

**ERIE COUNTY LEGISLATURE
MEETING NO. 4
FEBRUARY 20, 2014**

The Legislature was called to order by Chair Mills.

All members present.

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

The Pledge of Allegiance was led by Mr. 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 2 from 2014. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Celebrating Samantha Bella Being a Hero in Helping Save Her Father's Life.

Item 6 – MS. DIXON presented a resolution Celebrating Lucille Jacqueline Ervolina on Being 90 Years Young.

Item 7 – MS. GRANT presented a resolution Honoring and Commending Melissa R.H. Brown for Her Heroic Efforts in Rescuing a Family from a Fire.

Item 8 – MR. MORTON presented a resolution Honoring Victoria Allen on Earning the Gold Award.

Item 9 – MS. MILLER-WILLIAMS presented a resolution Honoring Dr. Mary Frances Berry on the Occasion of UB's 38th Annual Martin Luther King Jr. Commemoration for her Ongoing Dedication to Education and Social Justice.

Item 10 – MS. MILLER-WILLIAMS Honoring Myrlie Evers-Williams on the Occasion of UB's 38th Annual Martin Luther King Jr. Commemoration for her Ongoing Dedication to the Cause of Civil Rights.

Item 11 – MR. MILLS presented a resolution Congratulating Mary Jayne Ginnitti as the Evans-Brant Chamber of Commerce - 2013 Citizen of the Year.

Item 12 – MR. MILLS presented a resolution Congratulating Robert R. Catalino, Sr. on Receiving the Evans-Brant Chamber of Commerce - 2013 Lifetime Achievement Award.

Item 13 – MR. MILLS presented a resolution Congratulating Jill Gugino-Redman on Receiving the Evans-Brant Chamber of Commerce - 2013 Humanitarian Award.

Item 14 – MR. MILLS presented a resolution Congratulating Evans Ace Hardware on being Named the Evans-Brant Chamber of Commerce - 2013 Large Business of the Year.

Item 15 – MR. MILLS presented a resolution Congratulating Bella Terra Greenhouse on being Named the Evans-Brant Chamber of Commerce - 2013 Small Business of the Year.

Item 16 – MR. MILLS presented a resolution Congratulating Lake Shore Federal Credit Union on being Named the Evans-Brant Chamber of Commerce - 2013 Not-for-Profit of the Year.

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above twelve items by adding one miscellaneous resolution for MS. MILLER-WILLIAMS, one miscellaneous resolution for MR. MILLS and including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 17 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2014 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 35

February 13, 2014	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-9 (2014)
COMPTROLLER: "Comptroller Audit of Parks Housing - Exit Conference"
(6-0)
 - b. COMM. 2D-2 (2014)
COMMISSIONER OF PARKS, RECREATION AND FORESTRY: "Comptroller Audit of Parks Housing - Exit Conference"
(6-0)
 - c. COMM. 3E-9 (2014)
COMPTROLLER: "Parks' Recreation and Forestry Audit of the Park Residences"
(6-0)
 - d. COMM. 3E-13 (2014)
COUNTY EXECUTIVE: "Erie County Sewer District No. 2, Big Sister Creek WWTP Energy Performance Project"
(6-0)
 - e. COMM. 3M-4 (2014)
EC WATER AUTHORITY: "Unaudited Comparative Financial Statements for the Years Ended December 31, 2013 and 2012"
(6-0)

2. COMM. 3E-12 (2014)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into Agreements for Phase 1, Phase 2 and Phase 3 of the Environmental Compliance Project with Wendel Companies, Architects/Engineers; and

WHEREAS, an additional Phase 4 is now required to provide, but not limited to, oil & water separator designs, environmental compliance audits, personnel training, record keeping reviews, and a design of new salt storage structures; and

WHEREAS, the County Executive is now requesting authorization from this Honorable Body, to issue an Agreement Amendment to Wendel Companies, Architects/Engineers, for Phase 4 of the Environmental Compliance Project; and

WHEREAS, it is also probable that additional environmental code deficiencies will be identified during the course of the work; and

WHEREAS, an additional design contingency amount should be authorized to fund change orders for this unforeseen design and compliance work in an amount not to exceed \$50,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement Amendment with Wendel Companies, Architects/Engineers, including a design contingency for Phase 4 of the Environmental Compliance Project for an amount not to exceed \$205,600.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project account A.13007 – 2013 – EPA Environmental Compliance Regulations Compliance, for an amount not to exceed \$205,600.00; and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.

