

**ERIE COUNTY LEGISLATURE  
MEETING NO. 11  
MAY 22, 2014**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Grant, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 9 from 2014. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MS. DIXON presented a resolution Proclaiming May 24th Mike Trzepacz Day in Erie County to be presented at the 5th Annual Mike Trzepacz Motorcycle Run.

Item 6 – MS. DIXON presented a resolution Honoring Donald Ogilvie Upon His Retirement From Erie County Board of Cooperative Education Services (Erie 1 BOCES).

Item 7 – MR. LOUGHRAN and MS. MILLER-WILLIAMS presented a resolution Congratulating the Inaugural Graduating Class of the D'Youville College School of Pharmacy.

Item 8 – MS. MILLER-WILLIAMS presented a resolution Celebrating Two Significant Milestones for The Greater Apostolic House of Prayer Church on the Advent of Both Their 35th Church and Pastoral Anniversary.

Item 9 – MS. MILLER-WILLIAMS presented a resolution Commending the Developmental Disabilities Alliance of WNY for their Commitment to Raising Awareness and Fostering a Community of Active Citizens, and Good Neighbors.

Item 10 – MS. MILLER-WILLIAMS and MS. GRANT presented a resolution Congratulating and Honoring the Delta Sigma Theta Sorority, Inc, Buffalo Alumnae Chapter 2014 Jabberwock Contestants.

Item 11 – MR. MILLS and MR. HARDWICK presented a resolution Recognize and Commend Jeffrey A. Spencer Upon Receiving the "Media Award" from the Bar Association of Erie County.

Item 12 – MR. MORTON presented a resolution Congratulating Ecology and Environment, Inc on Winning the Diamond Award in the Water Resources Category from the American Council of Engineering Companies.

Item 13 – MR. MORTON presented a resolution Congratulating Nathan Riexinger on Winning the 2014 Junior Achievement Business Plan Challenge.

Item 14 – MR. SAVAGE presented a resolution Honoring the Life of Natalie M. Lewis.

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above ten items to include Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 15 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 17 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

May 15, 2014

**MINORITY & WOMEN BUSINESS  
ENTERPRISE COMMITTEE  
REPORT NO. 1**

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 7D-5 (2013)  
CLERK, MBE/WBE COMMITTEE: “Various Executive Orders from Certain State Governors & a City Mayor Concerning Minority & Women Business Enterprise Utilization”  
(5-0)
  - b. COMM. 10D-8 (2013)  
COUNTY ATTORNEY: “Response Letter to Chair Grant Concerning Minority & Women Business Enterprise Committee”  
(5-0)
  - c. COMM. 17M-2 (2013)  
EC MINORITY & WOMEN BUSINESS ENTERPRISES UTILIZATION BOARD:  
“Minutes from Meeting Held 8/26/2013”  
(5-0)
  - d. COMM. 23M-1 (2013)  
EC MINORITY & WOMEN BUSINESS ENTERPRISES UTILIZATION BOARD:  
“Minutes from Meeting Held 9/30/2013”  
(5-0)
  - e. COMM. 10D-8 (2014)  
DIVISION OF EQUAL EMPLOYMENT OPPORTUNITY: “EEO 2013 Year in Review”  
(5-0)
  - f. COMM. 10D-9 (2014)  
DIRECTOR, DIVISION OF EQUAL EMPLOYMENT OPPORTUNITY: “Presentation of Affirmative Action Plan”  
(5-0)

**JOHN J. MILLS**  
**CHAIR**

Item 18 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

May 15, 2014

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 4M-3 (2014)  
ROBERT JASON ENGEL: "Resignation Letter from EC Agriculture and Farmland Protection Board"  
(6-0)
  - b. COMM. 10M-5 (2014)  
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: "Release of Trustee Groundwater Injury Determination Report"  
(6-0)
  - c. COMM. 10M-6 (2014)  
NYS DEPARTMENT OF AGRICULTURE AND MARKETS: "EC Agricultural District No. 5 Redistricting Plan"  
(6-0)
  - d. COMM. 10M-7 (2014)  
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: "Remedy to Address Contamination for Former Doro Dry Cleaners"  
(6-0)
  - e. COMM. 10M-8 (2014)  
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION: "Record of Decision for Former Doro Dry Cleaners Site"  
(6-0)

2. INTRO. 10-4 (2014)  
MILLS

WHEREAS, the Chapter 523 of the Laws of 2003 did amend NYS Agricultural and Markets Law, which now requires the County Legislature to designate an annual thirty-day period within which a landowner may submit a request for inclusion on land which is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, on September 23, 2004, the Erie County Legislature designated November 1 through November 30 as the open enrollment period for Erie County; and

WHEREAS, the Erie County Department of Environment and Planning has concluded that the presence of several federal holidays surrounding the open enrollment period impedes adherence to review timeframes established in Section 303-b of NYS Agricultural District Law; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board unanimously approved this action at their meeting on May 1, 2014 and recommended to the Erie County Legislature that the annual open enrollment period be changed to September 1 through September 30; and

WHEREAS, the Erie County Department of Environment & Planning has consulted the New York State Department of Agriculture and Markets to confirm that changing the enrollment period is permissible and will facilitate a more manageable review process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby designate the time period from September 1 to September 30 as the annual thirty-day time period within which a land owner may submit a request for inclusion on land which is predominantly viable agricultural land within a certified agricultural district; and be it further

RESOLVED, that this thirty-day period, as now designated, shall remain in effect for future years until it is changed by the County Legislature; and be it further

RESOLVED, that Department of Environment and Planning is authorized and directed to prepare the necessary forms to accommodate requests for inclusion into an agricultural district; 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 Director of Erie County Real Property Tax Services, and the Commissioner of the Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor; and be it further

RESOLVED, that the Clerk of the County Legislature is authorized to make notifications to the agricultural organizations, local governments, and the media of this thirty day period.  
(6-0)

3. COMM. 10E-19 (2014)  
COUNTY EXECUTIVE

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations; and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council on Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.

NOW, THEREFORE, BE IT

RESOLVED, that an agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send one certified copy each to the County Executive, the Director of Budget and Management, Erie County Comptroller, and Kristen Walder, County Attorney; and two certified copies of this resolution to Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.  
(6-0)

TED B. MORTON  
CHAIR

Item 19 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

May 15, 2014

HEALTH & HUMAN SERVICES COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 23M-3 (2013)  
EC COUNCIL FOR THE PREVENTION OF ALCOHOL & SUBSTANCE ABUSE: “Letter to Legislator Mazur Concerning Social Host Legislation”  
(6-0)
  - b. COMM. 2E-22 (2014)  
DIXON: “Erie County Community Coordinating Council on Children and Families”  
(6-0)
  - c. COMM. 10M-12 (2014)  
PRESIDENT, BOARD OF HEALTH: “Board of Health Jan 2014 Meeting Minutes and Notice of May 2014 Meeting”  
(6-0)

LYNNE M. DIXON  
CHAIR

Item 20 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

May 15, 2014

PUBLIC SAFETY COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10E-32 (2014)  
BURKE: “Requesting Public Hearing Regarding Use and Oversight of Spying Equipment by the Sheriff’s Office”  
(6-0)
  - b. COMM. 10E-38 (2014)  
RATH: “Invitation to Sheriff Howard to Attend Public Safety Committee Meeting”  
(5-1) Legislator Savage voted in the negative.
  - c. COMM. 10E-39 (2014)  
RATH: “Invitation to County Executive Poloncarz to Attend Public Safety Committee Meeting”  
(6-0)
2. COMM. 10E-33 (2014)  
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering Services Agreement with the firms of Trautman Associates and Watts Architecture & Engineering for providing professional services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firms of Trautman Associates and Watts Architecture & Engineering P.C. for providing professional A/E services for the Erie County Toxicology Laboratory and Morgue Upgrades project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with the firm of Watts Architecture & Engineering for providing professional engineering services and asbestos coordination services for the Erie County Toxicology Laboratory and Morgue Upgrades project, for an amount not to exceed \$10,000.00; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Trautman Associates for providing Architectural/Engineering services for the Erie County Laboratory and Morgue Upgrades project, for an amount not to exceed \$75,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project: A.14013 – 2014 – Renovations to Toxicology Laboratory-Buffalo, for an amount not to exceed \$85,000.00; and be it

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.

