Construction, Building & Sewer Contracts for 2011 – MBE/WBE Participation”
(5-0)
 - b. COMM. 9M-10 (2013)
EC MINORITY & WOMEN BUSINESS ENTERPRISE UTILIZATION ADVISORY BOARD: “Minutes of Meeting Held 3/25/2013”
(5-0)
 - c. COMM. 11M-1 (2013)
EC MBE/WBE UTILIZATION ADVISORY BOARD: “Minutes from Meeting Held 4/29/2013”
(5-0)

d. COMM. 13M-6 (2013)
EC MBE/WBE UTILIZATION ADVISORY BOARD: “Minutes from Meeting Held
5/20/2013”
(5-0)

e. COMM. 15M-11 (2013)
EC MBE/WBE UTILIZATION ADVISORY BOARD: “Minutes from Meeting Held
6/24/2013”
(5-0)

2. COMM. 16E-7 (2013)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointments of the following
individuals to the Erie County Commission on the Status of Women for terms which will end June
30, 2016:

Melanie J. Beardsley
40 Avian Way
Lancaster, New York 14086

Linda C. Berman
88 Woodshire North
Getzville, New York 14068

Elaine Blyden
316 Landon Street
Buffalo, New York 14211

Whitney Crispell
201 Richmond Avenue
Buffalo, New York 14222

Karen King
135 Wood Acres Drive
East Amherst, New York 14051

Theresa Mignone-Klosterman
342 Greengage Circle
East Amherst, New York 14051

Gail Praefke
299 Green Acres Road
Tonawanda, New York 14150

Anna Shurmatz
281 Forest Drive
West Seneca, New York 14224

(5-0)

BETTY JEAN GRANT
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 217

October 3, 2013	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

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

a. COMM. 16E-8 (2013)
COUNTY EXECUTIVE: "ECSD No. 8 - Reed-Hill Subdivision"
(5-0)

2. COMM. 13E-25 (2013)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the County of Erie advertised for and received responses to a request for proposals from consulting firms to perform professional services associated with the Southtowns Advanced Wastewater Facility (AWTF) Facility Report Update Project; and

WHEREAS, a review committee consisting of representatives from the Erie County Division of Sewerage Management was established to evaluate all responses to the County's request for proposals, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends retaining ARCADIS U.S., Inc. to complete the requested consulting services; and

WHEREAS, there is available cash in Erie County Sewer District No. 3 Capital Reserve Account C.00007; and

WHEREAS, the Division of Sewerage Management wants to utilize a portion of the cash balance in Capital Reserve Account C.00007 to fund the contract; and

WHEREAS, the County of Erie is bound to fulfill the terms of New York State Department of Environment and Planning State Discharge Pollutant Elimination System Permit NY0095401, including the preparation of this Facility Report Update for the Southtowns AWTF in Erie County Sewer District No. 3.

NOW, THEREFORE, BE IT

RESOLVED, that ARCADIS U.S., Inc. (ARCADIS) be retained to perform professional services associated with the Southtowns AWTF Facility Report Update Project; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with ARCADIS, 50 Fountain Plaza – Suite 600, Buffalo, New York 14202 for professional services associated with the Southtowns AWTF Facility Report Update Project in an amount not to exceed \$225,000.00, subject to approval as to content by the Commissioner of the Department of Environment and Planning and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized and directed to establish a new Capital Project, C.13301 "Southtowns AWTF Fac. Rpt. 0.225M" with estimated revenues of, (\$486,000) interfund transfer from Capital Reserve, \$225,000.00 and Appropriations Professional Services (516020) of \$225,000.00 and to establish all budgetary accounts necessary to facilitate the transfer of funds; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized to establish budgets as necessary and directed to transfer \$225,000 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Erie County Sewer District No. 3 Capital Account C.13301; and be it further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate \$225,000.00 from Erie County Sewer District No. 3, Capital Account C.13301 for this project; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.

