

ERIE COUNTY LEGISLATURE
MEETING NO. 22
NOVEMBER 25, 2014

The Legislature was called to order by Chair Mills.

All members present.

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

The Pledge of Allegiance was led by Mr. Lorigo.

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 21 from 2014. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. LORIGO presented a resolution Congratulating Alison and Arthur Hyde as the Erie County Legislature's Citizens of the Month for November 2014.

Item 6 – MS. MILLER-WILLIAMS presented a resolution Recognizing New Covenant United Church of Christ on Celebrating Their Forty Year Anniversary.

Item 7 – MR. RATH & MR. LOUGHRAN presented a resolution Honoring Sidney and Beverly Fish for Years of Volunteer Service and Care for Senior Citizens and the Community.

Item 8 – MR. RATH & MR. LOUGHRAN presented a resolution Honoring Robert M. Chur for Years of Volunteer Service and Care for Senior Citizens and the Community.

Item 9 – MR. RATH presented a resolution Honoring David C. Mineo for his Years of Achievement and Community Service.

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above five items to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above five items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 10 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2014 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 14 – 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 15 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 273

November 13, 2014	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

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

a. COMM. 21D-11 (2014)

COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES: "Comm. 12E-34
Compliance Report - September - CPS Caseloads"
(5-0)

2. COMM. 21E-26 (2014)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has been awarded an amount of \$117,984 in 100% Federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence; and

WHEREAS, the additional federal TANF funding is awarded for contract expansion for vendors with existing State approval to deliver non-residential services to victims of domestic violence; and

WHEREAS, the provisions of the award specifically prohibit the supplantation of existing funding agreements and also prohibit the use of funds for County government operations; and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department's Consolidated Services Plan (CSP) approved by the State; and

WHEREAS, the Department wishes to also reallocate unexpended funding in its 2014 budget to address the problem of domestic violence within our community.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into or amend contracts with Child and Family Services, Crisis Services, Hispanics United and the Family Justice Center for expanded non-residential services to victims of domestic violence and, be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2014 Adopted Budget:

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	INCREASE/ (DECREASE)
525000	Medicaid Local Share	(\$55,911)
516410	Child and Family Services	\$97,345
516410	Crisis Services	\$60,000
516410	Family Justice Center	\$9,735
516410	Hispanics United of Buffalo	<u>\$6,815</u>

	Total Expenditures	<u>\$117,984</u>
414000	Federal Aid	<u>\$117,984</u>
	Total Revenue	<u>\$117,984</u>

RESOLVED, that because only State-approved providers of non-residential services to victims of domestic violence are eligible to receive these funds and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived and, be it further

RESOLVED, that authorization is hereby provided to reappropriate available year end 2014 balances for the above agencies, into 2015 to provide uninterrupted services to domestic violence victims, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

(5-0)

LYNNE M. DIXON
CHAIR

Item 16 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 274

November 13, 2014	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 21E-9 (2014)
MILLER-WILLIAMS: “Letters of Support for the Buffalo City Mission Expansion Project”
(5-0)
 - b. COMM. 21M-3 (2014)
TOWN CLERK, TOWN OF NEWSTEAD: “Resolution Supporting Niagara Military Affairs Council Initiative”
(5-0)
 - c. COMM. 21M-4 (2014)

TOWN CLERK, TOWN OF TONAWANDA: “Resolution Supporting Niagara Military Affairs Council Initiative”
(5-0)

KEVIN R. HARDWICK
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 275

November 13, 2014	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

1. COMM. 21E-25 (2014)

COUNTY EXECUTIVE

WHEREAS, a review of County lands was conducted in summer 2014 by the Departments of Real Property Tax Services, Environment and Planning, Public Works, Parks, Recreation and Forestry, Division of Sewerage Management, and the Division of Budget and Management; and

WHEREAS, that review found instances in which persons or entities were encroaching on County owned lands and parcels; and

WHEREAS, the County determined that a policy was needed to address encroachment, and as a result, an Erie County Encroachment Policy was developed and approved by the Erie County Lands Advisory Review Committee on October 30, 2014; and

WHEREAS, the Erie County Lands Advisory Review Committee seeks legislative affirmation of the Encroachment Policy by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of the enclosed Erie County Encroachment Policy dated October 30, 2014; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Departments of Law, Real Property Tax Services, Environment and Planning, Parks, Public Works, Division of Sewerage Management, and the Division of Budget and Management.
(5-0)

KEVIN R. HARDWICK
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 276

November 13, 2014	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19M-10 (2014)
CITIZENS SALARY REVIEW COMMISSION: “2014 Final Report”
(5-0)
 - b. COMM. 21E-20 (2014)
COMPTROLLER: “Interim Financial Report for the Nine-Month Period Ended Sept 30, 2014”
(5-0)
2. COMM. 1D-8 (2014)
EC REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

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

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 214251 through 214273, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2012	Petition No.	214,251.00
	ASSESSOR	Refund	\$233.02
S-B-L	47.11-1-56	36 Bloomingdale 145601 AKRON	
	Acct. No. 112	\$185.74	County
	Acct. No. 132	\$47.28	Town/SpecialDist/School
<u>Charge To:</u>	145601 AKRON		\$47.28

RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McCann

FISCAL YEAR 2013 Petition No. 214,252.00

 ASSESSOR Refund \$258.29
S-B-L 47.11-1-56.1 36 Bloomingdale 145601 AKRON

 Acct. No. 112 \$205.31 County
 Acct. No. 132 \$52.98 Town/SpecialDist/School
Charge To : 145601 AKRON \$52.98

RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McMann

FISCAL YEAR 2014 Petition No. 214,253.00

 ASSESSOR Refund \$253.61
S-B-L 47.11-1-56.1 36 Bloomingdale 145601 AKRON

 Acct. No. 112 \$203.19 County
 Acct. No. 132 \$50.42 Town/SpecialDist/School
Charge To : 145601 AKRON \$50.42

RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McMann

FISCAL YEAR 2012 Petition No. 214,254.00

 ASSESSOR Refund \$198.08
S-B-L 47.11-1-56 36 Bloomingdale 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$198.08 Town/SpecialDist/School
Charge To : 145601 AKRON \$198.08

 Relevy Village \$198.08 Village of AKRON
RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McMann

FISCAL YEAR 2013 Petition No. 214,255.00

ASSESSOR Refund \$222.76
S-B-L 47.11-1-56.1 36 Bloomingdale 145601 AKRON
Acct. No. 112 \$0.00 County
Acct. No. 132 \$222.76 Town/SpecialDist/School
Charge To : 145601 AKRON \$222.76
Relevy Village \$222.76 Village of AKRON
RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McMann

FISCAL YEAR 2014 Petition No. 214,256.00

ASSESSOR Refund \$226.59
S-B-L 47.11-1-56.1 36 Bloomingdale 145601 AKRON
Acct. No. 112 \$0.00 County
Acct. No. 132 \$226.59 Town/SpecialDist/School
Charge To : 145601 AKRON \$226.59
Relevy Village \$226.59 Village of AKRON
RPTL550(2): Failed to apply disabled vet exemption
Refund to be issued to Andrew McMann

FISCAL YEAR 2014 Petition No. 214,257.00

ASSESSOR Refund \$569.18
S-B-L 55.20-5-9 120 Andover Ln 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$569.18 Town/SpecialDist/School
Charge To : 142289 AMHERST \$569.18
Relevy School \$569.18 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to John and Ann White

FISCAL YEAR 2014 Petition No. 214,258.00

ASSESSOR Refund \$209.00
S-B-L 80.20-13-11 77 Greenway Blvd 143089 CHEEKTOWAGA
Acct. No. 112 \$74.67 County

Refund to be issued to Gary Kruger

FISCAL YEAR 2014 Petition No. 214,262.00

 ASSESSOR Cancel \$52,609.46
S-B-L 53.78-1-25.2 3754 Delaware Ave 146489 TONAWANDA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$52,609.46 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$52,609.46
 Relevy School \$52,609.46 146401 KEN-TON UNION

FREE

RPTL550(2): Failed to apply HUD exemption
New tax bill to be issued

FISCAL YEAR 2014 Petition No. 214,263.00

 ASSESSOR Refund \$572.38
S-B-L 108.12-2-15 130 Lavender Ln 142089 ALDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$572.38 Town/SpecialDist/School
Charge To : 142089 ALDEN \$572.38
 Relevy School \$572.38 142001 ALDEN CENTRAL

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to James and Cheryl Pohle

FISCAL YEAR 2013 Petition No. 214,264.00

 ASSESSOR Refund \$562.00
S-B-L 108.15-2-15 130 Lavender Ln 142089 ALDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$562.00 Town/SpecialDist/School
Charge To : 142089 ALDEN \$562.00
 Relevy School \$562.00 142001 ALDEN CENTRAL

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to James and Cheryl Pohle

FISCAL YEAR 2012 Petition No. 214,265.00

ASSESSOR Refund \$551.00
S-B-L 108.12-2-15 130 Lavender Ln 142089 ALDEN
Acct. No. 112 \$0.00 County
Acct. No. 132 \$551.00 Town/SpecialDist/School
Charge To : 142089 ALDEN \$551.00
Relevy School \$551.00 142001 ALDEN CENTRAL

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to James and Cheryl Pohle

FISCAL YEAR 2014 Petition No. 214,266.00

ASSESSOR Cancel \$2,803.31
S-B-L 270.00-1-10.11 2500 School St 145889 NORTH COLLINS
Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,803.31 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$2,803.31
Relevy School \$2,803.31 145801 NORTH COLLINS

CENT

RPTL550(2): Duplicate parcel
Delete from tax roll

FISCAL YEAR 2014 Petition No. 214,267.00

ASSESSOR Refund \$526.00
S-B-L 92.17-12-26 71 Santin Dr 143089 CHEEKTOWAGA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$526.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$526.00
Relevy School \$526.00 143002 CHEEK. UNION #2

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to Bryan and Kimberly Chapman

FISCAL YEAR 2014 Petition No. 214,268.00

ASSESSOR Refund \$159.56
S-B-L 113.15-3-3.111/10 4 Brookfield Ln Uni 143089
CHEEKTOWAGA
Acct. No. 112 \$0.00 County

Charge To : Acct. No. 132 \$159.56 Town/SpecialDist/School
143089 CHEEKTOWAGA \$159.56
Relevy School \$159.56 143002 CHEEK. UNION #2

FISCAL YEAR 2013 Petition No. 214,269.00

ASSESSOR Refund \$62.16
S-B-L 91.14-4-20 171 Cedargrove Cir 143089 CHEEKTOWAGA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$62.16 Town/SpecialDist/School
143089 CHEEKTOWAGA \$62.16

FISCAL YEAR 2014 Petition No. 214,270.00

ASSESSOR Refund \$62.16
S-B-L 91.14-4-20 171 Cedargrove Cir 143089 CHEEKTOWAGA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$62.16 Town/SpecialDist/School
143089 CHEEKTOWAGA \$62.16