(6-0)

3. COMM. 3E-14 (2014)
COUNTY EXECUTIVE

WHEREAS, the Erie County Sewer District No. 3 Southtowns Advanced Wastewater Treatment Facility operates two sewage sludge incinerators to manage its solids/sludge; and

WHEREAS, the United States Environmental Protection Agency released final rules/regulations in February 2011 titled "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units"; and

WHEREAS, in the opinion of the Division of Sewerage Management, the final rules/regulations contained several technical and legal flaws and provided unrealistic guidelines without properly analyzing the consequences of implementation; and

WHEREAS, the National Association of Clean Water Agencies formed a coalition to challenge the final rules/regulations on behalf of all utilities in the United States that operate sewage sludge incinerators; and

WHEREAS, Erie County Sewer District No. 3 joined the "Sewage Sludge Incinerator Advocacy Coalition" and contributed \$10,000 pursuant to Legislative Comm. 13E-23 (2011) to assist in this challenge; and

WHEREAS, the National Association of Clean Water Agencies secured a partial victory in an August 2013 court decision concerning technical elements of the referenced rules/regulations; and

WHEREAS, the Erie County Division of Sewerage Management and the Erie County Sewer District No. 3 Board of Managers are desirous of contributing additional monies to the National Association of Clean Water Agencies coalition to assist in the next steps to challenge the final rules/regulations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to pay \$3,000 from Erie County Sewer District No. 3 Professional Services Account 516020 in the 2014 adopted budget, to the National Association of Clean Water Agencies, for the Sewage Sludge Incinerator Advocacy Coalition; and be it further

RESOLVED, that the Clerk of the Legislature one (1) certified copy each to the County Executive, the Erie County Comptroller, and the Erie County Director of Budget and Management, and send two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.

(6-0)

TED B. MORTON
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 36

February 13, 2014	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO. 3-6 (2014)
MILLER-WILLIAMS: “Requesting an Update from the Department of Social Services Regarding Child Protective Services Policies, Procedures and Hiring”
(6-0)
2. COMM. 3E-16 (2014)
COUNTY EXECUTIVE

WHEREAS, the Legislature has already appropriated funds for Elder Caregiver Support (III-E2013) grant for the period January 1, 2013 to December 31, 2013; and

WHEREAS, Jewish Family Services of Buffalo and Erie County, the Department of Senior Services contracted provider of III-E grant Geriatric Counseling services, provided more units of service in 2013 than what was initially budgeted: and

WHEREAS, the 2013 Jewish Family Services of Buffalo and Erie County contract is for an aggregate amount of \$15,000 and is budgeted for in account #516025 Geriatric Counseling; and

WHEREAS, the Jewish Family Services of Buffalo and Erie County 2013 contract needs to be increased by \$469 to cover all counseling services authorized by the Department of Senior Services in 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to increase the Geriatric Counseling contract for Jewish Family Services of Buffalo and Erie County to \$15,469, 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 Departments of Law and Senior Services.
(6-0)

3. COMM. 3E-17 (2014)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health (ECDOH) Division of Public Health Services and Surveillance – Bureau of Community Wellness coordinates many community wellness programs and activities in Erie County; and

WHEREAS, the Erie County Department of Health would like to enhance these events to improve health outcomes without increasing taxpayer commitment; and

WHEREAS, the Erie County Department of Health has identified various members of the business community willing to sponsor said programs and activities; and

WHEREAS, the Erie County Department of Health has requested appropriate donations from these business entities for events in the near future; and

WHEREAS, the Erie County Department of Health intends to distribute donations at community events upon receipt; and

WHEREAS, the value of said donations will vary, because they are, in part, dependent upon expected attendance/participation at each event, but will have no financial consequence to Erie County or to program participants; and

WHEREAS, this Honorable Body has graciously authorized acceptance of similar sponsorships in the past.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is hereby authorized to solicit sponsors for various community health events and to accept non-monetary donations of refreshments or low value health related promotional merchandize from the business community for appropriate distribution at community health events; and be it further

RESOLVED, that the Erie County Department of Health will complete any required donation request forms; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

(6-0)

4. COMM. 3E-18
COUNTY EXECUTIVE

WHEREAS, the purpose of this resolution is to authorize entering into contract for Cancer Services reimbursement from multiple sources with Seton Imaging for the provision eligible clinical services during the time period 12/1/13 through 3/31/18; and

WHEREAS, the provision of clinical services is based upon New York State Department of Health assigned rates for the Partners for Prevention Cancer Services Program of Erie County; and