(5-0)

3. COMM. 15E-14 (2013)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Town of Amherst has merged of Amherst Town Sewer District No. 16 with Amherst Town Sewer District No. 1; and

WHEREAS, the County of Erie on behalf of ECSD 5 has requested modifications to the existing October 26, 2005 service agreement due to said Town Sewer Districts merger; and

WHEREAS, the billing formula consists of seven items where Item No. 4 of the original agreement shall be adjusted to account for the Town Sewer District merger.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an amendment to the October 26, 2005 service agreement for ECSD 5, subject to approval as to content by the Commissioner of Environment and Planning and approval as to form by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, Kristen Walder, Assistant County Attorney, the Town of Amherst Comptroller and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

(5-0)

4. COMM. 16E-15 (2013)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature grants authorization to conduct a public hearing and that a notice is hereby given that the Assessment Rolls for 2013 (2014 Levy) have been completed for Erie County Sewer District Nos. 1,2,3,4,5,6 and 8 and will be on file in the Office of the Division of Sewerage Management, Department of Environment & Planning, 95 Franklin Street, Buffalo, NY 14202, and open for public inspection during business hours on and after the first of October, 2013; and be it further

RESOLVED, that the County Legislature will hold a Public Hearing on the Assessment Rolls at 1:30 p.m., local time, on November 1, 2013, in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, New York, to hear all persons interested in the subject concerning the same.

(5-0)

TERRENCE D. McCRACKEN
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 218

October 3, 2013	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 15E-2 (2013)
COMPTROLLER: “Department of CPS - Audit of DNA Backlog Grant - 10/1/2010 - 12/31/2012”
(5-0)

TIMOTHY R. HOGUES
CHAIR

Item 33 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 219

October 3, 2013	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

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

- a. COMM. 16E-1 (2013)
COUNTY EXECUTIVE: "EC Deferred Compensation Committee Appointment"
(5-0)
- b. COMM. 16E-2 (2013)
COMPTROLLER: "Comptroller Office 2014 Budget Submission"
(5-0)
- c. COMM. 16D-5 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to Legislature Concerning State
Comptroller Report on "Fiscal Stress""
(5-0)

2. COMM. 1D-7 (2012)
EC REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 213114 through 213141, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2013	Petition No.	213,114.00
	ASSESSOR	Cancel	\$630.00

S-B-L	80.09-12-30	36 Harwood Dr	142289	AMHERST
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$630.00	Town/SpecialDist/School
<u>Charge To :</u>		142289 AMHERST		\$630.00
		Relevy School	\$630.00	142201 AMHERST CENTRAL

RPTL 550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR	2013	Petition No.	213,115.00
	ASSESSOR	Cancel	\$560.00

S-B-L	70.09-1-37.1/433	433 Third Ave	142289	AMHERST
	Acct. No. 112		\$0.00	County

Charge To : Acct. No. 132 \$560.00 Town/SpecialDist/School
142289 AMHERST \$560.00
Relevy School \$560.00 142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,116.00
ASSESSOR Cancel \$560.00

S-B-L 28.17-1-3.12 2255 N French Rd 142289 AMHERST

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$560.00 Town/SpecialDist/School
142289 AMHERST \$560.00
Relevy School \$560.00 142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,117.00
ASSESSOR Cancel \$938.24

S-B-L 55.20-5-34 163 Surrey Run 142289 AMHERST

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$938.24 Town/SpecialDist/School
142289 AMHERST \$938.24
Relevy School \$938.24 142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply enhanced STAR and aged exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,118.00
ASSESSOR Cancel \$286.60

S-B-L 70.09-1-37.1/421 421 Third Ave 142289 AMHERST

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$286.60 Town/SpecialDist/School
142289 AMHERST \$286.60
Relevy School \$286.60 142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply aged exemption
New tax bill to be issued

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$4,594.55	Town/SpecialDist/School
<u>Charge To :</u>	144600 GRAND ISLAND	\$4,594.55	
	Relevy School	\$4,594.55	144601 GRND ISLN CENTRAL

RPTL 550(2): Parcel is wholly exempt
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,123.00

ASSESSOR Cancel \$957.20

S-B-L 23.18-1-3 3449 West River R 144600 GRAND ISLAND

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$957.20	Town/SpecialDist/School
<u>Charge To :</u>	144600 GRAND ISLAND	\$957.20	
	Relevy School	\$957.20	144601 GRND ISLN CENTRAL

RPTL 550(2): Parcel is wholly exempt
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,124.00

ASSESSOR Cancel \$8,614.78

S-B-L 51.14-1-4 1650 Love Rd 144600 GRAND ISLAND

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$8,614.78	Town/SpecialDist/School
<u>Charge To :</u>	144600 GRAND ISLAND	\$8,614.78	
	Relevy School	\$8,614.78	144601 GRND ISLN CENTRAL

RPTL 550(2): Parcel is wholly exempt
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,125.00