(6-0)

3. COMM. 10E-34 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract with Linstar Secure Identity Solutions to provide maintenance on the credentialing system in the amount of \$5,000.00; and

WHEREAS, the contract will be managed by the Erie County Department of Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract beginning January 1, 2014 through December 31, 2014 with Linstar Secure Identity Solutions for the purposes of providing maintenance on the equipment of the credentialing system in the amount of \$5,000.00 per year; and be it further

RESOLVED, that the grant which will be reimbursed for this expense will be HS167SHSP1114; 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 Personnel, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

4. COMM. 10E-35 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security, through the NYS Department of Homeland Security and Emergency Services, has agreed to provide funding to continue the

implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contact with the Erie County Agricultural Society to allow Emergency Services to occupy space at the Erie County Fair in the amount of \$5,000.00; and

WHEREAS, the contract will be managed by the Erie County Department of Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract beginning August 6, 2014 through August 17, 2014 with the Erie County Agricultural Society to allow Emergency Services to occupy space at the Erie County Fair in the amount of \$5,000.00; and be it further

RESOLVED, that the grant which will be reimbursed for this expense will be HS167SHSP1114; 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 Personnel, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.  
(6-0)

EDWARD A. RATH, III  
CHAIR

Item 21 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

May 15, 2014

GOVERNMENT AFFAIRS COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 4E-7 (2014)  
MILLS: "Requesting Review of Legislature Expenditures from Comptroller Mychajliw"  
(4-0) Legislator Loughran not present for vote.
  - b. COMM. 4E-12 (2014)

GRANT: "Letter to Chairman of Legislature Concerning Review of Legislature Expenditures"

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

- c. COMM. 5D-7 (2014)  
COMPTROLLER'S OFFICE: "Review of the Erie County Legislature's Expenditures"  
(4-0) Legislator Loughran not present for vote.
  - d. COMM. 8D-1 (2014)  
COMPTROLLER'S OFFICE: "Review of the Erie County Legislature's Expenditures"  
(4-0) Legislator Loughran not present for vote.
  - e. COMM. 10E-24 (2014)  
BURKE: "Copy of 'Fatally Flawed: Why the Rockefeller Institute's Scaffold Law Report Doesn't Add Up'"  
(4-0) Legislator Loughran not present for vote.
  - f. COMM. 10D-4 (2014)  
COUNTY ATTORNEY: "Transmittal of New Claims Against Erie County"  
(5-0)
  - g. COMM. 10M-9 (2014)  
EC BOARD OF ETHICS: "Response to 2010 Comptroller Report 'A Review of the EC Board of Ethics for the Period Jan 2007-Dec 2009'"  
(5-0)
2. RESOLVED, the following item is hereby received, filed and referred to the Finance & Management Committee:
- a. COMM. 10D-5 (2014)  
DIVISION OF INFORMATION AND SUPPORT SERVICES: "DISS Response to Comptroller Review of Wireless Devices"  
(5-0)
3. INTRO. 5-4 (2014)  
GRANT & BURKE  
WHEREAS, Empire State Development Corporation's "I Love New York" suite at Ralph Wilson Stadium with 16 seats is operated by Buffalo Niagara Enterprise for the purpose of entertaining business leaders interested in moving to our region; and

WHEREAS, the suite is a community asset held by a State entity for the purpose of community enrichment; and

WHEREAS, the suite is intended to be used not only for "encouraging and fostering economic development, tourism and public awareness for the City of Buffalo, Erie County and the State of New York," but also for "charitable or public functions," according to lease documents; and

WHEREAS, only 54 seats of a total of 112 seats were used in the suite during the 2013 season, and the suite was completely unused for the last two games of the season; and

WHEREAS, leaving the suite unoccupied during a game is a loss to the community; and

WHEREAS, our region has many dedicated Bills fans living in urban, suburban, and rural areas that are financially unable to attend the games of their favorite team.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature encourages Empire State Development Corporation and Buffalo Niagara Enterprise to use the "I Love New York" suite at Ralph Wilson Stadium for charitable purposes on all dates where the suite will remain empty, or where seats go unused; and be it further

RESOLVED, that this Legislature encourages the Buffalo Niagara Enterprise to establish partnerships with regional non-profits to facilitate that charitable use, with special attention toward reaching youngsters from low income families, military service members and their families, veterans, Scouting organizations, senior citizens, and at-risk youth, from all areas of our region, who, but for a chance to use these seats, may never have an opportunity to watch a Bills game from such a venue as the "I Love New York" suite; and be it further

RESOLVED, that the Community Enrichment Committee of this Honorable Body arrange an opportunity for operating officials of the Buffalo Niagara Enterprise to speak to this issue; and be it further

RESOLVED, that a certified copy of this resolution be sent to Empire State Development Corporation, Buffalo Niagara Enterprise, the Office of Governor Andrew Cuomo, and to the County Executive.

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

KEVIN R. HARDWICK  
CHAIR

Item 22 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

May 15, 2014

COMMUNITY ENRICHMENT COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10D-1 (2014)  
COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING: “Announcement of 2015 EC Cultural Funding Process, Application Process”  
(5-0)
  - b. COMM. 10M-1 (2014)  
BUFFALO & EC PUBLIC LIBRARY: “April 17, 2014 Board of Trustees Meeting Agenda and Minutes for March 20, 2014 Meeting”  
(5-0)
  - c. COMM. 10M-2 (2014)  
HULL FAMILY HOME & FARMSTEAD ORGANIZATION: “The Patriot Newsletter”  
(5-0)

2. COMM. 10E-13 (2014)  
COUNTY EXECUTIVE  
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 awarded construction contracts on October 10, 2013; and

WHEREAS, unforeseen conditions on the project require an increase in Construction Contingency Fund to complete the project.

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$30,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that 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 in an amount not to exceed \$30,000.00 from SAP project account A.21013 –2010- Buffalo and Erie County Library- New ADA Compliant Elevators; 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. 10E-15 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Director of the Buffalo Niagara Convention Center has requested that the County, through the Department of Public Works, proceed with the 2014 Capital Renovation projects at the Buffalo Niagara Convention Center; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreement with the firm of DiDonato Associates and BHNT Architects 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 DiDonato Associates and BHNT Architects for providing design and construction document services for the Buffalo Niagara Convention Center-2014-Capital Renovation projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of DiDonato Associates for providing professional A/E design and Construction document services for the BNCC-2014-Capital Renovation projects and for design services for installation of backflow prevention devices to be installed at several County owned facilities for an amount not to exceed \$53,000.00, including a design contingency; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of BHNT Architects for providing professional design and construction services for the BNCC-2014 Capital Renovation projects for an amount not to exceed \$80,000.00 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 account:

A.13003 – 2013 Buffalo Niagara Convention Center Rehabilitation	\$103,000.00
A.14004 – 2014 Countywide Mechanical, Electrical & Plumbing Improvements	<u>\$ 30,000.00</u>
For an Amount Not To Exceed	\$133,000.00

;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)

