

**ERIE COUNTY LEGISLATURE
MEETING NO. 16
AUGUST 7, 2014**

The Legislature was called to order by Chair Mills.

All members present.

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

The Pledge of Allegiance was led by Ms. Grant.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 1 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. MORTON, MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 204

RE: CSEA Local 815 Erie County Unit
2008-2016 Successor Collective
Bargaining Agreement
(COMM. 16E-1)

WHEREAS, Erie County is a municipal corporation and is bound by the New York State Taylor Law to negotiate terms and conditions of employment with duly elected employee organizations; and

WHEREAS, the Civil Service Employees Union Local 815 Erie County Unit ("Unit") is an employee union organization which represents "white collar" County employees; and

WHEREAS, the existing collective bargaining agreement between Erie County and the Unit expired on December 31, 2006, but has remained binding pursuant to the Taylor Law; and

WHEREAS, Erie County and the Unit negotiated a successor collective bargaining agreement, covering the period between January 1, 2008 and December 31, 2016; and

WHEREAS, Unit membership recently ratified the successor agreement.

NOW, THEREFORE, BE IT

RESOLVED, the successor agreement between Erie County and the Civil Service Employees Union Local 815 Erie County Unit for the period January 1, 2008-December 31, 2016 is hereby approved; and be it further

RESOLVED, all terms and conditions of the successor agreement shall be implemented in full; and, be it further

RESOLVED, that authorization is provided to appropriate up to \$3.2 million in undesignated/unassigned fund balance into the 2014 Erie County Budget to cover the 2008-2013 costs of the successor agreement, including the CSEA signing bonus and 2014 wage increase for County employees as well as to assist in funding the 2014 wage increase for CSEA members employed by the Buffalo and Erie County Public Library and Erie Community College; and be it further

RESOLVED, that the County's total appropriation to assist in funding the 2014 wage increase for the CSEA members at the Buffalo and Erie County Public Library and Erie Community College cumulatively is capped at no more than \$150,000; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments in the 2014 Budget to properly fund the increased costs associated with the CSEA successor agreement and the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the terms of the agreement for County employees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Department of Budget and Management, Department of Labor Relations, Department of Personnel and the Erie County Fiscal Stability Authority.

FROM THE COUNTY EXECUTIVE

Item 2 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. MORTON, MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 205

RE: Declaration of Need for Erie County
Fiscal Stability Authority Borrowing for
2014 Erie County Revenue Anticipation
Note

(COMM. 16E-2)

DECLARATION OF NEED

I, Mark C. Poloncarz, County Executive of the County of Erie (the "County"), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the "Act"), and further pursuant to the Financing Agreement dated as of May 1, 2009 (the "Agreement"), as amended, between the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the "Authority") and the County, HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amount of the Financeable Costs hereby requested to be undertaken is \$110,000,000 to finance the cash flow needs of the County.

2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and that such Financeable Costs meet the requirements of Section 4.01(f) of the Agreement, as applicable.

3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would, with the passage of time or otherwise, give rise to any violation or contravention of the terms of this Declaration of Need, the Agreement or any financial plan submitted to or approved by the Authority.

4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth herein. In no event shall the amount of such financing in any fiscal year exceed the aggregate amount of the Declarations of Need for such year, as they may be amended from time to time by an amended Declaration of Need.

5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, I have set my hand this ____ day of August, 2014.

Mark C. Poloncarz
County Executive
County of Erie

FROM LEGISLATOR MILLS

Item 3 – MR. LORIGO presented the following resolution and moved to receive and file. MS. DIXON seconded.

(COMM. 16E-3) Letter Directing the Clerk to Call a Special Meeting of the Erie County Legislature

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 4 – CHAIR MILLS directed that the following item be received, filed and printed.

(COMM 16D-1) Notice of Special Meeting of the Erie County Legislature on August 7, 2014

TO: All Members of the Erie County Legislature

FROM: Scott W. Kroll, Clerk

Date: August 4, 2014

SUBJECT: Special Meeting Notice

PLEASE TAKE NOTICE that pursuant to Rule 2.02 of the RULES OF ORDER OF THE ERIE COUNTY LEGISLATURE, and under the direction of Chair John J. Mills, there will be a SPECIAL MEETING of the Erie County Legislature on THURSDAY, AUGUST 7, 2014 at 10:00 O’CLOCK in the morning of that day in the Chambers of the Erie County Legislature, 4th Floor of Old County Hall, 92 Franklin St., Buffalo, N.Y.

The purpose of the Special Meeting will be to consider the recently ratified CSEA contract and the Declaration of Need to allow the Erie County Fiscal Stability Authority to undertake borrowing on Erie County’s behalf.

The items on the agenda of the Special Meeting will include Comm. 16E-1, the CSEA Local 815 Erie County Unit 2008-2016 Successor Collective Bargaining Agreement; Comm. 16E-2, the Declaration of Need for Erie County Fiscal Stability Authority Borrowing for 2014 Erie County Revenue Anticipation Note; Chair Mills’ letter to me directing the calling of the Special Meeting; and my Memo as Clerk of the Legislature to Members of the Legislature calling the Special Meeting.

Thank you.

ANNOUNCEMENTS

None.

MEMORIAL RESOLUTIONS

Item 5 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Thomas Kacalski.

Item 6 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Caryn Reardon.

Item 7 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Bernice Baltes.

Item 8 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Dr. Cherita Johnson-Morrow.

Item 9 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of James Heath.

ADJOURNMENT

Item 10 - 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, September 4, 2014 at 9:30 a.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, September 4, 2014 at 9:30 p.m. Eastern Standard Time.

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