ASSESSOR Cancel \$17,325.28

S-B-L 51.14-1-2 1780 Love Rd 144600 GRAND ISLAND

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$17,325.28	Town/SpecialDist/School
<u>Charge To :</u>	144600 GRAND ISLAND	\$17,325.28	
	Relevy School	\$17,325.28	144601 GRND ISLN CENTRAL

RPTL 550(2): Parcel is wholly exempt
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,126.00

 ASSESSOR Cancel \$11,294.94

S-B-L 24.17-1-2 2587 Baseline Rd 144600 GRAND ISLAND

Charge To : Acct. No. 112 \$0.00 County
 Acct. No. 132 \$11,294.94 Town/SpecialDist/School
 144600 GRAND ISLAND \$11,294.94
 Relevy School \$11,294.94 144601 GRND ISLN CENTRAL

RPTL 550(2): Parcel is wholly exempt
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,127.00

 ASSESSOR Cancel \$255.27

S-B-L 72.04-2-4 11080 Stage Rd 145689 NEWSTEAD

Charge To : Acct. No. 112 \$0.00 County
 Acct. No. 132 \$255.27 Town/SpecialDist/School
 145689 NEWSTEAD \$255.27
 Relevy School \$255.27 143201 CLARENCE CENTRAL

RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,128.00

 ASSESSOR Cancel \$424.00

S-B-L 67.07-11-32 727 Sweet Home R 142289 AMHERST

Charge To : Acct. No. 112 \$0.00 County
 Acct. No. 132 \$424.00 Town/SpecialDist/School
 142289 AMHERST \$424.00
 Relevy School \$424.00 142207 SWEET HOME CENTRAL

RPTL 550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,129.00

 ASSESSOR Cancel \$754.21

S-B-L 28.04-2-38 2455 Doage Rd 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$754.21	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$754.21
	Relevy School	\$754.21	142203 WILLIAMSVILLE CENT

RPTL 550(7): Parcel is wholly exempt - Town owned
New tax bill to be issued

FISCAL YEAR	2013	Petition No.	213,130.00
	ASSESSOR	Cancel	\$2,264.51

S-B-L 42.00-2-16.11 4001 North French 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,264.51	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$2,264.51
	Relevy School	\$2,264.51	142203 WILLIAMSVILLE CENT

RPTL 550(7): Parcel is wholly exempt - Town owned
New tax bill to be issued

FISCAL YEAR	2013	Petition No.	213,131.00
	ASSESSOR	Cancel	\$560.00

S-B-L 55.12-1-21 1605 North Forest 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$560.00	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$560.00
	Relevy School	\$560.00	142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply basic STAR exemption
New tax bill to be issued

FISCAL YEAR	2013	Petition No.	213,132.00
	ASSESSOR	Cancel	\$358.10

S-B-L 85.00-2-4 12473 Swift Mills 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$358.10	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$358.10

Relevy School \$358.10 142001 ALDEN CENTRAL

RPTL 550(2): Failed to apply basic STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,133.00

ASSESSOR Cancel \$3,342.19

S-B-L 73.02-3-6 5035 Havenwood D 145689 NEWSTEAD

Acct. No. 112 \$0.00 County
Acct. No. 132 \$3,342.19 Town/SpecialDist/School
Charge To : 145689 NEWSTEAD \$3,342.19
Relevy School \$3,342.19 143201 CLARENCE CENTRAL

RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,134.00

ASSESSOR Cancel \$714.01

S-B-L 335.20-3-19 135 Elk St 143801 SPRINGVILLE

Acct. No. 112 \$0.00 County
Acct. No. 132 \$714.01 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$714.01
Relevy School \$714.01 143801 SPRING-GRIFFITH

RPTL 550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,135.00

ASSESSOR Cancel \$722.28

S-B-L 230.00-2-20 9389 Lewis Rd 143400 COLDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$722.28 Town/SpecialDist/School
Charge To : 143400 COLDEN \$722.28
Relevy School \$722.28 145001 HOLLAND CENTRAL

RPTL 550(2): Valuation error
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,136.00

ASSESSOR Cancel \$211.43

S-B-L 156.00-4-34.21 0 Girdle Rd 144200 ELMA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$211.43 Town/SpecialDist/School
Charge To : 144200 ELMA \$211.43
Relevy School \$211.43 144201 IROQUOIS CENTRAL

RPTL 550(2): Duplicate Parcel
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,137.00

ASSESSOR Cancel \$630.00

S-B-L 68.14-3-59 446 Burroughs Dr 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$630.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$630.00
Relevy School \$630.00 142201 AMHERST CENTRAL