KEVIN R. HARDWICK  
CHAIR

Item 23 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

May 15, 2014

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10E-20 (2014)  
COMPTROLLER: “Interim Financial Report for Jan-March 2014”  
(6-0)
  - b. COMM. 10E-21 (2014)  
COUNTY EXECUTIVE: “Appointment to Citizens Budget Review Commission”  
(6-0)
  - c. COMM. 10E-25 (2014)  
COMPTROLLER: “DISS Use and Control of Wireless Devices Jan 2012-June 2013”  
(6-0)
  - d. COMM. 10E-26 (2014)  
COMPTROLLER: “Review of EC Legislature Purchases for the Period Jan 2009-Dec 2013”  
(6-0)
  - e. COMM. 10E-27 (2014)  
COMPTROLLER: “Whistleblower Hotline Summary for July-Dec 2013”  
(6-0)
  - f. COMM. 10E-29 (2014)  
GRANT: “Letter to DISS Questioning Authorization and Use of Smart Phone By Legislature Staffer”  
(6-0)
  - g. COMM. 10D-3 (2014)  
DIRECTOR, BUDGET AND MANAGEMENT: “Budget Monitoring Report for Period Ending March 2014”  
(6-0)
2. COMM. 10E-22 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Office of Veterans Affairs plays a critical role in helping provide services for veterans, including those returning from southwest Asia and having an experienced veteran who was deployed multiple times work as an Assistant Service Officer to fill a newly-vacated position will be tremendously valuable.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of a variable minimum step 3 for the position of Assistant Service Officer (job group 8, position number 51009776) in the Office of Veterans Affairs; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Department of Personnel, the Division of Budget and Management, and the Office of Veterans Affairs.

(6-0)

JOSEPH C. LORIGO  
CHAIR

Item 24 – MR. RATH presented the following report and moved to separate item number 2 and for immediate consideration and approval of the remainder of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

May 15, 2014

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10E-16 (2014)  
BURKE: “Request for Formation of a Special Committee on County Highway Reform”  
(6-0)
  - b. COMM. 10M-3 (2014)  
ECIDA: “2013 Annual Audited Financial Statements”  
(6-0)
  - c. COMM. 10M-4 (2014)  
NFTA: “NFTA Board Minutes”  
(6-0)
2. INTRO. 10-1 (2014)

LORIGO, MORTON, DIXON, MILLS, HARDWICK & RATH

WHEREAS, the residents of Erie County have suffered through one of the worst winters in recorded history with record levels of snow fall and a remarkable number of exceptionally frigid days; and

WHEREAS, due to the constant low temperatures and the necessity of road clearing the County of Erie road system has sustained a large amount of damage requiring an unusual amount of repairs; and

WHEREAS, the County Executive has said in his press release that they were able to repair an additional dozen projects through \$4.5 million in additional funds he put into the road budget; and

WHEREAS, the Erie County Legislature believes that more funding should be spent on roads in this year to help mitigate more of the damage our roads have suffered; and

WHEREAS, an additional \$5 million taken from the fund balance, of a total balance of almost \$90 million, would leave the County with more than sufficient reserves for county expenditures while allowing more projects to be completed; and

WHEREAS, the additional funding will allow the Department of Public Works to complete several more projects for the 2014 construction season.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby transfers \$5 million from the fund balance and transfers that to the Department of Public Works as an increase to their overall budget to be spent on any additional projects in 2014; and be it further

RESOLVED, that the transferred funds shall only be spent on road repair and related costs in the 2014 fiscal year and may not be spent for any other purpose; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive Mark Poloncarz office, the Office of the Comptroller, the Department of Public Works, and all parties deemed necessary and proper.

(6-0)

3. INTRO. 10-6 (2014)

MILLS, LORIGO, DIXON, RATH, GRANT, LOUGHRAN, SAVAGE & MILLER-  
WILLIAMS

WHEREAS, Buffalo's Center for Transportation Excellence, located at 401 East Amherst Street, has been in existence since 2007 providing local and regional mobility management services; and

WHEREAS, the CTE Is a thriving public benefit company, created with over \$5,500,000 of private investment that provides 24/7 health-care transportation management for all low-income residents in Western New York; and

WHEREAS, the CTE regularly employs upwards of 40 neighborhood residents from Buffalo's East Side at competitive wages, providing jobs and serving as a beacon of hope and dignity for that community; and

WHEREAS, On April 11, 2014, NYS Department of Health awarded the Western Region Medicaid Mobility contract to a Syracuse NY company; and

WHEREAS, Medicaid Mobility Management constitutes 90% of the CTE's business, and the result of the DOH decision will be to shut down Buffalo's Center for Transportation Excellence, and eliminate those 40 jobs for neighborhood residents; and

WHEREAS, the CTE has saved NYS and Erie County over \$5M in the seven years it has provided Medicaid Mobility services; and

WHEREAS, the CTE has been an economic engine for neighborhood and City of Buffalo vendors since 2007, pumping \$1.2M in non-wage expenditures into the WNY economy since its inception; and

WHEREAS, the CTE helped secure a \$10 Million US Department of labor grant and was integral in bringing \$2.6 Million of that grant to our area for three non-profit organizations and the CTE to conduct workforce development and other job training for high school dropouts and adjudicated youths between ages 18 and 25; and

WHEREAS, these at-risk young adults will lose access to job development training and jobs provided by the CTE, and it will result in a senseless waste of federal funding; and

WHEREAS, the State of New York invested through Empire State Development \$750,000 in 2007 to help build the CTE and Erie County has invested an additional \$25,000 to develop Senior Transportation services at the CTE; and

WHEREAS, since 2007, the CTE has paid more than \$4 million in wages to residents of Buffalo's East Side; and

WHEREAS, removal of this funding will lead to the shuttering of CTE's offices and therefore an unreasonable waste of taxpayer funding and progress in developing this transportation management organization.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature hereby opposes this predetermined, arbitrary and capricious contract award by NYSDOH; and be it further

RESOLVED, that the Erie County Legislature calls upon our state representatives to reverse this decision and save 40 jobs in Buffalo from being shifted to Syracuse without reason or justification; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Governor Andrew M. Cuomo, the Western New York Delegation for the NYS Senate and Assembly, Mayor Byron Brown and County Executive Mark Poloncarz, and all others deemed necessary and proper.

(6-0)

4. COMM. 10E-17 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning serves as the administrative agent for the Erie County Community Development Block Grant Consortium and the 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 Five-Year Consolidated Plan inclusive of an Annual Action Plan, and submittal of same to the US Department of Housing and Urban Development (HUD); and

WHEREAS, preparation of the 2015-2019 Consolidated Plan and Action Plan must be completed on or about February 14, 2015 so as not to jeopardize federal CDBG, HOME and Emergency Solutions Grant (ESG) funds; and

WHEREAS, funding for the Five-Year Consolidated Plan and Action Plan will be made available through federal Community Development Block Grant monies available to Erie County; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is attached to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive, on behalf of the Erie County Community Development Block Grant Consortium and Erie County/Town of Hamburg HOME Consortium, is hereby authorized to execute any and all agreements with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. in an amount not to exceed \$25,686 for the purpose of preparing the Five-Year Consolidated Plan and Annual Action Plan; and be it further

RESOLVED, that the County Executive be authorized to execute contract amendments to the aforementioned contract in a cumulative amount not to exceed \$3,853; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account J.00513, 2013-14 CDBG Program; and be it further

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

(6-0)

5. COMM. 10E-18 (2014)  
COUNTY EXECUTIVE

WHEREAS, the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg including the Villages located therein, and Erie County receive over \$5,000,000 annually in federal Community Development Block Grant funds; and

WHEREAS, an important element for receiving federal funds is an Analysis of Impediments to Fair Housing Choice within recipient municipalities; and

WHEREAS, the aforementioned local governments and Erie County are desirous of conducting a joint Analysis of Impediments to Fair Housing Choice consistent with federal guidelines; and

