

ERIE COUNTY LEGISLATURE
MEETING NO. 17
SEPTEMBER 4, 2014

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Savage, who offered a short prayer.

The Pledge of Allegiance was led by Mr. Loughran.

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 14 from 2014. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. LORIGO moved for the approval of the minutes for Meeting Number 15 from 2014. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 5 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 – MR. BURKE presented a resolution Celebrating the 23rd Anniversary of the Independence of Ukraine.

Item 7 – MS. GRANT presented a resolution Honoring the Life of Demario Romeo Carriker.

Item 8 – MR. HARDWICK presented a resolution Congratulating Alyssa Cino, Girl Scout Troop 30814, on Being Awarded the Girl Scout Gold Award.

Item 9 – MR. HARDWICK presented a resolution Congratulating Lillian M. Cultrara, Girl Scout Troop 302, on Being Awarded the Girl Scout Gold Award.

Item 10 – MR. HARDWICK presented a resolution Congratulating Kourtney Hoppel, Girl Scout Troop 30814, on Being Awarded the Girl Scout Gold Award.

Item 11 – MR. HARDWICK presented a resolution Congratulating William Miles on Being Named the YMCA Tonawandas Man of the Year for 2014 and his Dedication to the Community

Item 12 – MR. HARDWICK presented a resolution Honoring David A. Robinson for his Service and Dedication to the Community.

Item 13 – MR. HARDWICK presented a resolution Congratulating Margaret H. Rustowicz, Girl Scout Troop 31019, on Being Awarded the Girl Scout Gold Award.

Item 14 – MR. HARDWICK presented a resolution Congratulating John White on Being Awarded the Community Service Award by the YMCA Tonawandas and Dedication to the Community.

Item 15 – MILLER-WILLIAMS presented a resolution Honoring the Buffalo National Latino AIDS Awareness Day Committee for Their Work in Raising Awareness of HIV/AIDS in Western New York.

Item 16 – MILLER-WILLIAMS presented a resolution Honoring Dr. Catherine Fisher Collins' Women's Health Radio Show on the Occasion of Hosting its "Annual Victorian High Tea" on September 27, 2014, and Welcoming New York City Councilmember Laurie A. Cumbo as the Keynote Speaker for the Event.

Item 17 – MR. MILLS, MR. LORIGO, MS. GRANT, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Proclaiming September as Childhood Cancer Awareness Month in Erie County.

Item 18 – MR. MILLS, MR. LORIGO, MS. GRANT, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing Dr. James Boles on his Accomplishments and Retirement from People Inc.

Item 19 – MR. MORTON presented a resolution Posthumously Honoring Jeffrey J. Stribing as the September 2014 Citizen of the Month.

Item 20 – MR. RATH presented a resolution Recognizing Beverly Fredericks and Ken Kasperek for Their Dedication to the Arts and Five Decades of Performances with the Akron Community Band.

Item 21 – MR. RATH presented a resolution Celebrating the 200th Anniversary of the Writing of the "Star Spangled Banner".

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above sixteen items by adding one miscellaneous resolution for MS. GRANT and to include Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 22 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2014 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2014 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 27 – No committee reports.

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206

RE: Transfer of Surplus Property to Global Concepts Charter School

(INTRO. 17-1)

WHEREAS, Principal David Ehrle, from Global Concepts Charter School, recently request any extra supplies from the county for use by their kindergarten class; and

WHEREAS, the Legislature has several reams of excess scrap paper that are unsuitable for Legislative purposes and has no value to the Legislature other than refuse; and

WHEREAS, Mr. Ehrle indicated that he would be interested in taking possession of said paper on behalf of Global Concepts Charter School.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature transfers to Global Concepts Charter School the aforementioned extra paper only for use at Global Concepts Charter School for the sole benefit of its students; and be it further

RESOLVED, that certified copies of this resolution are sent to Mr. Ehrle and all other parties deemed necessary and proper.

Item 29 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207

RE: Appointment to EC Community
Coordinating Council on Children
and Families
(INTRO. 17-2)

WHEREAS, this honorable body recently passed a resolution creating the Erie County Community Coordinating Council on Children and Families; and

WHEREAS, the purpose of this board is to provide input from experts and members of the community; and

WHEREAS, the resolution creating this board gives the majority two council appointments; and

WHEREAS, the majority caucus has lent its support to Mary Iwanenko to act as one of their representatives to the Community Coordinating Council on Children and Families.