FISCAL YEAR 2014 Petition No. 214,271.00

ASSESSOR Refund \$640.00
S-B-L 68.13-8-16 241 Getzville Rd 142289 AMHERST

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$640.00 Town/SpecialDist/School
142289 AMHERST \$640.00
Relevy School \$640.00 142201 AMHERST

CENTRAL

FISCAL YEAR 2014 Petition No. 214,272.00

ASSESSOR Refund \$612.68
S-B-L 135.05-2-9 409 Seneca Creek 146800 WEST SENECA

Charge To : Acct. No. 112 \$0.00 County
Acct. No. 132 \$612.68 Town/SpecialDist/School
146800 WEST SENECA \$612.68
Relevy School \$612.68 146801 WEST SENECA

CENT

FISCAL YEAR	2014	Petition No.	214,273.00
	ASSESSOR	Refund	\$1,041.87
S-B-L	69.17-1-38	46 Belmont Pl	142201 WILLIAMSVILLE
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,041.87 Town/SpecialDist/School
<u>Charge To :</u>	142201 WILLIAMSVILLE		\$1,041.87
	Relevy School		\$1,041.87 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply exemptions
Refund to be issued to Gregory Woodrich

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

3. COMM. 21E-21 (2014)

COUNTY EXECUTIVE

WHEREAS, the Director of Real Property Tax Services has recommended the transfer of surplus county owned landlocked parcels described as SBL# 73.00-3-29.11 and 73.00-3-29.21; and

WHEREAS, the landlocked parcels have been owned by the County since 1949 and measure 83.12'x 332.46 each; and

WHEREAS, the parcels were reviewed and deemed surplus by the County Advisory Review Committee;

NOW, THEREFORE BE IT RESOLVED that SBL# 73.00-3-29.11 in the Town of Newstead, be sold to Randy and Jill Felber for Three Hundred Dollars (\$300.00); and be it further;

RESOLVED, that SBL# 73.00-3-29.21 in the Town of Newstead, be sold to Richard and Julie Felber for Three Hundred Dollars (\$300.00) and be it further;

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying any and all interest of the County of Erie in the above described property to the aforesaid purchasers; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the County Comptroller, the County Attorney, Department of Environment and Planning, and the Department of Real Property Tax Services.

(5-0)

4. COMM. 21M-8 (2014)

EXECUTIVE DIRECTOR, BUFFALO PLACE INC AS AMENDED

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc. (BPI), designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004; 2005, 2006, 2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014 and

WHEREAS, the said Local Law required that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2015 annual budget on October 28, 2014; and

WHEREAS, in October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2015 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2015 shall be the sum of \$1,324,706 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc. , the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2015, \$18,000 in payment in lieu of service charges for First Niagara Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$34,000 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$52,000 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 20, 2014, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges

for 2015 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc. and the Erie County Commissioner of Budget and Management.
(5-0)

JOSEPH C. LORIGO
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 277

November 13, 2014	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 20E-5 (2014)
MILLS: “Letter to Clerk of the Legislature Calling for Public Hearing Regarding Agricultural District Modifications Districts Nos. 16 & 17”
(5-0)
 - b. COMM. 21D-6 (2014)
DEPARTMENT OF ENVIRONMENT & PLANNING: “EC Agricultural Districts Inclusion of Viable Agricultural Land 2014 Report”
(5-0)
 - c. COMM. 21D-7 (2014)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Agricultural District No. 16, Towns of Lancaster, Alden - Eight-Year Review Report”
(5-0)
 - d. COMM. 21D-8 (2014)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Agricultural District No. 17, Town of Amherst - Eight-Year Review Report”
(5-0)
 - e. COMM. 21M-7 (2014)

NY POWER AUTHORITY: “Winter Mooring Relocation Project Request for SEQRA Lead Agency Concurrence”
(5-0)

2. COMM. 21E-12 (2014)

COUNTY EXECUTIVE

WHEREAS, contractors interested in bidding on the Black Rock Canal Park Phase II Project were required to submit a deposit in order to obtain official bidding documents; and

WHEREAS, contractors that obtained official bidding documents were able to have their deposits returned within 30 days of the bid date if they returned the bid documents in a good, re-usable condition; and

WHEREAS, \$1,150 in local source revenue is available from unclaimed bid deposit funds received from contractors during the bidding of Black Rock Canal Park Phase II Improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to accept \$1,150 in contractor bid deposits for improvements to Black Rock Canal Park; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement the following budgetary adjustments to the revenue and appropriations in Capital Project A.21016, fund 410, within the Erie County Budget:

Increase Revenue

Commitment Item #420499 (Other Local Source Revenue) (\$1,150)

Increase Appropriations

Commitment Item #516020 (Professional Services – Contractual Fees) \$1,150

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; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(5-0)

3. COMM. 21E-13 (2014)

COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District No. 2 desires to construct a sanitary sewer system to serve existing homes along Old Lake Shore Road; and

WHEREAS, the existing homes are discharging wastewater to existing septic systems in the Sewer District; and

WHEREAS, the flow for these existing homes will discharge to an existing sanitary sewer on the Wendt Beach Park Property; and

WHEREAS, the Advisory Review Committee has approved a twenty five foot (25 foot) wide one thousand two-hundred and twenty foot (1,220 foot) long easement in the form of a revocable permit along the southwest corner of Wendt Beach Park for existing/proposed sanitary sewer infrastructure in this area.