WHEREAS, based on results from a Request for Proposal process conducted by the Department of Environment and Planning, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg the County Executive is desirous of executing a contract in an amount not to exceed \$80,636 with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc.; and

WHEREAS, funds for the Analysis will be federal Community Development Block Grant (CDBG) monies available to each municipality with contributions shown as follows:

• \$33,884	–	Erie County
• \$13,834	–	Town of Amherst
• \$13,834	–	Town of Tonawanda
• \$13,834	–	Town of Cheektowaga
• <u>\$5,250</u>	–	Town of Hamburg
<u>\$80,636</u>	–	Total

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract with Northeast and Bucks Company T/A Mullin & Lonergan Associates, Inc. in an amount not to exceed \$80,636 for the purpose of conducting an “Analysis of Impediments to Fair Housing Choice” within those municipalities comprising the Erie County Community Development Block Grant Consortium, and the Towns of Amherst, Tonawanda, Cheektowaga, and Hamburg and Villages therein; and be it further

RESOLVED, that the Erie County share of the project cost shall be allocated from SAP Account J.00513, 2013-14 CDBG Program; and be it further

RESOLVED, that the County Executive is further authorized to execute contracts with the Towns of Amherst, Tonawanda, and Cheektowaga for the purpose of receiving an amount not to exceed \$13,834 from each municipality for completion of said Analysis, and the Town of Hamburg for the purpose of receiving an amount not to exceed \$5,250 for the completion of said Analysis; and be it further

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$46,752 from the Towns of Amherst, Tonawanda, Cheektowaga and Hamburg, and establish a grant budget for the period June 1, 2014 to May 30, 2015 in Project J.00513 for the County and Towns share as follows:

2014 Budget – Fund 290  
Analysis of Impediments to Fair Housing Choice (AI Study)

<u>Revenue</u>	<u>Increase</u>
Town of Amherst	\$13,834
Town of Tonawanda	\$13,834
Town of Cheektowaga	\$13,834
Town of Hamburg	\$5,250
County of Erie	<u>\$33,884</u>
Total Revenue	\$80,636
 <u>Appropriations</u>	
Professional Services	\$80,636
Net – Revenue less Expense	0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the County Comptroller; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Maria R. Whyte, 10<sup>th</sup> Floor, Edward A. Rath County Office Building.  
(6-0)

6. COMM. 10E-37 (2014)  
COUNTY EXECUTIVE

WHEREAS, in 1996, Gratwick Manor, L.P./Olmsted Center for Sight entered into a Payment in Lieu of Taxes (“PILOT”) repayment agreement with the County for the Gratwick Manor Apartments (Gratwick Manor, L.P dba Olmsted Center for Sight); and

WHEREAS, Gratwick Manor agreed to make PILOT payments starting in 1998 for a fifteen year period but Gratwick never made such payments; and

WHEREAS, during a review of the PILOT process and payments due and owing to the County, the Poloncarz Administration became aware of this situation and engaged Gratwick Manor/Olmsted Center for Sight in a dialogue and demanded payment; and

WHEREAS, Olmsted Center for Sight has proposed and the County Executive has agreed to a repayment plan in which Olmsted will pay the \$51,969.03 balance (including interest) over a thirty six month period with monthly payments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a repayment agreement with Olmsted Center for Sight/Gratwick Manor, L.P. for the outstanding PILOT obligations totaling \$51,969.03 which are to be paid over a three year period; and be it further



NOW, THEREFORE, BE IT

RESOLVED, that ownership of the following items:

<u>Item</u>	<u>County ID</u>
10 Boxes of Miscellaneous Medical Supplies	N/A

are hereby transferred from the County of Erie to the Grand Island High School's Science Department; and, be it further

RESOLVED, that these items are to be used for a purpose related to the education of the students attending Grand Island High School and not transferred out of the ownership of the school; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Purchase, the County Executive's Representative for Intergovernmental Affairs and the Grand Island Central School District Superintendent Teresa Lawrence.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

RE: Appointment to the ECMCC Board of Directors  
(INTRO. 11-2)

A RESOLUTION TO BE SUBMITTED  
BY LEGISLATOR MILLS

WHEREAS, Section 36 of the New York Public Authorities Law establishes the membership for the Board of Director of the Erie County Medical Center Corporation; and

WHEREAS, the Governor shall appoint three (3) directors from a recommendation submitted by the Legislature of the County of Erie; and

WHEREAS, the term for each appointment to the Board of Directors is five (5) years; and

WHEREAS, two (2) vacancies exist from the previous recommendations of the Governor; and

WHEREAS, the term of Director Richard F. Broz appointed by the Governor on the recommendation of the Erie County Legislature expired on April 4, 2013.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby recommend Ronald P. Bennett, 280 Parkdale Avenue, East Aurora, New York 14052, to the Governor for appointment to the position of a Director of the Erie County Medical Center Corporation; and be it further

RESOLVED, that certified copies of this resolution be sent to the Board of Directors of the Erie County Medical Center Corporation and the office of the Hon. Andrew Cuomo, Governor of the State of New York.

Item 28 – MR. LORIGO presented the following resolution and moved for consideration. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 130

RE: Structure of the Erie County Bridge and Road Infrastructure Maintenance Advisory Board (INTRO. 11-3)

Re: Structure of the Erie County Bridge and Road Infrastructure Maintenance Advisory Board

WHEREAS, Erie County maintains over 1100 miles of road, more than any other county in New York State; and

WHEREAS, safe and passable roads are a public safety issue for which the county is responsible; and

WHEREAS, a quality transportation infrastructure, of which roads are a part, is also important for economic development and job creation in the region; and

WHEREAS, Erie County would benefit from a comprehensive plan regarding maintenance and control of its roadways; and

WHEREAS, such a plan requires input from experts throughout the community.

NOW, THEREFORE, BE IT RESOLVED

RESOLVED, that the Erie County Legislature forms and creates the Erie County Bridge and Road Infrastructure Maintenance (“BRIM”) Advisory Board; and be it further

RESOLVED, that the Board shall include the following:

1. Eleven (11) Voting Members. The Board shall have eleven voting members appointed by the Legislature as follows:
  - One Member to be recommended by the Chair of the Erie County Legislature

- One Member to be recommended by the Majority Leader of the Erie County Legislature
  - One Member to be recommended by the Minority Leader of the Erie County Legislature
  - One Member to be recommended by the Erie County Executive
  - One Member to be recommended by the Town Highway Superintendents Association of Erie County from the following municipalities (“North”): Grand Island, Tonawanda, Amherst, Clarence, Newstead
  - One Member to be recommended by the Town Highway Superintendents Association of Erie County from the following towns (“Central”): Cheektowaga, Lancaster, Alden, West Seneca, Elma and Marilla
  - One Member to be recommended by the Town Highway Superintendents Association of Erie County from the following towns (“South”): Hamburg, Orchard Park, Aurora, Wales, Evans, Eden, Boston, Colden, Holland, Brant, North Collins, Concord, Sardinia and Collins
  - One Member to be recommended by the Erie County Public Works Association
  - One Member to be recommended by the Association of Erie County Governments from the following municipalities (“North”): Grand Island, Town of Tonawanda, Kenmore, Amherst, Williamsville, Clarence, Newstead, Akron, Cheektowaga, Sloan, Depew, Town of Lancaster, Village of Lancaster, Town of Alden, Village of Alden, Lackawanna, West Seneca, Elma and Marilla
  - One Member to be recommended by the Association of Erie County Governments from the following municipalities (“South”): Town of Hamburg, Village of Hamburg, Town of Orchard Park, Village of Orchard Park, Aurora, East Aurora, Wales, Evans, Angola, Eden, Boston, Colden, Holland, Brant, Farnham, Town of North Collins, Village of North Collins, Concord, Springville, Sardinia, Collins and Gowanda
  - One Member to be recommended by the Greater Buffalo-Niagara Regional Transportation Council
2. One (1) Non-voting Member. The County Attorney or designee shall be a non-voting member of the committee.