NOW, THEREFORE, BE IT

RESOLVED, that the majority hereby nominates Mary Iwanenko, of 196 Main Street, Hamburg, NY 14075, to the Erie County Community Coordinating Council on Children and Families; and be it, further

RESOLVED, that the certified copies of this resolution are sent to the Erie County Executive's Office and all other parties deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 208

RE: Appointment to EC Community
Coordinating Council on Children
and Families
(INTRO. 17-3)

WHEREAS, this honorable body recently passed a resolution creating the Erie County Community Coordinating Council on Children and Families; and

WHEREAS, the purpose of this board is to provide input from experts and members of the community; and

WHEREAS, the resolution creating this board gives the majority two council appointments; and

WHEREAS, the majority caucus has lent its support to Mary Travers Murphy to act as one of their representatives to the Community Coordinating Council on Children and Families.

NOW, THEREFORE, BE IT

RESOLVED, that the majority hereby nominates Mary Murphy, of 7 Knob Hill Rd., Orchard Park, NY 14127, to the Erie County Community Coordinating Council on Children and Families; and be it, further

RESOLVED, that the certified copies of this resolution are sent to the Erie County Executive's Office and all other parties deemed necessary and proper.

Item 31 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 209

RE: Reorganization of First District
Legislative Office Personal Services
Budget
(INTRO. 17-4)

WHEREAS, in order to better serve the residents of the First District of the Erie County Legislature, a reorganization is necessary of the Legislature's district office personal services budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical budget adjustments to the Legislature's 2014 Adopted Departmental Budget, all of which can be effectuated while keeping within the Legislature's Adopted appropriation for 2014:

DELETE one (1) Administrative Clerk (Legislature) Full-Time, JG 8, Position Number 51008101, Fund Center 100, Cost Center 1005017 District Office Staff, effective September 4, 2014;

REPLACE with one (1) Administrative Clerk Legislature (RPT), JG 8; and one (1) Administrative Clerk Legislature (PT), JG 8 to Fund Center 100, Cost Center 1005017 District Office Staff, effective September 4, 2014; and be it further

RESOLVED, that the filling of the positions be in accordance with Erie County Budget Resolution Number 84, as well as all Personnel Department policies; and be it further

RESOLVED, that the Clerk of the Legislature is directed to forward certified copies of this resolution to the Director of the Division of Budget, Management & Finance and the Commissioner of the Department of Personnel.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210

RE: Lukey's Legacy – Promoting EKG Screenings and Recognizing November 16, 2014 as Myocarditis Awareness Day (INTRO. 17-5)

WHEREAS, Luke Gould passed away at only 10 years of age on November 16, 2011, from complications involved with the heart condition Myocarditis; and

WHEREAS, Luke's mother, Amy Skowronski, and stepfather, Joseph, are tireless advocates, promoting the sharing of information about this deadly condition with the public, including pushing for Myocarditis Awareness Day to be marked by the State of New York and County of Erie; and

WHEREAS, Myocarditis is a rare heart condition that has no detectable warning signs and is a leading cause of sudden death in young adults, infants and toddlers; and

WHEREAS, this condition can be triggered by a variety of causes that affect the heart muscle including viral, bacterial, or parasitic infections, which lead to damage of the tissues of the heart; and

WHEREAS, often treatment for the condition is possible depending on the method in which it was contracted and early detection; and

WHEREAS, an EKG screening performed by a qualified medical professional can be used, in some cases, to detect the presence of Myocarditis.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County legislature hereby recognizes November 16, 2014 as Myocarditis Awareness Day in memory of Luke Gould and to raise awareness, with the hope that many lives will be saved; and be it further

RESOLVED, that this honorable body calls on the Department of Health to work together with the legislature and the Skowronski's to provide EKG screenings for children to detect the presence of Myocarditis on November 16; and be it further

RESOLVED, that certified copies of this resolution be sent to Commissioner Burstein, County Executive Poloncarz, and all other parties deemed necessary and proper.

Item 33 – CHAIR MILLS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 17-6 from LORIGO & DIXON. Lukey's Legacy - Placement of AEDs in Public Venues.

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

GRANTED.

INTRO. 17-7 from SAVAGE. Health & Human Services Committee Fact-Finding Concerning Electronic Cigarettes.