NOW THEREFORE BE IT,

RESOLVED, that a revocable permit between the County of Erie and Erie County Sewer District No. 2 on the Wendt Beach Park Property for the purpose of construction and/or maintenance of sanitary sewer infrastructure is approved; and be it further

RESOLVED, that the County Executive is authorized to sign the revocable permit subject to the County Attorney's approval; and be it further

RESOLVED, that one (1) certified copy of this resolution be sent to the County Executive, the County Comptroller, the Commissioner of the Parks Department, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution be sent to Joseph L. Fiegl, P.E. and Thomas Dearing in the Department of Environment and Planning.

(5-0)

4. COMM. 21E-14 (2014)

COUNTY EXECUTIVE

WHEREAS, Brookview Apts of WNY, LLC (SBL 170.12-4-9) has requested that the County of Erie on behalf of Erie County Sewer District No. 3 enter into agreement to take ownership of a proposed forcemain that will serve their premises; and

WHEREAS, the New York State Department of Transportation will not allow a private forcemain be constructed within its right of way; and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers approves of the Brookview Apartments request to make the proposed forcemain publicly owned; and

WHEREAS, Brookview Apts of WNY, LLC agrees to pay a premium assessment of \$2,750.00 per year for twenty-five (25) years for this arrangement.

NOW THEREFORE BE IT,

RESOLVED, that an agreement between the County of Erie on behalf of Erie County Sewer District No. 3 and Brookview Apts of WNY, LLC be approved; and be it further

RESOLVED, that the County Executive is authorized to sign the agreement subject to approval as to form the County Attorney's office; and be it further

RESOLVED, that one (1) certified copy of this resolution be sent to the County Executive, the County Comptroller, and Kristen Walder, Assistant County Attorney; and two (2) certified

copies of this resolution be sent to Joseph L. Fiegl, P.E. in the Department of Environment and Planning.

(5-0)

5. COMM. 21E-16 (2014)

COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 6, Kennedy Drive Sanitary Sewer Rehabilitation Project, Contract No. 51 at 2:00P.M. on October 23, 2014.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 51	New Frontier Excavating & Paving, Inc. 8265 East Eden Road Eden, New York 14057	\$193,879.40

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County and elsewhere.

NOW, THEREFORE BE IT

RESOLVED, that the Kennedy Drive Sanitary Sewer Rehabilitation Project, Contract No. 51 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 51	New Frontier Excavating & Paving, Inc. 8265 East Eden Road Eden, New York 14057	\$193,879.40

and be it further;

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds by the Comptroller's Office; and be it further

RESOLVED, that the Erie County Comptroller is authorized and directed to allocate \$193,879.40 from, Erie County Sewer District No.6, Account Capital C.00064 for Contract No. 51; and be it further

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

(5-0)

6. COMM. 21E-17 (2014)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities to facilitate compliance with State Environmental regulations; and

WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and

WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, execution of the MOU's provide \$40,500 in local source funding from the two Solid Waste Management Boards; and

WHEREAS, an appropriate and efficient use of these funds made available through the MOU's would require placement within the Waste Reduction and Recycling Coordination Grant budget established by resolution on February 21, 2013 (COMM. 3E-17).

NOW THEREFORE BE IT

RESOLVED, that the County Executive or his designee is authorized to enter into separate two-year MOU agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) to provide services in 2015 and 2016 and accept the combined funds; and be it further

RESOLVED, that the current budget for the Waste Reduction and Recycling Coordination Grant (162WRRCG-1215), Fund 281 be revised as follows:

ACCOUNT	DESCRIPTION	CURRENT BUDGET	REVISION	REVISED BUDGET
REVENUE				
409000	State Aid	(\$290,820)	-	(\$209,820)
420499	Other Local	(\$ 40,500)	(\$ 40,500)	(\$ 81,000)
TOTAL REVENUE		(\$331,320)	(\$ 40,500)	(\$371,820)
APPROPRIATIONS				
500000	Full Time Salaries	\$177,870	-	\$177,870
502000	Fringe Benefits	\$112,950	-	\$112,950
505000	Office Supplies	\$ 1,525	\$ 200	\$ 1,725
510000	Local Mileage	\$ 550	\$ 200	\$ 750
510100	Out of Area Travel	\$ 4,615	\$ 700	\$ 5,315
510200	Training & Education	\$ 1,850	\$ 1,000	\$ 2,850
516020	Prof Services	\$ 31,660	\$ 38,400	\$ 70,360
561420	Office Furn & Fict	\$ 300	-	\$ 300
TOTAL APPROPRIATIONS		\$331,320	\$ 40,500	\$371,820

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to implement any budget amendments as required to comply with federal, state and other local source funding requirements; 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; Maria R. Whyte, Commissioner of the Department of Environment and Planning; Thomas R. Hersey, Jr., Deputy Commissioner of the Division of Environmental Compliance; and Paul B. Kranz, P.E. Associate Environmental Quality Engineer of Environmental Compliance Division.
(5-0)

TED B. MORTON
CHAIR

Item 20 – MR. RATH presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 278

November 13, 2014	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

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

a. COMM. 21D-9 (2014)

DEPARTMENT OF ENVIRONMENT & PLANNING: "Initiatives for a Smart Economy - July 2014 Reports"

(5-0)

2. COMM. 21E-10 (2014)

COUNTY EXECUTIVE

WHEREAS, Bellamy Commons, LLC is developing housing for low and very low income households pursuant to Article XI of the New York Private Housing Finance Law; and

WHEREAS, Bellamy Commons, LLC will consist of the development of thirty (30) rental residential units and two office spaces. The Project is located at 1490 Jefferson Avenue in the City of Buffalo with fifteen of the housing units being affordable to households with income between 51% to 60% of the area median income and fifteen of the units affordable to households with income below 50% of the area median income; and