RESOLVED, that the terms of all of the Members will commence on June 1, 2014; and be it further

RESOLVED, that the initial appointments of the Chair of the Erie County Legislature, the Majority Leader of the Erie County Legislature, the Town Highway Superintendents Association of Erie County - South and the Association of Erie County Governments – North be for one- year, ending on May 31, 2015, with subsequent appointments serving three year terms; and be it further

RESOLVED, that the initial appointments of the Minority Leader of the Erie County Legislature, the Erie County Executive and the Greater Buffalo-Niagara Regional Transportation Council be for two- years, ending on May 31, 2016, with subsequent appointments serving three year terms; and be it further

RESOLVED, that all appointed members must meet the minimum requirements set forth in Section 2305 of the Erie County Charter including:

- Each Advisory Board voting Member shall be a resident of Erie County at the time of appointment and shall remain a resident of Erie County while holding a position as a member of the Advisory Board;

- Members shall serve three-year terms. No Member may serve more than two (2) consecutive terms, including the completion of a term of another voting Member. Those who have served two (2) consecutive terms may be eligible again after a two (2) year absence to serve on the Board; and

- Members of the Advisory Board shall serve without compensation; and be it further

RESOLVED, that at the first meeting of the Advisory Board in each calendar year, the Board shall elect a voting member as chairperson and another voting member as vice-chairperson. The chairperson and vice-chairperson shall serve in such positions for that year. The vice-chairperson shall serve in the absence of the chairperson and in such other capacity as the chairperson shall delegate; and be it further

RESOLVED, that the Advisory Board shall annually establish a schedule of regular meetings for the year, the Board shall meet a minimum of four (4) times per year; and be it further

RESOLVED, that unless otherwise provided by law, a majority of the current appointed voting members shall constitute a quorum at any duly held meeting of the Advisory Board; and be it further

RESOLVED, that the affirmative vote of a majority of all voting members shall be required for Advisory Board action on any matter; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Association of Erie County Governments, the Town Highway Superintendents Association of Erie County, the Erie County Public Works Association, the Greater Buffalo-Niagara Regional Transportation Council and the Erie County Attorney.

MR. LORIGO moved to amend the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

REPLACE THE SECOND RESOLVED, NUMBER 2, WITH:

2. Three (3) Non-voting Members. The Board shall have three non-voting members to be appointed as follows:
- The County Attorney or designee of the county attorney
  - A member of the Erie County Legislature appointed by the Majority Leader
  - A member of the Erie County Legislature appointed by the Minority Leader

MR. LORIGO moved to approve as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 29 – CHAIR MILLS directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 10-4 from MILLER-WILLIAMS, GRANT & BURKE. Exploring Re-Establishment of the Erie County Conditional Release Commission.

Item 30 – MR. LORIGO presented the following resolution and moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

RE: Legislation to Improve the Provision of  
Child Protective Services to New York's  
Children and Families  
(INTRO. 11-5)

WHEREAS, the administration has released nineteen proposals for state laws to improve the child welfare system; and

WHEREAS, these recommendations come after much work and research by the County Executive's office and the Department of Social Services; and

WHEREAS, the first proposal amends the definition of neglect in the Social Services Law and the Family Court Act to establish a presumption of neglect if there is a single incident of excessive corporal punishment, and amends Social Service Law and the Family Court Act to add a definition of excessive corporal punishment; and

WHEREAS, this legislation would make it easier for a child protective service to make a finding of neglect against a family member and then to take appropriate action up to removing a child where warranted through a family court action when the guardian is shown to pose a risk to the child as the result of the infliction of excessive corporal punishment; and

WHEREAS, the second proposal amends the Family Court Act and Social Services Law to establish a presumption that a child's physical, mental or emotional condition has been impaired or is in imminent danger of being impaired when a newborn child's blood or urine tests positive for a controlled substance as such term is defined in subdivision 5 of section 220 of the penal law, unless such substance has been prescribed by a physician; and

WHEREAS, this legislation would make it easier for child protective services to take action to protect a baby if it is born with illegal drugs and alcohol in their system; and

WHEREAS, this proposal was submitted to the State Senate by Senator Felder (S.7060); and

WHEREAS, the third proposal amends the Family Court Act to make three changes regarding obtaining subpoenas in child abuse and neglect proceedings:

- Adds the counsel for a local department of social services or his/her designee, and the designee of the county attorney to the list of officials able to subpoena records, photographs or other evidence relating to abuse or neglect from hospitals and any other public or private agencies;
- Expands the use of subpoenaed records from use in proceedings to also include use in investigations of an report received from the State Central Register; and
- Allows service of any such subpoena upon a hospital to be made by personal service to the hospital director; and

WHEREAS, this legislation would allow for a more complete and rapid investigation and therefore has the potential to better protect children, will save children from further acts of abuse and neglect and ultimately may save the lives of children who have experienced abuse or neglect; and

WHEREAS, this proposal was submitted to the State Senate by Senator Felder (S.7062); and

WHEREAS, the fourth proposal amends the Social Services Law and Executive Law to require various law enforcement and other governmental agencies, such as fire departments and 911 dispatch centers, to provide records to child protective services, including arrest and conviction records, orders of protection, information indicating that a person named in a report is currently under supervision of a probation or parole agency of the state or of a local government and the charge or charges related thereto, information indicating if there is an outstanding arrest warrant, information indicating if a person is a registered sex offender and information indicating if there have been requests for an emergency response involving an address or involving a person named in a report; and

WHEREAS, this legislation would give child protective workers quick access to what could prove to be critically important information that will aid in their investigation to protect children from new acts of violence and will provide additional protection for child protective services

workers by providing them with important information about the people and location to which they are responding; and

WHEREAS, this proposal was submitted to the State Senate by Senator Felder (S.7061); and

WHEREAS, the fifth proposal amends the penal law to create a new felony crime of knowingly making false allegations of suspected abuse or neglect of a child or of a vulnerable person. The current misdemeanor penalty is retained. The felony offense can be applied where there are certain aggravating circumstances or repeat offenses; and

WHEREAS, this legislation would result in fewer false reports to the Statewide Central Register for Child Abuse and Maltreatment made for malicious reasons; and

WHEREAS, the sixth proposal amends the social services law to establish a civil penalty for making false allegations of suspected abuse or neglect of a child which can be prosecuted in a civil action by the Office of Children and Families or a local child protective service; and

WHEREAS, this legislation would result in fewer false reports to the Statewide Central Register for Child Abuse and Maltreatment made for malicious reasons and thus provide more time for child protective workers to investigate serious and complex cases that require a great deal of time and attention; and

WHEREAS, this proposal was submitted to the State Senate by Senator Kennedy (S.7128) and to the State Assembly by Assemblymember Peoples-Stokes (A.9436); and

WHEREAS, the seventh proposal amends the Education Law and Social Services Law to require certain officials receive an additional two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment every three years; and

WHEREAS, this legislation would improve the quality of reports made to the Statewide Central Register of Child Abuse and Maltreatment by mandated reporters; and

WHEREAS, this proposal was submitted to the State Senate by Senator Felder (S.7063); and

WHEREAS, the eighth proposal amends the Penal Law to establish a new Class D violent felony offense of endangering the welfare of a child in certain aggravated circumstances; and

WHEREAS, this legislation would create a more severe penalty in certain aggravating circumstances of abuse and maltreatment of a child where they family member knowingly or recklessly creates a risk of either serious physical injury or prolonged impairment. The current Class A misdemeanor penalty of endangering the welfare of a child is retained but is renamed as Endangering the Welfare of a Child in the Second Degree; and

WHEREAS, this proposal was submitted to the State Senate by Senator Gallivan (S.7045);  
and

WHEREAS, the ninth proposal amends the Social Services Law to require OCFS to notify the appropriate local child protective service if the subject of an allegation of child abuse or

maltreatment is a child care provider, or if any person named in a report is a known sex offender or to have previously been the subject of a founded report of abuse or neglect. Such notice is to be provided by OCFS at the time that OCFS forwards a report to a local child protective service; and

WHEREAS, this legislation would give critical information to a local child protective service at the beginning of an investigation which will better allow it to assess the risk to children.