Item 35 – MR. LORIGO presented the following resolution and moved for consideration. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 211

RE: Supporting Legislation to Modernize the State Education Law and Empower Students with Certain Medical Conditions
(INTRO. 17-8)

WHEREAS, a successful bi-partisan effort to secure passage of legislation in the NYS Senate and Assembly will empower students living with allergies, asthma, diabetes, and other respiratory difficulties, and currently awaits consideration of Governor Andrew M. Cuomo; and

WHEREAS, with the passage of Senate Bill S7758-2013 and Assembly Bill A9334-2013, long awaited relief to parents and students in the form of a change in the Education law in relation to health services in schools that would enable students to carry and use medical treatments and devices in school - or at a school function- in the event of an emergency need for such treatments; and

WHEREAS, with the signature of Governor Cuomo, this progressive legislation aims to empower students in their own health care, and, along with the assistance of authorizing medical professionals prescribing these treatments, would allow these students to self-administer treatment without the intervention or delay associated with the current system whereby only a licensed medical professional and/or emergency responder can administer these potentially life-saving medications; and

WHEREAS, this important legislation goes beyond empowering students, it also empowers school personnel who are not trained in the administration of these vital treatments and/or devices to be trained by licensed health care providers so that they, too, can be authorized in the event that their assistance is needed in an emergency, when seconds can really matter in saving the life of an individual affected by such an serious allergic reaction; and

WHEREAS, the Senate and Assembly bills also would authorize school districts to maintain epinephrine auto-injectors in their schools in the event that a person has a serious allergic reaction for the first time, or if that person has a late onset allergy, that could be life-threatening; and

WHEREAS, the approval of this legislation is all the more appropriate in light of the fact that one in thirteen children age eighteen and under - or two in each classroom - have allergies to certain foods with potentially life-threatening complications, and together with a study released in 2013 by the Centers for Disease Control and Prevention that found food allergies among children have increased approximately 50% between 1997 and 2011, warrant approval of this legislation; and

WHEREAS, indeed, the Centers for Disease Control also reported that food allergies result in more than 300,000 ambulatory-care visits a year among children under the age of 18, while advocates for food allergy research and education report that teenagers and young adults with food allergies are at the highest risk for fatal reactions, which call for increased awareness of food allergies as a serious public health issue; and

WHEREAS, the potentially fatal allergic reaction called anaphylaxis can be forestalled by the use of a epinephrine auto-injector prescribed by a child's health care provider- and with the successful enactment of this legislation, students would be allowed to carry and self-administer should the student come into contact and experience a severe reaction to food products including peanuts, tree nuts, fish and shellfish; and

WHEREAS, while researchers are working to determine why food allergies are on the rise in developed countries worldwide, avoidance of foods that trigger reactions and early recognition/management are critical components to protecting children, and these measures which were approved by members of the Senate and Assembly following careful deliberations aim to ensure that students with allergies and other health ailments get the help they need; and

WHEREAS, this legislation further holds school districts harmless in terms of legal and financial liability due to the implementation of this legislation, or for that matter, does not mandate any additional personnel or costs for the purposes of this legislation; and

WHEREAS, this legislation represents a common sense modernization of the Education law and could save the lives of students in life-threatening circumstances where time is always a determining factor in the outcome of such emergencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature sends strong encouragement to Governor Andrew M. Cuomo, requesting that the governor affix his signature to legislation (Senate Bill S7758-2013 and Assembly Bill A9334-2013) that will empower students in the State of New York in their own health care by authorizing students to bring to school or school events the critical health care medications or devices that are prescribed by their health care provider, and that could save their lives in the event that an emergency occurs; and be it further

RESOLVED, that the Clerk of the Legislature forward certified copies of this resolution to the Governor of the State of New York, the Honorable Andrew M. Cuomo; the Coalition Co-Majority Leaders of the New York State Senate, the Honorable Dean G. Skelos and the Honorable Jeff Klein; the Speaker of the New York State Assembly, the Honorable Sheldon Silver; the Erie County Executive, the Honorable Mark C. Poloncarz; and to the WNY Delegation to the New York State.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 36 – CHAIR MILLS directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 17-9 from BURKE. Calling on the Irish Government to Study the Implications of a United Ireland and Expand the Rights of Duly Elected Northern MP's.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 17E-22 from COUNTY EXECUTIVE Re: NY Connects 2014-2015 Grant Budget.