RPTL 550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,138.00

ASSESSOR Cancel \$559.00

S-B-L 16.00-1-2.2 3145 Hopkins Rd 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$559.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$559.00
Relevy School \$559.00 142203 WILLIAMSVILLE CENT

RPTL 550(2): Failed to apply basic STAR exemption
New tax bill to be issued

FISCAL YEAR 2013 Petition No. 213,139.00

ASSESSOR Refund \$456.58

S-B-L 187.02-1-26 1528 Sweet Rd 142289 AURORA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$456.58 Town/SpecialDist/School

GRANTED.

INTRO 17-1 from HARDWICK. Eliminating the Positions of Majority Leader & Minority Leader at the EC Legislature.

Item 35 – CHAIR GRANT directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 17-2 from HARDWICK. Calling Upon Director of Real Property Tax Services to Form a Task Force to Maximize Participation of EC Residents in NYS's STAR Program.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 17E-15 from LEGISLATOR MAZUR Re: Letter to Clerk of Legislature Concerning Absence from Regular Session No. 17 (2013)

CHAIR GRANT directed that the item be Received, Filed and Printed.

GRANTED.

October 10, 2013

Robert M. Graber, Clerk
Erie County Legislature
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, NY 14202

Dear Mr. Graber:

Please be advised that I am unable to be present at today's legislative session due to a family event outside the County that had been planned for some time.

However, I am available via cellular telephone in the event that you need to speak with me, so don't hesitate at all to call me if needed.

Thank you.

Sincerely,

Thomas J. Mazur
Majority Leader

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

GRANTED.

INTRO 17-3 from CHAIR GRANT. Re: Re-Invigorating the EC Community Coordinating Council on Children & Families to Broaden Its Mission & to Advocate on Behalf of Our Vulnerable Citizens, Including Children & Mentally Challenged Adults

RESOLUTION NO. 220

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR GRANT**

WHEREAS, this community has come to learn that three separate cases involving the alleged abuse and neglect of vulnerable citizens – two of whom were children, one a mentally challenged adult – resulted in situations that may have compromised the protection of these citizens; and

WHEREAS, although the discipline and/or discharge of county employees involved with these cases was called for – whether front line staff or supervisors – it does not fully address the need for pro-active, preventive measures to be taken within a county government system of protection; and

WHEREAS, the Erie County Community Coordinating Council on Children & Families is in the County Charter and was created to serve as the community's "eyes and ears, hearts and minds" to speak on behalf of the most vulnerable members of our community through their review of best practices and evidence-based advocacy; and

WHEREAS, at this pivotal time for both the child and adult protection systems, it behooves county government to look beyond itself and beyond state government to enlist the help of the community to address this crisis in care for our vulnerable citizens.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature call on the County Executive and the Commissioners and Directors of the various health and human service departments of Erie County government – including but not limited to the Departments of Social Services (including Youth Services), Health, Mental Health, Probation and Senior Services to strengthen the mission and

expand the purview of the Erie County Community Coordinating Council on Children & Families; and be it further

RESOLVED, while this re-invigoration of the Erie County Community Coordinating Council on Children & Families is undertaken, this Honorable Body shall undertake a review of the existing law creating the Council to broaden its scope to include adults – including those who are mentally challenged – that would fall under the purview of Adult Protection; and be it further

RESOLVED, that members of the Council – as outlined in the Local Law – will prioritize a review of the systems in place for the detection and investigation of child abuse and neglect, and an assessment of the systemic response of Child Protective Services; and be it further

RESOLVED, that the Council will also facilitate the inclusion of adult protection as part of its mission, pending passage of a new Local Law to achieve this goal; and be it further

RESOLVED, that the Council will be given sufficient county resources, not limited to in-kind support by the participating departments, to conduct its pro-active protective systems review and recommendations on behalf of our community's vulnerable citizens.

MS. MARINELLI moved to amend the resolution by including Et Al Sponsorship. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to approve the resolution as amended. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

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

GRANTED.

COMM. 17E-16 from the COUNTY EXECUTIVE Re: Department of Social Services - Say Yes to Buffalo

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 39 – (COMM. 17E-1) Report of Medicaid Usage in EC from 2008 - 2013

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER

Item 40 – (COMM. 17E-2) Copy of Letter Concerning the Apportionment & Distribution of Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC for the Months of June, July & August 2013

Item 41 – (COMM. 17E-3) Copy of Letter to County Executive Concerning Charter Sec 2506 Revenue & Certain Expense Projections Reviewed

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

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 17E-4) ECSD No. 3 - Engineer Term Contract Agreement - CRA Infrastructure & Engineering, Inc.