WHEREAS, the funds necessary to cover the costs of this contract have been appropriated in the 2013 and 2014 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract and amendments to that contract for Cancer Services reimbursement from multiple sources with Seton Imaging for the provision eligible clinical services during the time period 12/1/13 through 3/31/18; and be it further

RESOLVED, that funds necessary to cover the costs of the first year of the contract is available in 2013 and 2014 budgets mainly in the Partners for Prevention Grant, future year contract services will be dependent on the availability of additional funding; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

(6-0)

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

WHEREAS, the Erie County Department of Health received an increased grant award in the amount of \$77,873 to respond to disease morbidity in Erie County and to strengthen the infrastructure for Public Health investigation and disease control; and

WHEREAS, in order to fulfill the requirements of the program it will be necessary to create one full-time position of Supervising Disease Intervention Specialist, JG 10, Step 1.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from the New York State Department of Health to be budgeted as follows:

Disease Intervention Grant
127STDDI2014
1/1/14 – 12/31/14

Account	Current Budget	Additional Funding	Revised Total
Revenue			
414000 Federal Aid	\$113,865	\$77,873	\$191,738
479000 County Share Contribution	<u>4,542</u>		<u>4,542</u>
	\$118,407	\$77,873	\$196,280
Expense			
500000 Full Time Staff	\$69,200	\$40,300	\$109,501
502000 Fringe Benefits	49,207	27,003	76,209
505000 Office Supplies		500	500
510000 Local Travel		1,200	1,200
510100 Out of Area Travel		2,775	2,775
510200 Training & Education		500	500
530000 Other Expenses		3,000	3,000
912700 ID – Health Services		1,995	1,995
980000 DISS		<u>600</u>	<u>600</u>
	\$118,407	\$77,873	\$196,280

and be it further

RESOLVED, that one full-time position of Supervising Disease Intervention Specialist, JG 10, is hereby created as indicated on B100 #7671; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.
(6-0)

LYNNE M. DIXON
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

February 13, 2014	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 23E-2 (2013)
COMPTROLLER: “DPW - Review of Elevator Inspection & Maintenance - 1/1/2012 - 6/30/2013”
(6-0)
 - b. COMM. 3D-2 (2014)
COMPTROLLER’S OFFICE: “Review of Fleet Services for a Period Ending December 31, 2013”
(6-0)
 - c. COMM. 3M-1 (2014)
NFTA: “Capital Expenditure and 17A Reports”
(6-0)
 - d. COMM. 3M-2 (2014)
NFTA: “Board Minutes from the December 19, 2013 Meeting”
(6-0)
 - e. COMM. 3M-3 (2014)

NYSDEC: "Notice of Public Meeting - 1318 Niagara Street Proposed Remediation"
(6-0)

2. COMM. 3E-5 (2014)
COUNTY EXECUTIVE

WHEREAS, bids were taken for the Lakeshore Shoreline Trail Multi Use Pathway Phase 2, ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 (the "Project"), in the Town of Evans, on October 17, 2013, and the low bidder was Occhino Paving Corporation in the amount of \$538,268.00; and

WHEREAS, a contract has been negotiated with Wendel for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds in business area 162, fund 410, SAP Accounts A.00213 – 2003 Lakeshore Shoreline Trail in the amount of \$587,000.00 and A.00344 – 2008 Bicycle and Pedestrian Trail Construction in the amount of \$84,828.00 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 between the County of Erie and the low bidder, Occhino Paving Corporation at a low bid amount of \$538,268.00 from the above identified project funds; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for services during construction and construction inspection with Wendel in an amount not to exceed \$95,880.00 from the above identified funds; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute change orders in an amount not to exceed \$37,680.00 from the above identified funds; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, the Office of the Comptroller and the Department of Environment and Planning, Office of the Commissioner.
(6-0)

3. COMM. 3E-6 (2014)
COUNTY EXECUTIVE

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the federal Department of Housing and Urban Development.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2014 Annual Action Plan having estimated dollar amounts as indicated.