Received and referred to the HEALTH& HUMAN SERVICES COMMITTEE.

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

GRANTED.

COMM. 17E-23 from COUNTY EXECUTIVE Re: CSE 2014-2015 Grant Budget.

Received and referred to the HEALTH& HUMAN SERVICES COMMITTEE.

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

GRANTED.

COMM. 17E-24 from Mr. RATH Re: Copy of Correspondence from the EC Fire Advisory Board to Legislator Rath Re: 400MHz Radio System.

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR GRANT

Item 40 – MR. LORIGO presented the following resolution and moved for consideration.
MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

RE: Minority Caucus Appointment to Visit
Buffalo Niagara Board of Directors
(COMM. 17E-1)

Dear Mr. Kroll,

I write to you today concerning the Visit Buffalo Niagara Board of Directors, where there current is a vacancy in the position of Minority Caucus board member.

Pursuant to the bylaws of Visit Buffalo Niagara, the minority membership of the Erie County Legislature shall appoint one individual to the Board.

As the Democratic Caucus will be putting forth our appointment at the session scheduled for Thursday, September 4, 2014, I was hoping that you could place this communication on the agenda to act as a placeholder that will be amended with a petition from my Democratic colleagues and myself necessary to move this appointment.

Should you have any questions, please don't hesitate to contact me.

Thank you.

Sincerely,
Betty Jean Grant

MR. LORIGO moved to amend. Ms. DIXON seconded.

CARRIED 10-1. MS. MILLER-WILLIAMS voted in the negative.

Include the Attached Minority Caucus Petition and Resume for COMM. 17E-1 (2014).

We, the undersigned, representing a majority of the members of the Democratic Caucus in the Erie County Legislature, de hereby designate Lesley Haynes (155 Prospect Ave., Buffalo NY 14201) as the Minority Caucus appointment to the Board of Directors of Visit Buffalo Niagara, pursuant to their organization bylaws.

BETTY JEAN GRANT
THOMAS A. LOUGHRAN

PETER J. SAVAGE
PATRICK B. BURKE

Lesley Haynes 155 Prospect Avenue, Buffalo, NY 14201 716-856-6024

Work History:

Manager at International Students House Great Portland Street, London

Social Worker: Protective Services and Congregate Site Supervisor. Elder Abuse Specialist and Crisis Intervention Specialist. LSW.

Crisis Intervention Services for youth gangs, sex-workers, domestic violence and drug rehabilitation.

Commissioner of Human Relations (8 years) Springfield MA.

Hampden County Sheriff's Dept. Springfield MA – Mentorship Program Coordinator 'Behind the Walls and After Incarceration Support Systems'

Currently retired

Faith Based:

Missionary with Presbyterian USA Worldwide Missions – Reconciliation and Mission Volunteer – Christian Missionary: Served in El Milagros, El Salvador, Central America. Delhi, India. New Orleans, LA.

Hampden County Jail – held weekly Christian services for inmates – 12 years

Graduate of Niagara University Urban Ministry Program – Inner City Outreach

Current – Street ministry and Mentor to several persons who were formerly incarcerated

Current activity and membership:

N.A.A.C.P – Executive Committee Member – Life Member
Ordained Elder in the Presbyterian Church
Prisoners Are People Too Inc. – Board Member
B.U.I.L.D Buffalo – Board Member
Erie County/Buffalo – Safe Neighborhood Task Force Committee
Elected Member of the Erie County Democratic Committee
Community Mission Outreach – 1st Presbyterian Church, Buffalo NY
Youth Planning Council – Buffalo
Interfaith Peach Network
Peace Intelligence Academy
Graduate of Buffalo Citizen’s Participation Academy
Food Not Bombs
Member of Indigenous Women’s Initiative
Graduate of NFTA Transit Authority Police Department Citizens Academy
Supporter of Michigan Street African American Heritage Corridor Commission

Received, filed and printed.