WHEREAS, the project contains approximately 1,900 square feet of commercial space to be initially leased to non-profit organizations; and

WHEREAS, the office space will be used by two not-for-profit organizations; and

WHEREAS, the revenue from the commercial space has been factored into the calculation of Total Effective Income; and

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

WHEREAS, in order to make the Project economically feasible for Bellamy Commons, LLC to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Bellamy Commons, LLC, Attica Housing Development Fund Company, Inc., and the City of Buffalo relating to Bellamy Commons, LLC and all other agreements necessary to conclude this housing project; and be it further

RESOLVED, that 50% of the units remain affordable to and occupied by households earning no greater than 50% of the area median income, adjusted for family size, and 50% of the units remain affordable to and occupied by households with income between 51% to 60% of the area median income, adjusted for family size, as determined by the U. S. Department of Housing and Urban Development for the period of the Agreement; 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, and payment under the Agreements 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 certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division 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.

Schedule A

Payment in Lieu of Taxes (PILOT) Agreement
For Bellamy Commons – Affordable Housing Project

Year	Total	City	County
1	10,263.10	7,697.33	2,565.78
2	10,570.99	7,928.24	2,642.75
3	10,888.12	8,166.09	2,722.03
4	11,214.77	8,411.07	2,803.69
5	11,551.21	8,663.41	2,887.80
6	11,897.75	8,923.31	2,974.44
7	12,254.68	9,191.01	3,063.67
8	12,622.32	9,466.74	3,155.58
9	13,000.99	9,750.74	3,250.25
10	13,391.02	10,043.26	3,347.75
11	13,792.75	10,344.56	3,448.19
12	14,206.53	10,654.90	3,551.63
13	14,632.73	10,974.54	3,658.18
14	15,071.71	11,303.78	3,767.93
15	15,523.86	11,642.89	3,880.96

(5-0)

3. **COMM. 21E-11 (2014)**
COUNTY EXECUTIVE

WHEREAS, the Sherwood Greenway Project in the Town of Tonawanda is within the existing Right-of-Way of a county highway which qualifies it for funding under the New York State (NYS) Marchiselli Aid Reimbursement Program administered by the NYS Department of Transportation.

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$17,658 in NYS Marchiselli Aid is hereby made available to cover the cost of participation in the projects covered under SAP Project #A.00344; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.00344, Fund 410, Business Area 162 within the Erie County Budget

– Increase Revenue: Appropriations totaling \$17,658 as follows:

Revenue

Item #405160 Marchiselli Aid (\$17,658)

Expense

Item # 516010 Contractual Payments –
 Non-Professional Purchases \$17,658

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with federal and state funding requirements; 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; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and be it further

(5-0)

4. COMM. 21E-18 (2014)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, the DEP is committed to provide staff support and conduct work to assist and expand the WNYSBR; and

WHEREAS, the United States Protection Agency (USEPA) provides grant assistance to state agencies to implement pollution prevention projects; and

WHEREAS, Empire State Development (ESD) applied for USEPA and was awarded grant funds to support the WNYSBR; and

WHEREAS, ESD and USEPA named Erie County as a sub-awardee within that grant to receive \$179,630.00 in funding to assist businesses in reducing their environmental impact through the WNYSBR; and

WHEREAS, this necessitates the execution of a sub-awardee agreement with ESD and USEPA, the adoption of a grant budget; and the creation of an Environmental Compliance Specialist (JG-9) position within the DEP which will be 100 % grant funded.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$179,630.00 from the USEPA and ESD for the purpose of establishing a two-year "WNYSBR" project; and be it further

RESOLVED, that the grant budget and project period for the "WNYSBR" project is hereby created in the DEP, Business Area 162, Fund 281 as follows:

Western New York Sustainable Business Roundtable Project
(October 1, 2014 –September 30, 2016)
SAP Grant Account #162WNYSBR1416

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
414000	Federal Aid	\$179,630
TOTAL REVENUE		\$179,630

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$ 98,000
502000	Fringe Benefits	\$ 62,230
505000	Supplies	\$ 400
510100	Out of Area Travel	\$ 2,000
516020	Professional Services Contract	\$ 16,000
530000	Other	\$ 1,000
TOTAL APPROPRIATIONS		\$179,630

and be it further

RESOLVED, that the following position, for which sufficient funding through NYSDOS grant funding for personal services and fringe benefits exists, will be created in the above grant:

Environmental Compliance Specialist (JG-9)
B-100 No. 7971
Budgeted Annual Salary: \$49,000

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Maria R. Whyte, Commissioner of Environment and Planning; Thomas Hersey, Jr., Deputy Commissioner of Environment and Planning; and Bonnie Lawrence, Coordinator – Pollution Prevention Program.
(5-0)

EDWARD A. RATH, III
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 279

November 13, 2014	PUBLIC SAFETY COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

1. COMM. 21E-27 (2014)

COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$172,000.00 to continue the implementation of the hazmat program 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 contact and accept \$172,000.00 in federal resources to provide funding for training of personnel and the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, this is a regional grant and Erie County is required to assist the Erie County Hazmat team, Niagara County Hazmat team and the Buffalo Fire Hazmat team.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the NYS Department of Homeland Security to receive \$172,000.00 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Emergency Services, will meet the goals and objectives and these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the grant fund 281, as follows:

Erie County Department of Emergency Services
FY 2014 Hazmat Grant

Revenue	Increase
Account 414000 Federal Aid	\$172,000.00
Appropriations	Increase
Account 510100 Travel	\$20,000.00
Account 510200 Training & Education	\$3,000.00
Account 516020 Professional Contracts & Fees	\$68,000.00
Account 516030 Maintenance Contracts	\$25,700.00
Account 561410 Lab & Technical Equipment	<u>\$55,300.00</u>
Total Appropriations	172,000.00

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State and Federal approved funding levels; 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.
(5-0)

2. COMM. 21E-28 (2014)
COUNTY EXECUTIVE

WHEREAS, the US Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$1,407,651.00 to continue the implementation of a program 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 and accept \$1,407,651.00 in federal resources to provide funding for personnel and the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with the NYS Department of Homeland Security to receive \$1,407,651.00 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, that authorization is hereby provided to transfer currently budgeted positions with existing Department of Emergency Services Homeland Security grants to SHSP FY 2014 as required to maintain public safety services to Erie County residents; and be it further

RESOLVED, that this grant, under the Department of Emergency Services, will meet the goals and objectives and these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the grant fund 281, as follows:

Erie County Department of Emergency Services
FY 2014 State Homeland Security Program (SHSP)

Revenue	Increase
Account 414000 Federal Aid	\$1,407,651.00
Appropriations	Increase
Account 500000 Full Time Salaries	\$330,000.00
Account 500010 Part Time Salaries	\$30,000.00
Account 502000 Fringe Benefits	\$234,000.00
Account 505200 Clothing Supplies	\$5,000.00
Account 505800 Medical & Health Supplies	\$10,000.00
Account 506200 Maintenance & Repairs	\$10,000.00
Account 510100 Out of Area Travel	\$10,651.00

Account 515000 Utility Charges	\$132,000.00
Account 516020 Professional Contracts & Fees	\$45,000.00
Account 516030 Maintenance Contracts	\$473,000.00
Account 561410 Lab & Technical Equipment	\$28,000.00
Account 561440 Motor Vehicle Equipment	\$35,000.00
Account 912400 ID Mental Health Service	<u>\$65,000.00</u>
 Total Appropriations	 1,407,651.00

and be it further

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

RESOLVED, that where existing personnel are funded out of homeland security grants as additional homeland security funding becomes available those existing positions can carry over to future homeland security grant years; 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.
(5-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

Item 22 – MR. LORIGO presented the following resolution and moved for consideration.
MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 280

RE: Operation Primetime Summary Report
Initiative
(INTRO 22-1)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
GRANT, MILLER-WILLIAMS, BURKE & LOUGHRAN

WHEREAS, the expenditure of public tax dollars must be completed in an open and transparent manner, ensuring accountability in that each dollar invested in the community results in a benefit that can be measured and justified; and

WHEREAS, the Budget Accountability Act had been included in Erie County budgets for many years, ensuring that organizations and groups that receive County dollars report back to this

Legislature exactly what those appropriations had been used for, and also the resulting effect of funding on their core mission; and

WHEREAS, Operation Primetime is a worthy program, also supported by Erie County government, due to its mission of providing youngsters throughout the County with meaningful afterschool activities and programs that engage, teach, and mentor youth- and also that aim to keep youngsters off the streets, out of harm's way, and involved in productive activities; and

WHEREAS, it would be sound public policy and appropriate for those groups that receive Operation Primetime funding to also report back to this Honorable Body how those public tax dollars were spent, and importantly, how those County dollars were utilized in prevention programming.

NOW, THEREFORE, BE IT

RESOLVED, that it be and hereby is directed that all community organizations and groups that receive Operation Primetime funding shall report to the Legislature in a timely manner the disposition of funding for their important work, and specifically report how the funding was used for prevention programs; and be it further

RESOLVED, that the attached Summary Report Form be utilized for the purposes of this resolution; and be it further

RESOLVED, that the Clerk of the Erie County Legislature shall forward certified copies of this resolution, together with the attached Summary Report Form, to the County Executive, Commissioner of the Department of Social Services, and to the Youth Bureau.

ERIE COUNTY LEGISLATURE
OPERATION PRIMETIME
SUMMARY REPORT FORM

1. NAME OF AGENCY, INSTITUTION, OR ORGANIZATION RECEIVING
OPERATION PRIMETIME FUNDING

2. AMOUNT OF FUNDING RECEIVED

\$ _____

3. HAS THE MONEY ALLOCATED BEEN SPENT?

YES _____ NO _____

IF NO, EXPLAIN BRIEFLY WHY

4. PROGRAMS, ACTIVITIES, AND/OR OTHER PROJECT(S):

Program(s) Performed _____

Status _____

Activity Implemented _____

Status _____

Project(s) Implemented _____

Status _____

5. KINDLY DETAIL HOW THESE FUNDS WERE USED FOR PREVENTION
PROGRAMS.

CONTACT: _____

SIGNATURE: _____

DATE CLOSE-OUT REPORT COMPLETED: _____

TELEPHONE NO.: _____

FAX NO.: _____

E-MAIL: _____

Return to: Clerk, Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the item as amended. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 23 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 22-2 from MR. SAVAGE, MS. GRANT, MS. MILLER-WILLIAMS, MR. BURKE & MR. LOUGHRAN. Re: Supporting Executive Order Concerning Pay Equality Certification on County Contracts.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 24 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 22E-4 from the COUNTY EXECUTIVE. Re: Temporary Leased Space for Art Kits Distribution.