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|--|-------------|
| 1. Erie County Consortium Community Development Program: | \$2,756,253 |
| 2. Emergency Solutions Program: | \$ 166,059 |
| 3. HOME Investment Partnership Program: | \$ 673,273 |
| 4. Town of Hamburg Community Development Program: | \$ 400,000 |

and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the federal Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

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

(6-0)

4. COMM. 3E-7 (2014)

COUNTY EXECUTIVE

WHEREAS, the County is required pursuant to the 2013 Lease Agreement between the Buffalo Bills, Erie County Stadium Corporation, dba Empire State Development (ESD) and Erie County to provide Capital Improvement Allowance projects to Ralph Wilson Stadium on an annual basis; and

WHEREAS, unforeseen field conditions warrant an increase in the construction contingency account for the RWS-2013 Annual Capital Improvements project; and

WHEREAS, your Honorable Body has previously approved a General Architectural/Engineering (A/E) agreement with the engineering firm of DiDonato Associates for providing professional A/E services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to DiDonato Associates for providing design and engineering construction administration services for the 2014 Capital Improvement Allowance projects; and

WHEREAS, the 2013 Lease Agreement requires the Buffalo Bills , ESD and Erie County to contribute funds toward the Capital Improvement Allowance for the annual Capital Improvement Allowance projects; and

WHEREAS, the Buffalo Bills and ESD have funded their portion of the 2014 annual Capital Improvement Allowance projects and is currently available; and

WHEREAS, both the Buffalo Bills and ESD have requested that the County proceed with design and construction of their portion of the 2014 – Annual Capital Improvements Allowance projects in order for the work to be completed prior to the start of the 2014 football season; and

WHEREAS, the Buffalo Bills are upgrading a majority of the Stadium Facilities Fire Alarm System as part of the \$130 million Lease project improvements; and

WHEREAS, the Buffalo Bills have included the balance of the Stadium Facilities Fire Alarm Upgrades as part of their majority work in order to have one homogenous fire alarm system and under one (1) warranty and contractor, they are requesting reimbursement from the County for the fire alarm system upgrades portion outside of the \$130 million Lease project improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to increase the Ralph Wilson Stadium - 2013 - Annual Capital Improvements project construction contingency by \$75,000.00, from \$125,000.00 to \$200,000.00; and be it further

RESOLVED, that the County Executive be authorized to enter into a contract amendment with the A/E firm of DiDonato Associates for providing professional A/E services for the design and construction for the County's remaining annual capital maintenance and repair projects from the 1998 Lease Agreement, for an amount not to exceed \$145,000.00, including design contingency; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract amendment with the A/E firm of DiDonato Associated for providing professional A/E services for the design and construction of the Annual Capital Allowance Improvement Projects as required by the 2013 Lease Agreement for the Buffalo Bills and ESD's portion of the projects not to exceed \$250,000.00, including a design contingency; and be it further

RESOLVED, that the County Executive is authorized to reimburse the Buffalo Bills for the County's portion of the stadium facilities fire alarm system upgrades that is not part of the \$130 million Lease Project Improvements from the SAP project account A.13001-2013-Rehabilitation of Ralph Wilson Stadium, for an amount not to exceed \$1,270,000.00; and be it further

RESOLVED, that the County Executive is authorized to establish a new capital project in the Department of Public Works in Business Area, 122, Fund 410 for the Buffalo Bills and ESD's portion of the 2014 Capital Improvements Allowance Projects for an amount not to exceed \$2,966,000 (ESD - \$2,166,000 and Buffalo Bills - \$800,000); and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.13001- 2013 – Rehabilitation of Ralph Wilson Stadium	\$1,490,000.00
A.14xxx – 2014 – (Project Account to be established after Approval of this Resolution)	<u>\$ 250,000.00</u>
Total Payments Not to Exceed	\$1,740,000.00

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

5. COMM. 3E-8 (2014)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a contract with DV Brown & Associates for providing Mechanical and Electrical Energy Improvements to the mechanical equipment located on the fifth floor of the Rath Building; and

WHEREAS, replacing the old worn out vibration isolators on the existing chiller and for providing motorized control valves on both the new and old Rath Building chillers will improve and reduce energy costs; and

WHEREAS, the Construction Contingency must be increased in order to fund the installation of the second floor HVAC units serving the Rath Building Lobby via a change order to DV Brown & Associates' contract; and

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering services agreement with the firm of Buffalo Engineering,

PC, for providing professional design and construction document services on Erie County projects;
and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Buffalo Engineering, PC for providing design and construction document services for the Rath Building Lobby HVAC equipment replacement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the current construction contingency fund by \$100,000.00 from \$283,000.00 to \$383,000.00; and be it further

RESOLVED, that the deduct change orders will result in these funds returned to the Contingent Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Buffalo Engineering, PC for providing professional design and construction services for the Rath Building Lobby HVAC equipment replacement for an amount not to exceed \$15,000.00, including reimbursables; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for the above from SAP Project Account A.13006-2013-Countywide Mechanical, Electrical and Plumbing Improvements for an amount to exceed \$115,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