FROM THE COUNTY EXECUTIVE

Item 41 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

RE: Payment in Lieu of Taxes (PILOT)
Agreement for Lackawanna Homes
Project
(COMM. 17E-2)

WHEREAS, Lackawanna Homes Housing Development Fund Corporation and Lackawanna Homes LLC are developing housing for low and very low income households (Project), pursuant to Article XI of the New York Private Housing Finance; and

WHEREAS, the Project is located on scattered sites throughout the First Ward of the City of Lackawanna, New York and will serve low and very low income households and will include 47 new built single family homes and a community clubhouse; and

WHEREAS, the Erie County Legislature previously authorized the County Executive to execute a PILOT agreement for Lackawanna Homes on May 8, 2014 based on a 48 unit project; and

WHEREAS, the total number of units has since been reduced to 47 necessitating a revised PILOT Payment Schedule; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and this PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Lackawanna Homes LLC and Lackawanna Homes Housing Development Fund Corporation to operate the housing complex it is necessary to obtain tax relief from the County of Erie and the City of Lackawanna.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with the City of Lackawanna, Lackawanna Homes Housing Development Fund Corporation and Lackawanna Homes LLC and appropriate other organizations necessary to carry out the Agreement relating to Lackawanna Homes Project and all other contracts necessary to conclude this Project; and be it further,

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto. Payment under the Agreement will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that the first year of said fifteen (15) year PILOT shall begin with the County's tax year immediately following the City's final assessment roll, as so established after project completion; and be it further

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

Project Entity: Lackawanna Homes LLC

Sole Member of the General Partner: Lackawanna Housing Development Corp.

Project Description: A development of 47 single family homes and 1 community clubhouse in Lackawanna, NY

SCHEDULE A

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Allocation to County	\$ 2,329	\$ 2,398	\$ 2,470	\$ 2,544	\$ 2,621	\$ 2,699	\$ 2,780	\$ 2,864	\$ 2,950	\$ 3,038	\$ 3,129	\$ 3,223	\$ 3,320	\$ 3,420	\$ 3,522
Allocation to City	\$ 6,986	\$ 7,195	\$ 7,411	\$ 7,633	\$ 7,862	\$ 8,098	\$ 8,341	\$ 8,592	\$ 8,849	\$ 9,115	\$ 9,388	\$ 9,670	\$ 9,960	\$ 10,259	\$ 10,567
Total (increasing by 3% each yr.)	\$ 9,314	\$ 9,594	\$ 9,882	\$ 10,178	\$ 10,483	\$ 10,798	\$ 11,122	\$ 11,455	\$ 11,799	\$ 12,153	\$ 12,518	\$ 12,893	\$ 13,280	\$ 13,678	\$ 14,089

PILOT Calculation Summary	Per Unit	All Units	Comments
Gross Potential Rent	\$ 6,853	\$ 322,068	
Less: 5% Vacancy	\$ 343	\$ 16,103	
Plus: Ancillary Income	\$ 96	\$ 4,512	
Equals: Revenue	\$ 6,606	\$ 310,477	47 units
County PILOT B ("Very Low Income")			
Payment (Year 1)	\$ 198	\$ 9,314	3% of Revenue, but increases by 3% each yr.
PILOT B Allocation to County	\$ 50	\$ 2,329	25% of Payment
PILOT B Allocation to City	\$ 149	\$ 6,986	75% of Payment

FROM THE COUNTY EXECUTIVE

Item 42 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 214

RE: Establish BIP Innovation Fund Grant
(COMM. 17E-3)

WHEREAS, the Department of Senior Services submitted a competitive grant application for NY State Balancing Incentive Program (BIP) Innovation Fund grant, to undertake a pilot project with Kaleida Health, Erie County Medical Center Corporation (ECMCC) and People Inc., to assist hospital and nursing facility discharge planners in transferring Medicaid patients back to the community; and

WHEREAS, the NY State Department of Health has awarded the Department of Senior Services a \$738,276 BIP Innovation Fund grant for the period August 1, 2014 through September 30, 2015; and

WHEREAS, the Department of Senior Services will utilize a portion of these grant funds to create two new positions, an Aging and Disability Resource Center (ADRC) Representative (job group 10) with primary responsibility for assisting clients, their families, and facility discharge planners in transitioning clients back to the community, and a Senior Statistical Clerk (job group 6) to perform the clerical support, and bookkeeping work of the grant; and

WHEREAS, the Department of Senior Services will enter into memorandums of understanding with grant application partners Kaleida Health and ECMCC to delineate the respective parties obligations regarding the BIP Innovation Fund grant project; and

WHEREAS, the Department of Senior Services will contract with grant application partner, People Inc to purchase housing assistance support services necessary to transition project eligible individuals back to the community; and