Item 43 – (COMM. 17E-5) ECSD No. 8 - Contract No. 11A, General - Contract Close Out - J.D. Northrup Construction Company

Item 44 – (COMM. 17E-6) ECSD No. 8 - Contract No. 11-D, Electrical - Contract Close Out - Weydman Electric, Inc.

Item 45 – (COMM. 17E-7) ECSD No. 5 - Contract No. 20 - Bryant & Stratton Pump Station Pump Replacement - Award of Contract

Item 46 – (COMM. 17E-8) ECSD No. 8 - Sewer District Extension (2013)

Item 47 – (COMM. 17E-9) Akron Falls Park - Request for Parkland Alienation Legislation

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

Item 48 – (COMM. 17E-10) Reconstruction of Penora St., Phase II - Como Park Blvd. to William St. - Town of Lancaster - Agreement with ECWA & Acceptance of Funds & Project Increase

Item 49 – (COMM. 17E-11) Purchase of Street Sweeper from Village of Williamsville

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

Item 50 – (COMM. 17E-12) Utility Work Agreements - Evans Lakeshore Trail

Item 51 – (COMM. 17E-13) ECSD No. 3 & 4 - Contract No. 71 - Contract Close Out - Hydrolawn of Buffalo, Inc.

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

Item 52 – (COMM. 17E-14) Department of Health - Transfer of Funds

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 53 – (COMM. 17D-1) ECDSS - Copy of Reorganization Proposal to the Health & Human Services Committee - 9/24/2013

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE CITIZENS' BUDGET REVIEW COMMISSION CLERK

Item 54 – (COMM. 17D-2) Minutes from Meeting Held 3/6/2013

Item 55 – (COMM. 17D-3) Minutes from Meeting Held 7/10/2013

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

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 56 – (COMM. 17D-4) Demolition of Former Friendship House Community Center - SEQR Notification

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 57 – (COMM. 17D-5) Copy of Letter to Commissioner of Public Works Concerning Performance Audit of Fleet Services for Period of 1/1/2011 - 12/31/2012

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMMISSIONER OF CENTRAL POLICE SERVICES

Item 58 – (COMM. 17D-6) Letter to Legislature Concerning Loss of Grant Assistance to Purchase Air Cards for Local Agencies

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 59 – (COMM. 17D-7) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 60 – (COMM. 17D-8) Copy of Letter to Director of Budget & Management
Concerning 10/1/2013 Listing of 2014 Budget Revenues

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 61 – (COMM. 17D-9) Budget Monitoring Report for Period Ending August 2013

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 62 – (COMM. 17M-1) Minute from Meeting Held 8/22/2013

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EC MINORITY & WOMEN BUSINESS ENTERPRISES
UTILIZATION ADVISORY BOARD

Item 63 – (COMM. 17M-2) Agenda for Meeting Held 8/26/2012

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

FROM THE ASSOCIATION OF EC GOVERNMENTS

Item 64 – (COMM. 17M-3) Copy of Resolution Regarding NYS Legislature Passage of the
Removal of the 4% Local Sales & Use Tax on the Purchase & Installations of Commercial Solar
Equipment

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYSDEC

Item 65 – (COMM. 17M-4) Notice: Application for Cleanup from Legacy LaSalle, LLC.
For a Site Known as 89 LaSalle Ave., Buffalo, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 66 – CHAIR GRANT announced that the schedule of upcoming committee meetings has been distributed.

MEMORIAL RESOLUTIONS

Item 67 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Angeline M. Colandra, and Mary (Breen) Higgins.

Item 68 – Legislator McCracken requested that when the Legislature adjourns, it do so in memory of William R. Weber Jr.

Item 69 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Roger Scott, and David Carter.

Item 70 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Joseph P. Saccone.

Item 71 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Peter Vogt, and William McGrath.

ADJOURNMENT

Item 72 – At this time, there being no further business to transact, CHAIR GRANT announced that the Chair would entertain a Motion to Adjourn.

MR. HOGUES moved that the Legislature adjourn until Thursday, October 24, 2013 at 2:00 p.m. Eastern Standard Time. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, October 24, 2013 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER
CLERK OF THE LEGISLATURE**