EDWARD A. RATH, III
CHAIR

Item 22 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

February 13, 2014	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 11E-2 (2013)
COUNTY EXECUTIVE: "ECC Program Needs Analysis & Space Utilization Assessment"
(6-0)
- b. COMM. 13E-3 (2013)
MARINELLI: "Letter to President of ECC Concerning Tracking & Reporting on Results of Specific Job Related Training Programs"
(6-0)
- c. COMM. 14E-12 (2013)
MARINELLI: "Letter Concerning Construction Timetable of New ECC Academic Building"
(6-0)
- d. COMM. 19D-1 (2013)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Memorandum to Chair of Legislature Concerning Bi-Monthly Report - ECC Academic Building"
(6-0)
- e. COMM. 2M-1 (2014)
BUFFALO & EC PUBLIC LIBRARY: "Board of Trustees Proposed Agenda"
(6-0)
- f. COMM. 2M-2 (2014)
GRAYCLIFF CONSERVANCY, INC: "2013 Close Out Report for Erie County Funding for the Graycliff Conservancy, Inc."
(6-0)

2. COMM. 3E-4 (2014)
COUNTY EXECUTIVE
WHEREAS, this Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreements with the firm of Trautman Associates for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Trautman Associates for providing design and construction administration services to construct a new force main that will run from the Administration Building to South Park Avenue at the Buffalo and Erie County Botanical Gardens facility; and

WHEREAS, the construction contingency must be increased in order to fund the installation of a new force main that will run from the administration building to South Park Avenue.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract amendment with the A/E firm of Trautman Associates for an amount not to exceed \$50,000.00; and be it further

RESOLVED, that the County Executive be authorized to increase the construction contingency fund by an amount not to exceed \$83,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the additional funding from SAP project accounts as follows:

A.13002 – 2013 Buffalo & Erie County Botanical Gardens Master Plan Implementation	\$ 50,000.00
A. 13006 – 2013 Countywide Mechanical, Electrical & Plumbing Improvement	\$ 83,000.00
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Total Payment Not To Exceed:	\$133,000.00

and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the Director of the Division of Budget and Management, the Department of Parks, Recreation and Forestry and the Office of the Comptroller.

(6-0)

KEVIN R. HARDWICK
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

February 13, 2014	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3D-7 (2014)
COMPTROLLER'S OFFICE: "Audit of Inmate Medical Services"
(6-0)
 - b. COMM. 3D-8 (2014)
COMPTROLLER'S OFFICE: "Audit of Correctional Health Services"
(6-0)
 - c. COMM. 3D-9 (2014)
COMMISSIONER OF CENTRAL POLICE SERVICES: "Request for Audit of Erie County-Funded Air Cards for Law Enforcement"
(6-0)

d. COMM. 3M-8 (2014)
T. MICHAEL NICHOLSON: "Public Safety Officer Disability Benefit"
(6-0)

2. COMM. 3E-20 (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 \$50,000 in federal assistance to continue the implementation of hardening critical infrastructure facilities within Erie County preparing for emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$50,000 in federal resources to provide the purchase of necessary equipment to harden critical infrastructure facilities within Erie County.

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 \$50,000 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 2013 Critical Infrastructure Grant Program

Revenue	Increase
Account 414000 Federal Aid	\$50,000.00
Appropriations	Increase
Account 561410 Equipment (Lab & Tech)	<u>\$50,000.00</u>
Total Appropriations	\$50,000.00

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.

(6-0)

3. COMM. 3E-21 (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 \$1,380,000 in federal assistance 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 contact and accept \$1,380,000 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 contract with the NYS Department of Homeland Security to receive \$1,380,000 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 2013 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 2013 State Homeland Security Program (SHSP)

Revenue	Increase
Account 414000 Federal Aid	\$1,380,000.00
Appropriations	Increase
Account 500000 Full Time Salaries	\$317,603.00
Account 502000 Fringe Benefits	199,300.00
Account 516020 Professional Contracts & Fees	196,300.00
Account 561410 Equipment (Lab & Tech)	263,732.00
Account 505000 Office Supplies	1,500.00
Account 510100 Travel	16,500.00
Account 516030 Maintenance Contracts	<u>385,065.00</u>
Total Appropriations	1,380,000.00

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 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.
(6-0)

4. COMM. 3E-22

COUNTY EXECUTIVE

WHEREAS, the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$334,372 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 contact and accept \$334,372.00 in State 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 contract with the NYS Department of Homeland Security to receive \$334,372 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 EMPG FY 13 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 13 Emergency Management Performance Grant

Revenue	Increase
Account 409000 State Aid	\$334,372.00

Appropriations	Increase
Account 500000 Full Time Salaries	\$197,574.00
Account 502000 Fringe Benefits	\$119,848.00
Account 980000 ID DISS Services	\$3,600.00
Account 910700 ID Fleet Services	\$2,625.00
Account 505000 Office Supplies	\$1,500.00
Account 510100 Travel	\$1,075.00
Account 506200 Maintenance & Repairs	\$5,650.00
Account 561410 Equipment (Lab & Tech)	\$2,500.00
Total Appropriations	\$334,372.00

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 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.
(6-0)

5. COMM. 3E-23 (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 \$86,000 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 \$86,000 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.