WHEREAS, the Department of Senior Services currently contracts with a variety of subcontract agencies for the provision of various services and supports for eligible clients, including home care, adult day care, transportation, home delivered meals, and personnel emergency response systems; and desires to amend such contracts to utilize BIP Innovation Fund grant funds to purchase such services and supports for individuals eligible for this pilot project.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to contract with the NY State Department of Health to accept the \$738,276 of BIP Innovation Fund grant funds for the period August 1, 2014 to September 30, 2015; and be it further

RESOLVED, the Department of Senior Services is hereby authorized to create, two positions upon the passage of this resolution, an ADRC Representative (B100 #7909) and a Senior Statistical Clerk (B100 #7885), within the 163BIPIF1415 grant; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into memorandums of understanding with Kaleida Health and ECMCC to delineate the respective parties obligations regarding the BIP Innovation Fund grant project; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into a \$105,882 contract with grant application partner, People Inc. for housing assistance support services necessary to transition project eligible individuals back to the community; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts with Community Concern of WNY Inc and Interim Healthcare of Rochester Inc to provide home care services in an aggregate amount not to exceed the amount appropriated in this grant budget; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into and/or amend contracts with existing Department of Senior Service subcontract agencies, (in an aggregate amount not to exceed the amount appropriated in this grant budget) and purchase necessary services from such agencies with BIP Innovation Fund grant to facilitate eligible pilot project clients return to the community; and be it further

RESOLVED, that the budget for the BIP Innovation Fund Grant (163BIPIF1415), be established as follows:

APPROPRIATIONS		INITIAL BUDGET
Account	Description	
500000	Full Time Salaries	\$ 84,500
502000	Fringe Benefits	\$ 53,037
505000	Office Supplies	\$ 500
510000	Local Mileage Reimbursement	\$ 5,738
510200	Training & Education	\$ 200
516020	Professional Svcs Contracts & Fees	\$138,052
516023	Adult Day Care	\$ 75,768
516026	Home Care Services	\$180,400
516027	Meal Preparation	\$ 17,160
516028	Personnel Emergency Response	\$ 1,052
516030	Maintenance Contracts	\$ 600
516410	Lab & Tech Equipment	\$ 1,200
517755	People Inc.	\$105,882
530000	Other Expenses	\$ 56,732
916390	ID Senior Services Grants	<u>\$ 17,455</u>
	TOTAL APPROPRIATIONS	\$738.276
REVENUES		INITIAL BUDGET
Account	Description	
414000	Federal Aid	<u>\$738,276</u>
	TOTAL REVENUE	<u>\$138,276</u>

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to grantor awards; and be it further

RESOLVED and, if necessary, the County Executive is hereby authorized to execute amendments to the Department of Senior Services agencies contracts to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department Senior Services.

FROM LEGISLATOR MILLS

Item 43 – (COMM. 17E-4) Request for County Executive Appointment to EC Bridge and Road Infrastructure Maintenance Advisory Board

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 44 – (COMM. 17E-5) EC Sewer District Nos. 1, 2, 4 & 5 - Engineer Term Contract Agreement - Greenman-Pederson Inc - Work Order GPI-2

Item 45 – (COMM. 17E-6) EC Sewer District No. 1 - Agreement - Lease of Land to Town of Cheektowaga - Overflow Retention Facility Property

Item 46 – (COMM. 17E-7) EC Sewer District No. 5 - Clarence Town Sewer District Nos. 2, 4, 6, 7, 9 & 10 - Amendment to Service Agreement March 29, 2012

Item 47 – (COMM. 17E-8) EC Sewer District No. 6 - Engineer Term Agreement - DiDonato Associates - Work Order DA-3

Item 48 – (COMM. 17E-9) EC Sewer District Nos. 1, 2, 4 & 5 - Engineer Term Contract Agreement - Wm Schutt Associates - Work Order WS-2

Item 49 – (COMM. 17E-10) EC Sewer District Nos. 3, 6 & 8 - Engineer Term Contract Agreement with DiDonato Associates - Work Order DI-2

Item 50 – (COMM. 17E-11) Department of Environment and Planning - Personnel Adjustment

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

FROM THE COMPTROLLER

Item 51 – (COMM. 17E-12) 2014 Revenue Anticipation Note Borrowing

Item 52 – (COMM. 17E-13) Interim Financial Report for Period Ending June 30, 2014

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

FROM THE COUNTY CLERK

Item 53 – (COMM. 17E-14) Modification to Maintenance Agreement - New Vision Systems