WHEREAS, this proposal was submitted to the State Senate by Senator Gallivan (S.7044);  
and

WHEREAS, the tenth proposal amends the Social Services law to allow local social services districts to forbid an informal day care provider who is the subject of an indicated report on file with the statewide central register or a felony conviction at any time for a sex offense, crime against a child, or a crime involving violence, or a felony conviction within the past five years for a drug-related offense from participating in the New York State Child Care Block Grant program. Informal day care providers are not required to be licensed or registered by OCFS or by a local social services district, but they may seek to be reimbursed for providing day care services in certain circumstances; and

WHEREAS, this legislation would extend the criteria used to protect children from unsafe licensed or registered child day care providers to informal child care providers; and

WHEREAS, this proposal was submitted to the State Senate by Senator Grisanti (S.7055);  
and

WHEREAS, the eleventh proposal amends the Social Services Law to require the Statewide Automated Child Welfare Information System (Connections) to allow for the upload of digital images and electronic documents; and

WHEREAS, the legislation will allow supportive documentation be stored in the official CPS case files; and

WHEREAS, this proposal was submitted to the State Senate by Senator Gallivan (S.7041);  
and

WHEREAS, the twelfth proposal amends the Social Services Law to require calls made to the central register be recorded and such recording made part of any report of suspected child abuse and neglect. The voice recording shall be transmitted to the appropriate local child protective service for investigation. The recording of all calls whether considered a report on not shall be retained by OCFS for specified periods; and

WHEREAS, this legislation would make it easier for child protection workers to investigate reports made to the Register and for OCFS to document whether calls were made and what they contained; and

WHEREAS, this proposal was submitted to the State Senate by Senator Gallivan (S.7042);  
and

WHEREAS, the thirteenth proposal amends Social Services Law to require OCFS to include, in its transmittal of an allegation of child abuse or maltreatment for investigation, all previous reports and calls on a statewide basis involving the subject of the report and children named in the report including reports of allegations of child abuse or maltreatment; and

WHEREAS, this legislation would give child protective workers information about previous investigations at the beginning of an investigation. In addition, the workers will have access to previous allegations of abuse or neglect, including allegations that were not transmitted to the local district; and

WHEREAS, this proposal was submitted to the State Senate by Senator Gallivan (S.7043); and

WHEREAS, the fourteenth proposal amends section 422 of the Social Services Law to require the statewide central register to:

- Receive allegations of child abuse and maltreatment by internet and webpage reporting in addition to the traditional telephone reporting method;
- Receive photographs in electronic format and include such photographs in the official report;
- Establish an internet address to receive allegations of child abuse or maltreatment from mandated reporters in addition to the statewide telephone number; and

WHEREAS, this legislation would make it easier for the public and mandated reports to make allegations of child abuse or neglect to the statewide central register and to substantiate such reports by uploading photographs and documents in digital format; and

WHEREAS, this proposal was submitted to the State Senate by Senator Kennedy (S.7126) and to the State Assembly by Assemblymember Peoples-Stokes (A.9438); and

WHEREAS, the fifteenth proposal amends Social Services Law by removing the requirement that the sixty-five percent state reimbursement by social services districts for child protective services, preventive services provided, as applicable, to eligible children and families of children who are in and out of foster care placement, independent living services, aftercare services, and adoption administration and services other than adoption subsidies be subject to the approval of the director of the budget; and

WHEREAS, this legislation would increase the resources available to local child protective services; and

WHEREAS, the sixteenth proposal amends the Social Service Law by reducing the amount of extraneous information included in the fatality report to information related to the child's death; and

WHEREAS, this legislation would better maintain the privacy of a family grieving the loss of a child while still producing a report that helps create a better child protective system, and still provides the public with a clear view of the work undertaken by a child protective services in investigating allegations of abuse or maltreatment against a child and in protecting such child; and

WHEREAS, the seventeenth proposal amends the Public Health Law to require hospitals and birth centers to request each mother and father of a newborn view a video presentation on safe sleeping practices for newborns; and

WHEREAS, this legislation would inform parents about the dangers of unsafe sleeping, which will result in fewer children put at risk; and

WHEREAS, this proposal was submitted to the State Senate by Senator Kennedy (S.7129) and to the State Assembly by Assemblymember Peoples-Stokes (A.9435); and

WHEREAS, the eighteenth proposal amends the Civil Service Law in relation to establishing a priority in the scheduling of an examination for any position in the classified services that provides child protection services pursuant to Title 6 of the social services law; and

WHEREAS, this legislation would allow local districts that certify a need for an examination on a priority basis to quickly establish an eligible list for these critical positions; and

WHEREAS, this proposal was submitted to the State Senate by Senator Felder (S.7056); and

WHEREAS, the nineteenth proposal amends the Social Services Law to prohibit prosecuting any city or county social services commissioner for disclosing information pertaining to a child abuse or maltreatment investigation if done in good faith adherence to the standards contained in Social Services Law; and

WHEREAS, this legislation would better allow Social Services Commissioners to inform the public of child abuse investigations as allowed by New York State Social Services law, thereby restoring public confidence in child protective services, and

WHEREAS, this proposal was submitted to the State Senate by Senator Kennedy (S.7127) and to the State Assembly by Assemblymember Peoples-Stokes (A.9437).

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby declare its strong support for all nineteen proposals; and be it further

RESOLVED, that the Erie County Legislature urges the Governor and State Legislature to adopt the legislation as proposed to improve the provision of child protective services to New York's children and families; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo; State Assembly Speaker Sheldon Silver; State Senate Co-Majority Leaders Dean Skelos and

Jeffrey Klein; the WNY Delegation to the New York State Legislature; Erie County Executive Mark Poloncarz; and Department of Social Services Carol Dankert-Maurer.

MR. LORIGO moved to amend to include et. al. sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 31 – CHAIR MILLS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 11-6 from GRANT & BURKE. Regular Updates & Discussion in the Health & Human Services Committee Concerning the Erie County Community Coordinating Council on Children & Families.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

Item 32 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-19 from GRANT Re: Gratwick Manor Apartments Payment in Lieu of Taxes Repayment Agreement.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 33 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-20 from MILLS Re: Revised Pledge and Invocation Schedule.

CHAIRS MILLS directed that the item be Received, Filed and Printed.