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 \$86,000 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 2013 Hazmat Grant Program

WHEREAS, those additional funds are now being significantly reallocated to the New York State general fund to finance spending not related to E-911 or any of the above mentioned upgrades; and

WHEREAS, the money collected by this fund is unfairly and inappropriately distributed throughout the Public Safety Answering Points within the State; and

WHEREAS, Erie County has been forced to use funds allocated for other development for the continuation of the required 911 technology updates in an effort to maintain expected levels of public safety; and

WHEREAS, this improper distribution is hampering public safety and other development efforts in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the State of New York to appropriately disburse the funds collected through the public safety communications surcharge as laid out in Bill S1720-2013; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Majority Leader Dean Skelos, the local delegation to the New York Legislature, and any other parties deemed necessary and proper.

Item 25 – MR. LORIGO presented the following resolution and moved for consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

RE: Appointment of Open Meetings Law Advisor
(INTRO 4-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MILLS**

WHEREAS, pursuant to the Erie County Charter, Art. 2 §202.4 the Legislature must select from its members an advisor to this honorable body on the Open Meeting and Freedom of Information Laws; and

WHEREAS, a member of the Legislature has not yet been selected; and

WHEREAS, Legislator Joseph Lorigo, being an attorney himself, is well qualified to ensure this honorable body complies with all sections of the aforementioned laws.

NOW, THEREFORE, BE IT

RESOLVED, that Legislator Joseph Lorigo be selected as this honorable body's advisor on the Open Meetings and Freedom of Information Act Laws.

Item 26 – MR. LORIGO presented the following resolution and moved for consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

RE: Placement of Sex Offenders in a Group Home
(INTRO 4-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR LORIGO**

WHEREAS, a recent decision by the New York State Office for People with Developmental Disabilities has placed multiple sex offenders in a group home located in West Seneca; and

WHEREAS, the individuals placed at this group home were previously placed at a far more secure facility in Monroe County, which was closed due to budget cuts; and

WHEREAS, the group home was initially acquired for and occupied by individuals with mental disabilities and developmental challenges requiring State supervision and care, which is not a secure environment for medium to high level sex offenders; and

WHEREAS, residents in the neighborhood were not given proper notice regarding the placement of these sex offenders in what they were lead to believe was a group home for developmentally challenged individuals; and

WHEREAS, the placement of multiple level 2 and 3 sex offenders in a residential neighborhood represents a dangerous situation for area residents and their children; and

WHEREAS, many of the residents in the community would not have moved their families into the area had they known the state would be locating a group home for mentally disabled sex offenders there; and

WHEREAS, the group home has a central location to local area schools and parks, which would normally have precluded the location of these individuals had they not been placed in a state run facility; and

WHEREAS, the movement of the previous residents to new surroundings is highly disruptive to their progress and development.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that the State of New York review its policy regarding placement of sex offenders in particular with regard to group homes used to house said offenders requiring continued State care; and be it further

RESOLVED, that the State review its policy regarding proper notice given to neighbor hoods regarding the location and placement of sex offenders especially in large groups like the present situation; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo's office, the Western NY delegates to the State Senate and Assembly, Commissioner of the New York State Office for People with Developmental Disabilities Laurie Kelley and all other parties deemed necessary and proper.

Item 27 – CHAIR MILLS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 4-4 from MILLER-WILLIAMS, GRANT & BURKE. Supporting NYS Legislation to Strengthen the CPS Interview Process of Children Suspected of Being Abused or Maltreated.

Item 28 – CHAIR MILLS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 4-5 from MILLER-WILLIAMS, GRANT & BURKE. Bringing the Family Court Act and the Social Services Law Up-to-Date.