Item 54 – (COMM. 17E-15) Request to Meet with Citizens Salary Review Commission

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

FROM THE COUNTY EXECUTIVE

Item 55 – (COMM. 17E-16) Interim Commissioner of Mental Health

Item 56 – (COMM. 17E-17) Appointment to the EC Board of Health

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

FROM LEGISLATOR MILLER-WILLIAMS

Item 57 – (COMM. 17E-18) Hispanic Federation Letter Supporting Methadone Clinic

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 58 – (COMM. 17E-19) Interface to NYS Integrated Justice Portal RFP #1418VF

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 59 – (COMM. 17E-20) EC Holding Center Security Camera, Software & Hard Drive Upgrades

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 60 – (COMM. 17E-21) EC Correctional Health Services - Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPARTMENT OF ENVIRONMENT AND PLANNING

Item 61 – (COMM. 17D-1) Bi-Monthly Report - ECC Academic Building

Item 62 – (COMM. 17D-2) Addendum to August 6, 2014 Bi-Monthly Report - ECC Academic Building

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE DEPARTMENT OF BUDGET AND MANAGEMENT

Item 63 – (COMM. 17D-3) Budget Monitoring Report for Period Ending June 2014

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 64 – (COMM. 17D-4) Notice of Public Hearing - Local Law Intro. No. 6-2014

Item 65 – (COMM. 17D-5) Transmittal of New Claims Against Erie County

Item 66 – (COMM. 17D-6) Transmittal of New Claims Against Erie County

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

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 67 – (COMM. 17D-7) Report of New Contracts for Second Period of 2014

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE OFFICE OF THE SHERIFF

Item 68 – (COMM. 17D-8) Letter Responding to Request for Update to Committee Meeting

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 69 – (COMM. 17M-1) Battle of the Books

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NFTA

Item 70 – (COMM. 17M-2) 17A Report and Capital Expenditure Reports for First Quarter Ending March, 2015

Item 71 – (COMM. 17M-3) June 26, 2014 Board Minutes

Item 72 – (COMM. 17M-4) July 24, 2014 Board Minutes

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

FROM THE NYS DEPARTMENT OF AGRICULTURE AND MARKETS

Item 73 – (COMM. 17M-5) Notice to Conduct Review of EC Agricultural District No. 17

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 74 – (COMM. 17M-6) Fact Sheet for 3021 Orchard Park Road, Orchard Park Site

Item 75 – (COMM. 17M-7) Draft Investigation Work Plan and Public Comment for 193 Ship Canal Parkway, Buffalo Site

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

FROM THE DEPARTMENT OF ASSESSMENT AND TAXATION, CITY OF BUFFALO

Item 76 – (COMM. 17M-8) Transit Mall 2015 Final Roll

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF TAXATION AND FINANCE

Item 77 – (COMM. 17M-9) 2014 State Equalization and Class Rates - Various Cities and Towns

Item 78 – (COMM. 17M-10) 2014 State Equalization and Class Rates - Various Cities and Towns

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

FROM PAUL WOLF

Item 79 – (COMM. 17M-11) Artvoice Article Regarding Term Limits

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES

Item 80 – (COMM. 17M-12) Conditional Operating Certificate Authorization for PROMESA

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE BOARD OF HEALTH

Item 81 – (COMM. 17M-13) Agenda for September Meeting, Minutes of May Meeting

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE MWBE UTILIZATION ADVISORY BOARD

Item 82 – (COMM. 17M-14) May 31, 2014 Meeting Minutes

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

FROM THE EC & BUFFALO SAFE NEIGHBORHOOD COMMITTEE

Item 83 – (COMM. 17M-15) 2013 Report

Received and referred to the PUBLIC SAFETY COMMITTEE.

ANNOUNCEMENTS

Item 84 – CHAIR MILLS announced that the committee schedules and agendas have been distributed.

MEMORIAL RESOLUTIONS

Item 85 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Lou Palma.

Item 86 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Donna McNulty, Elizabeth Podsiadlo, and David Robinson.

Item 87 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Charles Caruana.

Item 88 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of George Deiboldt, and Charliebeth Vohwinkel.

ADJOURNMENT

Item 89 - 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 18, 2014 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, September 18, 2014 at 2:00 p.m. Eastern Standard Time.

SCOTT W. KROLL
CLERK OF THE LEGISLATURE