

**TIMOTHY B. HOWARD**  
SHERIFF

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UNDERSHERIFF



## SHERIFF OF ERIE COUNTY

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ECLEG MAY30'14 10:05

May 30, 2014

The Honorable  
Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

Re: Erie County Sheriff's Office  
Contract Approval – 207c Hearing Officer  
**Immediate Consideration Requested**

Honorable Members:

Attached please find a proposed resolution and accompanying memorandum requesting authorization to enter into contract with George E. Deitz, Ph. D. for the purpose of conducting 207c hearings.

Please refer this matter for immediate consideration and approval at the next meeting of your Honorable Body. Representatives of the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD  
SHERIFF OF ERIE COUNTY

Attachments

## ACCOMPANYING MEMORANDUM

RE: Erie County Sheriff's Office -  
Contract Approval – 207c Hearings

I. Summary of Recommended Action

The attached resolution requests authorization for the Erie County Sheriff's Office to appoint George E. Deitz, Ph. D. for the purposes of conducting 207c hearings and authorizes the County Executive to execute a contract with Dr. Deitz for these services. Budget Resolution #35 of 2014 authorized the procurement of 207c hearings at a rate not to exceed \$800 per hearing and waived the RFP process as provided for in Section 19.08 of the Erie County Administrative Code.

II. Fiscal Implications of Proposal

Funding for these services is available in the Sheriff's Office 2014 Operating Budget in Account 516020 – Professional Services & Fees therefore, requiring no additional funds.

III. Reasons for Recommendation

New York State Law 207c requires that an impartial hearing officer be appointed by the Erie County Sheriff's Office and be made available in cases of line of duty injuries (LDI). The purpose of the hearing officer is to determine if an employee is entitled to LDI payments in cases where there is a dispute between the Sheriff's Office and an employee.

IV. Consequence of Negative Action

The Erie County Sheriff's Office will be non-compliant with New York State Law.

V. Steps Following Approval of Measure

Certified copies of this resolution will be forwarded to the County Executive's Office, the Office of the Sheriff, the Erie County Comptroller and the County Attorney.

## PROPOSED RESOLUTION

Re: Erie County Sheriff's Office  
Contract Approval – 207c Hearings

WHEREAS, the Erie County Sheriff's Office requires the services of a qualified individual to perform 207c hearings, and

WHEREAS, George E. Deitz, Ph.D. has been selected by the Sheriff's Office to serve in this capacity; and

WHEREAS, the Erie County Sheriff's Office has sufficient funds to cover the estimated cost of these services, therefore requiring no additional tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to appoint George E. Deitz, Ph. D. for purposes of conducting 207c hearings; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract retroactive to May 30, 2014 with George E. Deitz, Ph.D. to conduct 207c hearings at a rate not to exceed \$800 per hearing as approved in Budget Resolution #35 of 2014; and be it further,

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Office of the Sheriff, the Erie County Comptroller and the County Attorney.