To: Scott W. Kroll, Clerk

From: John J. Mills, Chairperson

Subject: 2014 LEGISLATURE INVOCATION AND  
PLEDGE OF ALLEGIANCE SCHEDULE

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ORDER OF NAMES – INVOCATION - PLEDGE

JANUARY

2 - Mills and Grant  
23 – Lorigo and Miller-Williams

JULY

10 – Lorigo and Miller-Williams  
24 – Dixon and Hardwick

FEBRUARY

6 – Dixon and Hardwick  
20 – Grant and Loughran

AUGUST

Recess

MARCH

13 – Morton and Burke  
20 – Burke and Rath

SEPTEMBER

4 – Savage and Loughran  
18 – Morton and Burke

APRIL

3 – Rath and Morton  
10 – Loughran and Dixon

OCTOBER

2 – Burke and Rath  
16 – Rath and Morton

MAY

8 – Hardwick and Lorigo  
22 – Grant and Mills

NOVEMBER

6 – Loughran and Dixon  
20 – Hardwick and Lorigo

JUNE

12 – Miller-Williams and Savage  
26 – Mills and Grant

DECEMBER

2 *Budget*  
4 – Grant and Mills  
9 *Budget Override*  
18 – Miller-Williams and Savage

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE DISTRICT ATTORNEY**

Item 34 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

RE: Gun Involved Violence Elimination  
(GIVE) Initiative  
(COMM. 11E-1)

WHEREAS, the District Attorney's Office's Operation IMPACT Grant will cease as of June 30, 2014, and whose 2014 Erie County Grant Budget for the period July 1, 2014 to June 30, 2015, was previously appropriated; and

WHEREAS, in order to replace and improve the effectiveness of Operation IMPACT, New York State has created the Gun Involved Violence Elimination (GIVE) initiative, a comprehensive strategy to reduce violent firearms crime through coordination among federal, state and local law enforcement; and

WHEREAS, funds for GIVE are available to the District Attorney's Office from the New York State Division of Criminal Justice Services in the amount of \$653,298 for the grant period July 1, 2014 through June 30, 2015; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Division of Criminal Justice Services for the purpose of supporting coordinated reduction and prevention initiatives with the express goal of reducing violent firearm-related offenses within Erie County; and be it further

RESOLVED, that effective July 1, 2014, the 114IMPACT1415 grant previously authorized in Book B of the 2014 Erie County Adopted Budget be deleted in its entirety; and

RESOLVED, that effective, July 1, 2014, three positions currently budgeted under the 114IMPACT1415 grant budget hereby be transferred to the GIVE Grant 114GIVE1415 (B100 # 7783):

#51010733	Assistant District Attorney V (JG16)
#51000341	Assistant Crime Analyst (JG11)
#1859	Confidential Criminal Investigator (JG10)

and be it further

RESOLVED, that effective, July 1, 2014, authorization is hereby provided to delete three IMPACT positions of Assistant District Attorney III, Job Group 14 (#51006343, #51006344, #51000345) and to create three positions of Assistant District Attorney V, Job Group 16, in the District Attorney's GIVE Grant ( B100 #7784); and be it further

RESOLVED, that effective July 1, 2014, the positions of Confidential Aide - DA (#51008238) and Legal Secretary (#5854) be transferred from fund 281, cost center 1140050, grant 114IMPACT1415, to fund 110, fund center 11400, (B100 #7781, #7782); and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's GIVE Grant as follows:

Gun Involved Violence Elimination (GIVE) Grant  
July 1, 2014 to June 30, 2015  
Fund: 281, Cost Center: 1140050, Grant: 114GIVE1415

Revenue

409000 State Revenue	\$ 653,298
479000 County Share Contribution	<u>68,558</u>
Total Revenue	<u>\$ 721,856</u>

Appropriation

500000 Full Time Salaries	\$ 457,356
501000 Overtime	<u>10,500</u>
502000 Fringe Benefits	251,500
510100 Out of Area Travel	<u>2,500</u>
Total Appropriations	<u>\$ 721,856</u>

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the District Attorney's budget, to be adjusted as follows:

Fund 110, Fund Center 11400

	Increase / <u>(Decrease)</u>
500000 Full Time Salaries	\$ 37,044
501000 Overtime	<u>(1,453)</u>
502000 Fringe Benefits	<u>27,053</u>
559000 County Share Contribution	<u>(64,097)</u>
911400 ID District Attorney Services	<u>1,453</u>
	<u>\$ - 0 -</u>

and be it further

RESOLVED, that the Director of Budget & Management is hereby authorized to establish and adjust budgets as required to comply with State-approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Erie County Comptroller and the Director of Budget and Management.

FROM THE COUNTY EXECUTIVE

Item 35 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

RE: Department of Public Works - Transfer  
of Funds  
(COMM. 11E-2)

WHEREAS, the Department of Public Works intends to purchase a garden tractor in order in order to maintain the grounds of various County-owned lands located in Alden; and

WHEREAS, the Division of Buildings and Grounds, BA122, fund 110, account 561430 Building Grounds & Heavy Equipment requires \$15,000 in funds for the purchase; and

WHEREAS, funding for the equipment is available in BA 122, fund 110, account 506200 Maintenance and Repair, in the 2014 operations budget; and

WHEREAS, a transfer of funds in the amount of \$15,000 will remedy the funding shortfall.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2014 operations budget, Department of Public Works, BA 122, fund 110, cost center 1222064

Account	Description	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
506200	Maintenance & Repair	\$ 746,268	(\$15,000)	\$731,268
561430	Bldg Grds & Hvy Equ	<u>\$ 0</u>	<u>\$ 15,000</u>	<u>\$ 15,000</u>
TOTAL REVENUES		<u>\$748,268</u>	<u>\$ 0</u>	<u>\$746,268</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, and the Department of Public Works.

FROM THE COUNTY EXECUTIVE

Item 36 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

RE: Miscellaneous Bridge Repairs - Towns  
of Hamburg, Sardinia & Grand Island -  
Construction Award

(COMM. 11E-3)

WHEREAS, bids were taken for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 3-14, in various towns, on March 27, 2014, and the lowest responsible bidder was Union Concrete & Construction Corporation, of West Seneca, New York in the amount of \$218,288.00; and

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 3-14 will rehabilitate or repair three (3) County owned bridges. The following bridges are included in this contract: Clark Street over Rush Creek (BR 51-1), Genesee Road over Hosmer Brook (BR 409-2) and Love Road over Big Sixmile Creek (BR 548-1); and

WHEREAS, funding for this Project was approved and is available in Fund 420 Business Area 123, WBS Element B.11031 2011 As Directed Bridge Work in the amount of \$212,222.03 and WBS Element B.12008 2012 Preservation of Bridges and Culverts in the amount of \$67,777.97, for a total not to exceed of \$280,000.00; and

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

WHEREAS, in order to facilitate the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 3-14 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 has been negotiated with Clough Harbour & Associates for construction inspection and engineering services during construction for a not to exceed amount of \$40,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 3-14 between the County of Erie and the lowest responsible bidder Union Concrete & Construction Corporation, establish a construction contingency, execute change orders 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 3-14 be allocated from Fund 420, Business Area 123, WBS Element B.11031 2011 As Directed Bridge Work in the amount of \$212,222.03 and WBS Element B.12008 2012 Preservation of Bridges and Culverts in the amount of \$67,777.97, for a total not to exceed of \$280,000.00; 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.

FROM LEGISLATOR BURKE

Item 37 – (COMM. 11E-4) Follow-Up to Request for Highway Reform Committee  
Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 11E-5) Response to Burke Request for Committee Formation

Item 39 – (COMM. 11E-6) Response to Chair Mills Letter Regarding Formation of  
Highway Reform Committee

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

FROM LEGISLATOR MILLER-WILLIAMS

Item 40 – (COMM. 11E-7) Recommendation to Fill Vacancy on EC Fisheries Advisory  
Board

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 41 – (COMM. 11E-8) Proposed Amendment to Como Lake Casino Building Name

Item 42 – (COMM. 11E-9) EC Sewer District No. 3 - Influent Pump Station and ORF  
Improvements - Southtowns Wastewater Treatment Facility

Item 42 – (COMM. 11E-10) Purchase of 1670 Seneca Street - Seneca Bluffs Pocket Park

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

FROM THE COMPTROLLER

Item 43 – (COMM. 11E-11) 2013 Year-End Financials

Item 44 – (COMM. 11E-12) 2014 Revenue Anticipation Note Resolution

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

FROM THE COMPTROLLER

Item 45 – (COMM. 11E-13) Call For Special Committee

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR LORIGO

Item 46 – (COMM. 11E-14) Support for Comptroller's Call to Form a Special Committee