Item 29 – CHAIR MILLS directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 4-6 from GRANT, MILLER-WILLIAMS & BURKE. Resolution Supporting a New Environmental Bond Act.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

RE: Resolution Calling on the Governor to Revive Efforts to Encourage Foreign Direct Investment and Attract Foreign Companies to New York State
(INTRO 4-7)

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

WHEREAS, the State of New York, Erie County and other local governments are facing ongoing financial pressures caused by a slow economy and the high costs of financing state mandated programs; and

WHEREAS, New York State and counties need to aggressively promote new business investment and job growth to revitalize our state and local economies, while recognizing the intense competition amongst all the states for new corporate investments, business development and job creation; and

WHEREAS, New York State is seen to be one of the most expensive states in which to do business by almost all business, industry and corporate site location ratings and this status is a major impediment to attracting new investment; and

WHEREAS, Foreign Direct Investment (FDI) is defined as the investment by a company in production operations located in another country; and

WHEREAS, FDI peaked in the U.S. in 2000 and has since declined due to increased focus on national security; and

WHEREAS, foreign businesses who have operations in the U.S. employ local workers, generate activity in the local economy, and bring their products closer to many of their consumers and customer base; and

WHEREAS, Governor Andrew M. Cuomo and Legislative Leaders have demonstrated a strong commitment to and focus on enacting new economic development policies and strategies, including the Regional Economic Development Councils, the START UP NY program and New York specific marketing campaigns targeted to businesses.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby calls upon Governor Andrew M. Cuomo and the New York State Legislature to increase the State's efforts to attract FDI and encourage foreign companies to locate in New York; and be it further

RESOLVED, that copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED, that the Erie County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 31 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 3E-11. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

RE: Increase to Shelter, Building and Band Shell
Rental Fees
(COMM. 3E-11, 2014)

WHEREAS, shelter, building and band shell rental fees have not increased since 2009; and

WHEREAS, the cost of maintaining and operating County parks has increased since that time; and

WHEREAS, since 2012 a substantial commitment of capital funds has resulted in several of these shelters and buildings being updated and improved; and

WHEREAS, the increased cost of fuel, utilities, equipment and maintenance supplies for the proper maintenance and operation of the County Park System validates this request to increase fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, by a two-thirds affirmative vote, hereby approves the following schedule of shelter and building fees, effective beginning March 1, 2014:

Shelter and Building Fees			
		2009-2014	2014 New
		Rate	Rate
Shelters	Small	\$ 60.00	\$ 70.00
	Medium	\$ 85.00	\$ 95.00
	Large	\$ 110.00	\$ 120.00
Chestnut Ridge	Deputy Com. Cabin	\$ -	\$ 75.00
	Martin Lodge	\$ 175.00	\$ 200.00
	Commissioners Cabin	\$ 150.00	\$ 175.00
	Casino Meeting Room	\$ 60.00	\$ 70.00
Akron Falls	Cummings Lodge	\$ 175.00	\$ 200.00
Emery	Judge Stroher's Lodge	\$ 150.00	\$ 175.00
	Fieldhouse	\$ 100.00	\$ 125.00
	Richardsons Cottage	\$ 125.00	\$ 200.00
	Ski Lodge	\$ 450.00	\$ 500.00
Como Lake	Lancaster Place	\$ 125.00	\$ 150.00
	Casino	\$ 175.00	\$ 200.00
	Rich Marino Gazebo	\$ 225.00	\$ 250.00
	Bowen Grove	\$ 300.00	\$ 350.00
Sprague Brook	Casino	\$ 175.00	\$ 225.00

and be it further

RESOLVED, that the Erie County Legislature, by a two-thirds affirmative vote, hereby approves the following schedule of band shell fees, effective beginning March 1, 2014:

Band Wagon Fees	
2009 - 2014	2014 New
Rate	Rate
\$425.00	\$475.00

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget and Management and the Office of the Erie County Comptroller.

MR. LORIGO moved to approve the item. MS. GRANT seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 10; NOES: 0)

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 4E-12 from MS. GRANT Re: Letter to Chairman of Legislature Concerning Review of Legislature Expenditures

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 33 – MR. LORIGO presented the following resolution and moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 45

RE: Safe Harbor for Sexually Exploited Children
(COMM. 4E-1)

MR. LORIGO moved to amend the item. MR. HARDWICK seconded.

ADD THE FOLLOWING:

WHEREAS, the Department has been awarded \$112,500 in 100% State share funds to continue and enhance a program entitled Safe Harbor for Sexually Exploited Children; and

WHEREAS, the State legislature passed the Safe Harbor for Exploited Children Act in 2008 and provided additional funds in 2013, and

WHEREAS, a key provision of the Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, as this is the second year of a newly established program, this proposed resolution seeks Legislative authority to waive section 19.08 of the County Administrative Code which otherwise requires that a Request for Proposals (RFP) be conducted; and

WHEREAS, this proposed resolution authorizes the Department to amend the 2014 Adopted Budget and to renew a contract with the International Institute as the lead agency for this program funding; and

WHEREAS, International Institute of Buffalo is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, there is no local share fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept funding and enter into contract with the New York State Office of Children and Family Services (OCFS) in the amount of \$112,500 for the Sexually Exploited Children program; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with International Institute for the implementation of the Safe Harbor for Sexually Exploited Children program; 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
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517172	International Institute	<u>\$112,500</u>
	Total Expenditures	<u>\$112,500</u>
409000	State Aid	<u>\$112,500</u>
	Total Revenues	<u>\$112,500</u>

And be it further

RESOLVED, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived; 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.

MR. LORIGO moved to approve the item as amended. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 34 – (COMM. 4E-2) Erie Community College - Academic Building - Environmental Impact Assessment - Approvals

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 35 – (COMM. 4E-3) Award of Construction Contract & Contract for Engineering & Construction Inspection Services, Reconstruction of Hopkins Road From Smith Road to Tonawanda Creek Road

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 36 – (COMM. 4E-4) Erie County Sewer District No. 2 Capital Project Account C.00004

Item 37 – (COMM. 4E-5) Erie County Sewer District No. 3, 4 and 5 Engineer Term Agreement LiRo Engineers, Inc. - Work Order LE-6

Item 38 – (COMM. 4E-6) Erie County Soil and Water Conservation District Agreement Technical Services and Stream Bank Maintenance Bridge and Culvert Scour Maintenance Program

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

FROM LEGISLATOR MILLS

Item 39 – (COMM. 4E-7) Requesting Review of Legislature Expenditures from Comptroller Mychajliw

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 40 – (COMM. 4E-8) Help America Vote Act Funds for Chestnut Ridge Parking Lot/Walkways

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY CLERK

Item 41 – (COMM. 4E-9) MOU for ECC South Satellite Auto Bureau

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 4E-10) Authorization to Contract for Consumer Directed In-Home Services

Item 43 – (COMM. 4E-11) Erie County Health Department - Building 17 Roof Repairs and Building Improvements

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

COMMUNICATIONS FROM THE DEPARTMENTS

Item 44 – (COMM. 4D-1) Resignation Letter from Commissioner John Greenan

Received and filed.

FROM THE COMMISSIONER OF ENVIRONMENT & PLANNING

Item 45 – (COMM. 4D-2) 2013 Cultural Agreement with Erie County

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMMISSIONER OF PARKS, RECREATION & FORESTRY

Item 46 – (COMM. 4D-3) Department of Parks, Recreation and Forestry Response to Audit of Parks Housing

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 47 – (COMM. 4D-4) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE CENTER FOR EMPLOYMENT OPPORTUNITIES

Item 48 – (COMM. 4M-1) Economic Impact Report

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 49 – (COMM. 4M-2) 300 Ohio St Update: Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ROBERT JASON ENGEL

Item 50 – (COMM. 4M-3) Resignation Letter from EC Agriculture and Farmland Protection Board

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ASSOCIATION OF ERIE COUNTY GOVERNMENTS

Item 51 – (COMM. 4M-4) Support for State Assembly Bill to Create Special Part of NYS Supreme Court for Mortgage Foreclosures Affecting Vacant/Abandoned Homes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM AMBER A. SMALL

Item 52 – (COMM. 4M-5) Letter of Interest in Vacant 3rd District Erie County Legislator Position

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE EC COMMUNITY CORRECTIONS ADVISORY BOARD

Item 53 – (COMM. 4M-6) Resolution to Recommend Re-Establishing the Erie County Early Conditional Release Commission

Received and referred to the PUBLIC SAFETY COMMITTEE.

ANNOUNCEMENTS

Item 54 – CHAIR MILLS announced that the committee schedule and agendas have been distributed.

Item 55 – CHAIR MILLS thanked Legislator Burke for his participation on the Erie County Soil & Water Commission.

MEMORIAL RESOLUTIONS

Item 56 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Walter E. Fox.

Item 57 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Louise Lawrence, James Moriarity and Margaret Borowicz.

ADJOURNMENT

Item 58 - 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, March 13, 2014 at 2:00 p.m. Eastern Standard Time. Ms. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, March 13, 2014 at 2:00 p.m. Eastern Standard Time.

SCOTT W. KROLL
CLERK OF THE LEGISLATURE