MR. LORIGO moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 281

WHEREAS, the Albright Knox Art Gallery has played an active role in the WNY community since its founding in 1862; and

WHEREAS, one of its ongoing methods of engaging the WNY community is providing youth with art related resources; and

WHEREAS, the Albright Knox Art Gallery has obtained and plans to distribute over 40,000 art kits to children across Erie County; and

WHEREAS, the County of Erie's Division of Purchasing is seeking to allow a small portion of the County surplus warehouse to be used for temporary storage of said art kits; and

WHEREAS, in order for the County to allow the warehouse space to be used for the temporary storage of said art kits, the Legislature of the County of Erie must deem it as such;

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize the storage of approximately 40,000 art kits to be kept temporarily at the surplus warehouse; and be it further

RESOLVED, that the County Executive and/or Deputy County Executive is hereby authorized to execute any and all appropriate documents as may be necessary for the provision of temporary space at the County surplus warehouse for the Albright Knox Art Gallery art kit initiative; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; the Director of the Division of Purchasing; and the County Attorney.

Item 25 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 22E-5 from MR. LORIGO. Re: Appointment to ECMCC Board of Directors – Non-Voting Position.

Receive, filed and printed.

To whom it may concern:

Pursuant to New York Public Authorities Law section 3628(2) I, as majority leader, appoint James L. Lawicki of 65 Norwood Lane, Orchard Park, NY 14127, to the open non-voting position of the Erie County Medical Corporation's board of directors. Mr. Lawicki will fill the remainder of the term vacated by Ronald Bennett, who has been moved to a voting position.

Attached is Mr. Lawicki's resume.

Sincerely,

Joseph C. Lorigo
Erie County Legislature – District 10

Cc: James L. Lawicki

Hon. Mark C. Poloncarz

65 Norwood Lane
Orchard Park, NY 14217

95 Franklin St. – 16th floor
Buffalo, NY 14202

ECMC Board of Directors
462 Grider Street
Buffalo, NY 14215

JAMES L. LAWICKI II

65 Norwood Lane

(716) 667-0067 (Home)

Orchard Park, NY 14217

(716) 667-0068 (Fax)

JLawicki@Verizon.Net

(716) 864-6110 (Cell)

OBJECTIVE

Seeking a leadership position with a leading healthcare organization that will provide for personal development and career advancement.

SKILLS

- Proven Sales Management
- Outstanding Ability to Manage Customer Relationships
- Demonstrated Problem Solving and Analytical Ability
- Strong Leadership, Teamwork, Mentoring
- Strategic Market Analysis, Planning, and Implementation
- Market Segmentation, Targeting, and Forecasting
- Marketing Implementation and Appraisal
- Successful MCO Issue Management and Resolution
- MCO/Hospital Policies, Pricing, and Negotiation Understanding
- Territory Management/Organization
- Management of Sales Resources and Budget
- Strong Commitment to Business Ethics and Results
- Computer Proficient: Lotus Notes, Excel, Word, PowerPoint, Outlook, Explorer

EXPERIENCE

Medtronic, Minneapolis, MN

January 2010-Present

Spine Consultant

Represent implantable devices for specific therapies to physicians, institutions, payers, and other appropriate medical staff; Partner with strategic implanting centers to develop self-sustaining referral networks; Provide product and therapy technical support and service, including consultation at strategic surgeries, staff in-service, and physician seminars; Territory management and analysis of sales trends; Utilization of appropriate business partners to present marketing and business plans to accounts for territory development and growth; Maintain high-level of technical expertise in all assigned products and therapies, and technical/clinical topics. Serve as Regional Trainer.

Consistent Quota Achievement, Olympus Club Recipient.

Consulted in development of Stat Analytical Tool; Appointed Advocacy Ambassador

Eli Lilly and Company, Indianapolis, IN

December 2003-January 2010

Executive MSK Sales Specialist

Responsible for the successful launch and promotion of Forteo to metabolic bone specialists: Rheumatologists, Endocrinologists, Psychiatrists, and Orthopedic Surgeons; Organize, manage, and support specialized patient education training initiatives; Manage Team of six (6) professional Nurse Educators; Facilitate insurance claims processing; Train and mentor new sales representatives; Serve as scientific liaison to the Forteo brand team; Provide business acumen support to the Northeast Region.

2008 National Sales Rank: 8/125 (Top 10%)

2007 National Sales Rank: 28/125 (Top 25%)

2006 National Sales Rank: 46/125 (Top 50%)

Eli Lilly and Company, Indianapolis, IN July 1996-December 2003

Diabetes Care Specialist

Professionally represented the values of Eli Lilly and Company to Health Care Professionals, Hospitals, and Managed Care Organizations. Provided medical information and services that serve customers needs and promote the benefits of Lilly diabetes care products (Actos, Humulin, Humalog, Humalog Mix 75/25).

Achieved Nationally recognized incremental sales growth.

Insulin Pen Achievement Award- Top 20/510 sales representatives

Quota Achievement Award

Managed Care MVP

PERK Recognition Award

National Market Intelligence Team

Eli Lilly and Company, Indianapolis, IN October 1989-July 1996

Sales Representative

Responsible for the successful promotion and sales of a broad line of pharmaceutical products (Prozac, Keftab, Ceclor, Lora bid, Axid) to physicians, pharmacists, and hospitals. Consistently planned, organized, and executed sales activities in a manner that assured efficiency, profitability, and quota achievement within the territory. Achieved President's Award.

Successful performance led to promotion to Diabetes Care Specialist.