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 11E-15) EC Holding Center - 2014 Security Control Systems Upgrade - Phase 1

Item 48 – (COMM. 11E-16) EC Emergency Services - Design Service - Emergency Communications Upgrade - South Wales, Harris Hill & East Aurora Sites

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

FROM THE COUNTY EXECUTIVE

Item 49 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 135

RE: GIVE Grant - NYS Division of Criminal Justice Services  
(COMM. 11E-17)

WHEREAS, the New York State Division of Criminal Justice Services has awarded Erie County Law Enforcement Gun Involved Violence Elimination (GIVE) funding, in the amount of \$1,671,217, and

WHEREAS, the purpose of the initiative is to support targeted firearm and violent crime reduction efforts through a partnership of state and local law enforcement agencies with portions of the Erie County award going to the Buffalo Police Department, the District Attorney's Office, Office of the Sheriff, Probation Division and Department of Central Police Services, and

WHEREAS, the GIVE grant will replace and expand upon the efforts of the currently budgeted IMPACT grants, and

WHEREAS, this resolution addresses staffing changes and budgets a total of \$471,134 of the State funding for the Office of the Sheriff, Probation Department and Department of Central Police Services.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract and accept funding from the New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) partnership; and be it further

RESOLVED, that funding for the Sheriff's GIVE grant shall be established as follows:

Fund 281 Grant Fund - GIVE Grant	
July 1, 2014 - June 30, 2015	
Office of the Sheriff - 115GIVE1415	Increase
Revenue	
Acct. 409000 State Aid Revenue	170,238
Acct. 479000 County Share	
Contribution	<u>45,856</u>
Total Revenue	216,094
Expense	
Acct. 500000 Full Time Staff	120,528
Acct. 500300 Shift Differential	500
Acct. 500320 Uniform Allowance	1,500
Acct. 500340 Line-up Pay	5,216
Acct. 501000 Overtime	4,350
Acct. 502000 Fringe Benefits	82,500
Acct. 510100 Out of Area Travel	<u>1,500</u>
Total Expense	216,094

and be it further

RESOLVED, that authorization is provided to add two Deputy Sheriff Criminal, job group 8, positions to the Sheriff's GIVE grant, effective July 1, 2014, (B-100 7774), and that the currently budgeted position of Detective Deputy in the discontinued IMPACT grant will be deleted effective June 30, 2014; and be it further

RESOLVED, that funding for the Central Police Services GIVE grant shall be established as follows:

Fund 281 Grant Fund - GIVE Grant	
July 1, 2014 - June 30, 2015	
Central Police Services - 165GIVE1415	Increase
Revenue	
Acct. 409000 State Aid Revenue	107,546
Acct. 479000 County Share	
Contribution	<u>33,321</u>
Total Revenue	140,867
Expense	
Acct. 500000 Full Time Staff	85,437
Acct. 502000 Fringe Benefits	54,680

Acct. 510100 Out of Area Travel	<u>750</u>
Total Expense	140,867

and be it further

RESOLVED, that in order to provide experienced personnel for the Department of Central Police Services GIVE grant, authorization is provided to transfer one Jr. Programmer Analyst, job group 11, currently budgeted in Fund 230 to the CPS GIVE grant, and to transfer one Firearms Examiner I, job group 9, from Fund 110 to the CPS GIVE grant, effective July 1, 2014, (B-100 7749); and be it further

RESOLVED, that authorization is provided to transfer the currently budgeted positions in the discontinued IMPACT grant, effective 6/30/2014, of Sr. Evidence Clerk, job group 8, to the budget of the Department of Central Police Services in Fund 110, and that the IMPACT grant position of Assistant Information System Specialist, job group 11, shall be transferred to Fund 230 in CPS effective July 1, 2014, (B-100 7749); and be it further

RESOLVED, that funding for the Probation GIVE grant shall be established as follows:

Fund 281 Grant Fund - GIVE Grant July 1, 2014 - June 30, 2015	
<u>Probation Department - 126GIVE1415</u>	<u>Increase</u>
Revenue	
Acct. 409000 State Aid Revenue	193,350
Acct. 479000 County Share Contribution	<u>32,784</u>
Total Revenue	226,134
Expense	
Acct. 500000 Full Time Staff	120,764
Acct. 500300 Shift Differential	500
Acct. 501000 Overtime	21,500
Acct. 502000 Fringe Benefits	80,464
Acct. 510000 Local Mileage	600
Acct. 510100 Out of Area Travel	1,682
Acct. 980000 DISS ID Billing	<u>624</u>
Total Expense	226,134

and be it further

RESOLVED, that currently budgeted positions of two Probation Officers, job group 11, in the discontinued IMPACT grant shall be transferred to the Probation Department's GIVE grant effective July 1, 2014; and be it further

RESOLVED, the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues based on grantor requirements or county share adjustments, provided there are no changes to authorized personnel levels; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Erie County Sheriff's Chief of Administration, the Probation Department, the Department of Central Police Services and the Office of Comptroller.

**FROM THE COUNTY EXECUTIVE**

Item 50 – (COMM. 11E-18) EC Holding Center - 2014 Security Control Systems Upgrade - Phase 1

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DIRECTOR, BUDGET AND MANAGEMENT**

Item 51 – (COMM. 11D-1) Comptroller's Pre-Audit Analysis of 2013 Fiscal Results

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE DEPARTMENT OF LAW**

Item 52 – (COMM. 11D-2) Notice of Public Hearing Local Law Intro. No. 1-2014

Item 53 – (COMM. 11D-3) Notice of Public Hearing Local Law Intro. No. 2-2014

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES**

Item 54 – (COMM. 11D-4) Enhanced Shelter Rates for Three Transitional Housing Providers

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM ERIE COMMUNITY COLLEGE**

Item 55 – (COMM. 11M-1) 2014-2015 ECC Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE BUFFALO MUSEUM OF SCIENCE**

Item 56 – (COMM. 11M-2) Request for Capital Funding to Restore Front Entrance of Museum of Science Building

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE NFTA**

Item 57 – (COMM. 11M-3) Metro Statements of Actual Cash Flow for Period April 2013-March 2014 and Projected Cash Flow for Period April 2014-March 2015

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION**

Item 58 – (COMM. 11M-4) Request to Update Committee About the Land Bank's Work

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE BUFFALO COMMON COUNCIL**

Item 59 – (COMM. 11M-5) Request for a Joint Legislative Session

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE NYS DEPARTMENT OF TAXATION AND FINANCE**

Item 60 – (COMM. 11M-6) 2014 Class Equalization Rate - City of Buffalo

Item 61 – (COMM. 11M-7) 2014 State Equalization Rate - City of Buffalo

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

**FROM THE BOARD OF SUPERVISORS, FULTON COUNTY**

Item 62 – (COMM. 11M-8) Calling for End of Unfunded Mandates on Local Governments

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE TOWN OF ARCADE**

Item 63 – (COMM. 11M-9) Amendment to the Comprehensive Plan

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**ANNOUNCEMENTS**

Item 64 – CHAIR MILLS announced that the committee schedules and agendas have been distributed.

Item 65 – LEGISLATOR RATH announced a tour of the renovations at Ralph Wilson Stadium on June 5, 2014 at 3:00 PM.

**MEMORIAL RESOLUTIONS**

Item 66 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Helen Whalen, Franklin Downing, Patrick Waldron and all of those who died defending our freedom.

Item 67 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Irene Titzler.

Item 68 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Ben Sauer.

Item 69 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of all of those who lost their lives to cancer, especially children.

Item 70 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Natalie Lewis.

**ADJOURNMENT**

Item 71 - 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, June 12, 2014 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, June 12, 2014 at 2:00 p.m. Eastern Standard Time.

**SCOTT W. KROLL**  
**CLERK OF THE LEGISLATURE**