Quota Achievement Award

PERK Sales Recognition Award

Member, Regional Advisory Team

EDUCATION

Canisius College, Buffalo, New York

Bachelor of Arts, May 1988

Major: Management/Psychology

Overall G.P.A.: 3.5/4.0

Major G.P.A.: 3.8/4.0

Dean's List (All 4 Years), Graduated Cum Laude

AWARDS

Alpha Sigma Nu National Jesuit Honor Society (Top 1%)

Di Gamma Honor Society

Psi Chi National Honor Society in Psychology

Who's Who Among Students in American Universities & Colleges

Dana Foundation Scholarship

Sedita Memorial Scholarship
Adamski Centennial Scholarship
Eagle Scout
Outstanding Leader Award, United Cultural Society

AFFILIATIONS

Fellow, American College of Healthcare Executives
Member, Lions Clubs International - Orchard Park Chapter
Member, Orchard Park Public Safety Committee (2007-2010)
Chairman, Orchard Park Republican Committee (2007-2010)
Executive Committee Member, Erie County Republican Committee
Member, Southtowns Chairman's Club
Member, Professional and Businessmen's Association
Member, National Eagle Scout Association
Past Member/Board Member, American Association of Diabetes Educators
Past Member, American Diabetes Association
Chairman, American Diabetes Association Rose Ball, 1999, 2000
Past Board Member, W.N.Y Diabetes-Endocrine Education & Treatment Center
Past Member, Juvenile Diabetes Foundation
Past Member, Pharmacist's Association of Western New York
Director, Polish American Congress, Western New York Division
Vice Chairman, Permanent Chair of Polish Culture at Canisius College
Board Member, United Cultural Society
Member, Polish Nobility Association
United States Representative, Nobility Association of Greater Poland

Item 26 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 22D-6 from the COMMISSIONER, DEPARTMENT OF PUBLIC WORKS. Re: Department of Public Works 2015 Budget Hearing Comments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 27 – (COMM. 22E-1) EC Sewer District No. 1 - Frank Lloyd Wright's Rowing Boathouse Agreement Amendment

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE SHERIFF

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 282

RE: Transfer of Funds within Jail
Management Division - Clothing
Supplies Account
(COMM. 22E-2)

WHEREAS, The Erie County Sheriff's Office has not fully equipped Deputies and Correction Officers with ballistic vests, and

WHEREAS, ballistic vests have proven to be a lifesaving piece of personal protection equipment, and

WHEREAS, budget constraints have limited the ability of the Sheriff's Office to issue ballistic vests to its Deputies and Correction Officers, and

WHEREAS, the New York Office of Attorney General's Bullet Proof Vest Partnership (inVEST) will reimburse the Erie County Sheriff's Office up to 50% of the purchase of the vests; and

WHEREAS, the inVEST program expires on December 31, 2014 and all purchases and reimbursement submittals must be complete by the deadline or face forfeiture of the allocated funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the transfer within Jail Management Division of \$48,100

FROM		
Account #502000	Fringe Benefits	\$48,100
TO		
Account #505200	Clothing Supplies	\$48,100

; 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 Office of the Comptroller, the County Attorney and the Office of the Sheriff.

FROM THE COUNTY EXECUTIVE

Item 29 – (COMM. 22E-3) EC Sewer District No. 6 - Engineering Agreement Dated Sept. 15, 2008, CRA Infrastructure and Engineering Inc Change Order No. 1

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 30 – (COMM. 22D-1) Comm. 12E-34 Compliance Report - October - CPS Caseloads
Received and filed.

FROM THE DIRECTOR, DEPARTMENT OF BUDGET AND MANAGEMENT

Item 31 – (COMM. 22D-2) Budget Monitoring Report for Period Ending September 2014

Item 32 – (COMM. 22D-3) 2015 Budget Hearing Data

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

FROM THE COMPTROLLER'S OFFICE

Item 33 – (COMM. 22D-4) Notice of Audit for Accounts Payable Division

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 34 – (COMM. 22D-5) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 35 – (COMM. 22M-1) November 20, 2014 Board of Trustees Agenda

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CATHOLIC CHARITIES

Item 36 – (COMM. 22M-2) 2013 Annual Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE TOWN CLERK, TOWN OF WALES

Item 37 – (COMM. 22M-3) Resolution Supporting Niagara Military Affairs Council Initiative

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NFTA

Item 38 – (COMM. 22M-4) 17A Report and Capital Expenditure Reports for Second Quarter Ending March, 2015

Item 39 – (COMM. 22M-5) September 18, 2014 Board Minutes

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

FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 40 – (COMM. 22M-6) Public Comment on Brownfield Cleanup Program Applications

Item 41 – (COMM. 22M-7) Draft Investigation Work Plan for Brownfield 945 Kenmore Ave, Tonawanda Site

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

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 42 – (COMM. 22M-8) Letters of Support for Funding of the Library System

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE KNOER GROUP

Item 43 – (COMM. 22M-9) FOIL Request Regarding Amigone Crematory Communications

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 44 – CHAIR MILLS announced that the Erie County Legislature will hold Session 23, a Special Session to consider the report of Finance & Management/Budget Committee, Thursday, November 25, 2014 at 2:00 p.m.

Item 45 – MR. RATH announced that David Mineo was in attendance on the occasion of his proclamation.

MEMORIAL RESOLUTIONS

Item 46 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of William “Sam” Paxson, Judith Jayson, Dorothy Carnes and Donald Abate.

Item 47 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Barbara Murphy.

Item 48 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Edward Lewandowski.

Item 49 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of James Alexander Thomas Sr.

Item 50 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Ralph Vanner Sr.

Item 51 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Sam Fanara.

ADJOURNMENT

Item 52 - 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, November 25, 2014 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, November 25, 2014 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE