

**ERIE COUNTY LEGISLATURE  
MEETING NO. 11  
MAY 28, 2015**

The Legislature was called to order by Chair Mills.

All members present.

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

The Pledge of Allegiance was led by Mr. Savage.

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 10. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MS. DIXON presented a resolution Congratulating Trevor Gross on Being Awarded the Rank of Eagle Scout.

Item 6 – MS. DIXON presented a resolution Congratulating Timothy Madden on Being Awarded the Rank of Eagle Scout.

Item 7 – MS. DIXON presented a resolution Congratulating Jason McCabe on Being Awarded the Rank of Eagle Scout.

Item 8 – MS. DIXON & MR. BURKE presented a resolution Congratulating Paul R. Duggan on Being Awarded the Rank of Eagle Scout.

Item 9 – MS. DIXON & MR. BURKE presented a resolution Congratulating Jacob C. Maciejewski on Being Awarded the Rank of Eagle Scout.

Item 10 – MS. DIXON & MR. BURKE presented a resolution Congratulating Kevin Genser on Being Awarded the Rank of Eagle Scout.

Item 11 – MS. GRANT presented a resolution Honoring the Life of Michelle Marie Mack and Declaring May 15, 2015 as "Michelle Mack Day" in Erie County.

Item 12 – MR. HARDWICK presented a resolution Honoring the Tonawanda High School Theater Department and the Entire Cast and Crew of "The Addams Family" on Winning the 2015 Kenny Awards.

Item 13 – MR. LOUGHRAN presented a resolution Honoring Charles J. Sabatino, PhD as the Erie County Legislature's Citizen of the Month for May 2015.

Item 14 – MR. MILLS presented a resolution Congratulating Jourdan Pouliot, Boy Scout Troop 285, on Being Awarded the Rank of Eagle Scout.

Item 15 – MR. MILLS presented a resolution Congratulating Adam Ziccardi IV, Boy Scout Troop 285, on Being Awarded the Rank of Eagle Scout.

Item 16 – MR. MILLS, MS. DIXON & MS. MILLER-WILLIAMS presented a resolution Congratulating the Community Action Organization of Erie County Inc. on Their 50th Anniversary Award and Dinner Celebration.

Item 17 – MR. MILLS, MR. LORIGO, MS. GRANT, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Honoring the 100th Anniversary of the Sinking of the RMS Lusitania and Honoring Elbert & Alice Hubbard and the Passengers and Crew Who Lost Their Lives.

Item 18 – MR. MORTON presented a resolution Honoring Lauren Budzich on Earning the 2015 DECA Emerging Leader Honor Award.

Item 19 – MR. MORTON presented a resolution Honoring Talia Dalfonso on Achieving the Overall Highest Scoring Routine at the Summerdanse Festival Competition.

Item 20 – MR. MORTON presented a resolution Honoring Kelly Leonard on Receiving the Student Athlete of the Year Award by the Utica Kiwanis Club.

Item 21 – MR. RATH presented a resolution Congratulating Joseph Eugene Arno, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

Item 22 – MR. RATH presented a resolution Congratulating Adam Joseph Herr, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

Item 23 – MR. RATH presented a resolution Congratulating Gregory Stephen Rodas, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

Item 24 – MR. RATH presented a resolution Congratulating Alec Sass, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

Item 25 – MR. RATH presented a resolution Congratulating Nicholas Sass, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

Item 26 – MR. RATH presented a resolution Congratulating Christian Wheatley, Boy Scout Troop 440, on Being Awarded the Rank of Eagle Scout.

MR. LORIGO moved for consideration of the above twenty-two items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above twenty-two items to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above twenty-two items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 27 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2014 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLS directed that Local Law No. 1 (Print #2) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 – MR. RATH moved to take Local Law No. 2 (Print #2) 2015 off the table. MR. HARDWICK seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, CHAIR MILLS, MR. MORTON and MR. RATH.  
NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR.  
SAVAGE, MR. LORIGO. (AYES: 5; NOES: 6)

FAILED.

Item 32 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2015 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 33 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 34 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2015 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 35 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2015 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 36 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 37 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2015 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 38 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

May 21, 2015

HEALTH & HUMAN SERVICES COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 6M-8 (2015)  
**LABCARE INC:** “Letter Regarding Medical Marijuana”  
(6-0)
  - b. COMM. 10M-8 (2015)  
**ALTERNATIVE MEDICINE ASSOCIATES:** “Letter Regarding Request for Acceptance of Medical Marijuana Cultivation Center”  
(6-0)
  - c. COMM. 10M-9 (2015)  
**ALTERNATIVE MEDICINE ASSOCIATES:** “Letter Requesting Support of NYS DOH Registered Organizations for Medical Marijuana”  
(6-0)

2. COMM. 10E-32 (2015)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Health's Division of Correctional Health requires an electronic health record for the prisoners and inmates under the custody of the Erie County Sheriff; and

WHEREAS, Erie County Sheriff's Office requires the use of correctional management software to manage the inmate population; and

WHEREAS, integration of these two systems will eliminate duplicitous work and increase efficiency by both entities; and

WHEREAS, Black Creek Integrated Systems Corp. is already working with the Erie County Sheriff's Office in providing software for managing the inmate population and is capable of developing an interface to integrate the Health Department's and the Sheriffs unique systems with a seamless transition.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Administrative Code Section 19.08, which requires a request for proposals be issued for professional, technical, and consulting services, is hereby waived as impracticable since Black Creek Integrated Systems Corp. is uniquely qualified to accomplish the integration of its proprietary Sallyport software with the electronic health record system in use; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Black Creek Integrated Systems Corp. for the purposes of developing an interface for and between the electronic health record system and the Sheriff's inmate management system; and be it further

RESOLVED, that the term of this contract shall commence on June 1, 2015 through May 1, 2017 with the County at its sole discretion extending the contract for up to two one-year periods; and be it further

RESOLVED, funding for this contract is hereby authorized and appropriated from SAP account A.00334 - 2008 Upgrade to Health Records Module in an initial amount totaling \$18,750 with an annual recurring support cost of \$3,750 approved for future years; and be it further

RESOLVED, that certified copies of this resolution 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 of Health.

(6-0)

LYNNE M. DIXON  
CHAIR

Item 39 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

May 21, 2015	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 5
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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. 6M-2 (2015)  
**BUFFALO & EC PUBLIC LIBRARY:** “March 19, 2015 Board of Trustees Agenda”  
(6-0)
  - b. COMM. 7E-4 (2015)  
**COMPTROLLER:** “ECC Audited Financial Statements and Management Letter for Fiscal Year Ending August 2014”  
(6-0)
  - c. COMM. 7M-2 (2015)  
**ERIE COMMUNITY COLLEGE:** “Fiscal Year 2014-2015 Revenues & Expenditures Report”  
(6-0)
  - d. COMM. 7M-3 (2015)  
**BUFFALO & EC PUBLIC LIBRARY:** “April 16, 2015 Board of Trustees Agenda”

(6-0)

KEVIN R. HARDWICK  
CHAIR

Item 40 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

May 21, 2015	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 6
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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. 5M-7 (2015)  
**EC BOARD OF ETHICS:** “2014 Annual Report of Activities”  
(6-0)
  - b. COMM. 9D-7 (2015)  
**COUNTY ATTORNEY:** “Transmittal of New Claims Against Erie County”  
(6-0)
  - c. COMM. 10D-7 (2015)  
**COUNTY ATTORNEY:** “Transmittal of New Claims Against Erie County”  
(6-0)
  - d. COMM. 10M-7 (2015)  
**EC BAR ASSOCIATION:** “Assigned Counsel Program Quarterly Report for 1st Quarter 2015”  
(6-0)

2. COMM. 10E-22 (2015)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities, organizations and businesses to facilitate compliance with State Environmental regulations and adopt environmentally safe waste disposal practices; and

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides programs for the proper disposal of dangerous and hazardous residential waste; and

WHEREAS, the Citizens Campaign Fund for the Environment (CCFE) has solicited Erie County to develop and coordinate a one-year pilot program to guide, assist and train local healthcare officials in adopting a comprehensive Medical Care Waste Pharmaceutical Disposal Program; and

WHEREAS, Erie County has received notification of award from CCFE for \$99,222 in grant funding for the Erie County Medical Care Waste Pharmaceutical Disposal Program through June 30, 2016; and

WHEREAS, an Environmental Education Specialist (JG-9) position in the ECDEP will implement the Erie County Medical Care Waste Pharmaceutical Disposal Program and provide services as defined in the program work plan upon execution of the CCFE contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a contract with the CCFE and accept funds for the Erie County Medical Care Waste Pharmaceutical Disposal Program; and be it further

RESOLVED, that 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 Environment and Planning  
Erie County Medical Care Waste Pharmaceutical Disposal Program  
July 1, 2015-June 30, 2016

REVENUES

<u>Account</u>	<u>Description</u>	<u>Budget</u>
420499	Other Local Source – CCFE	<u>(\$99,222)</u>
TOTAL REVENUE		(\$99,222)

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Budget</u>
500000	Personnel/Salaries	\$48,252
502000	Fringe Benefits	\$28,470
505800	Medical and Health	\$15,000
510000	Local Mileage	\$ 1,500
516020	Contractual Services	<u>\$ 6,000</u>
TOTAL APPROPRIATIONS		\$99,222

and be it further

RESOLVED, that the following position be created through grant funding for the Erie County Medical Care Waste Pharmaceutical Disposal Program administered by the Department of Environment and Planning:

Environmental Education Specialist (JG-9)



B-100 No. B10000008311  
Budgeted Annual Salary: \$48,252  
Start Date: 7/1/2015

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; the Commissioner of Personnel; Maria R. Whyte, Commissioner of the Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor; and Thomas R. Hersey, Jr., Deputy Commissioner of the Department of Environment and Planning.

(6-0)

3. COMM. 10E-23 (2015)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Office of Indigent Legal Services will provide a three year grant totaling \$2,910,255 to the County for the provision of indigent defense services, and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of \$2,910,255 over three years from January 1, 2015 to December 31, 2017 to provide enhanced representation to indigent defendants; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into three year subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services from January 1, 2015 to December 31, 2017; and be it further

RESOLVED, that authorization is provided to establish grant funding in the County Attorney's Office as follows:

Erie County Attorney's Office  
ILS Quality Improvement D5 Grant  
Grant Fund 281 160QID5ILS1517

January 1, 2015 to December 31, 2017

Revenue	Increase
Account 409000 - State Aid Revenue	\$2,910,255
Appropriation	Increase

Account 516601 - Legal Aid Bureau	\$1,455,129
Account 516602 - EC Bar Association	<u>1,455,126</u>
Total Appropriation	\$2,910,255

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts: and be it further

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

(6-0)

4. COMM. 10E-24 (2015)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Medical Examiner's Office is a mandated and critical office in both the criminal justice system and in promoting public health; and

WHEREAS, Erie County owns and operates property to house the office of the Medical Examiner of the Erie County Medical Center Campus; and

WHEREAS, the Erie County Department of Public Works is in the midst of multi-year renovations to update and improve the Erie County Medical Examiner's Office located at 501 Kensington Avenue; and

WHEREAS, in order to complete necessary upgrades to the electrical and gas systems at the Erie County Medical Examiner's Office additional space must be acquired adjacent to the property located at 501 Kensington Avenue; and

WHEREAS, an agreement between Erie County and the Erie County Medical Center Corporation has been developed to provide an easement for the purposes of securing this additional space.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an easement agreement with the Erie County Medical Center Corporation concerning the Medical Examiner's Office which shall commence on June 1, 2015; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Department of Law, the Department of Public Works and to Dr. Gale R. Burstein, Commissioner of Health.

(6-0)

5. COMM. 10E-25 (2015)

**COUNTY EXECUTIVE**

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the County Executive, of Thomas Malecki (190 South Woodside Drive, Alden, NY 14004) and Kathleen T. Grimm, MD, FAAP, FACP, MHSc (800 West Ferry Street, Buffalo, NY 14222) to serve on the Erie County Medical Center Corporation Board of Directors, for terms ending December 31, 2016.

(6-0)

KEVIN R. HARDWICK  
CHAIR

Item 41 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded..

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

May 21, 2015	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 7
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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. 10E-20 (2015)  
**COMPTROLLER:** “Savings From Borrowing Through the ECFSA”  
(5-0) Legislator Miller-Williams not present for vote.
  - b. COMM. 10E-21 (2015)  
**COMPTROLLER:** “EC Interim Financial Report Ending March 31, 2015”  
(5-0) Legislator Miller-Williams not present for vote.
  - c. COMM. 10M-5 (2015)  
**NYS DEPARTMENT OF TAXATION AND FINANCE:** “Certified 2015 Class Equalization Rates - Cities of Buffalo and Lackawanna”  
(5-0) Legislator Miller-Williams not present for vote.
  - d. COMM. 10M-6 (2015)  
**NYS DEPARTMENT OF TAXATION AND FINANCE:** “Certified 2015 State Equalization Rates - Cities of Buffalo and Lackawanna”  
(5-0) Legislator Miller-Williams not present for vote.
2. COMM. 1D-9 (2015)  
**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 215089 through 215091, 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	2015	Petition No.	215,089.00
	ASSESSOR	Cancel	\$211.19
S-B-L	196.05-4-6	52 Highland Ave 144803 HAMBURG	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$211.19	Town/SpecialDist/School
<u>Charge To :</u>	144803 HAMBURG		\$211.19

Relevy Village \$211.19 Village of HAMBURG  
RPTL550(2): Failed to apply veterans exemption  
New tax bill to be issued

FISCAL YEAR	2015	Petition No.	215,090.00
	ASSESSOR	Cancel	\$376.99
S-B-L	666.00-65-2	Outside Plant 142001 ALDEN	
	Acct. No. 112	\$291.29	County
	Acct. No. 132	\$85.70	Town/SpecialDist/School
<u>Charge To :</u>	142001 ALDEN		\$85.70

RPTL550(2): Duplicate entry  
Delete parcel from the roll

FISCAL YEAR	2015	Petition No.	215,091.00
	ASSESSOR	Cancel	\$5,333.15
S-B-L	666.00-65-5	Outside Plant 142089 ALDEN	
	Acct. No. 112	\$1,013.23	County
	Acct. No. 132	\$4,319.92	Town/SpecialDist/School

<u>Charge To :</u>	142089 ALDEN	\$4,319.92	
	Relevy Village	\$3,697.68	Village of ALDEN
RPTL550(2): Duplicate entry			
Delete parcel from the roll			

and be it further

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings in accordance with New York State Real Property Tax Law sections 554; and

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

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 215092 through 215099, inclusive be denied based upon the recommendation of the Director of Real Property Tax Services.

Recommendation to ECL regarding the Level 3 RP-554 Applications

The applicant, Level 3 Communications, LLC filed Applications for Corrected Tax Roll on form RP-554 (attached) relative to the various properties listed below for the year of 2014. Each Application purportedly applies to “fiber optic cables and inclosures on private rights of way”. The applicant alleges, in addenda attached to each Application, that the assessments in issue were made upon personal property excluded from taxable real property because the fiber optic cable at issue is “not for electrical conductors and therefore they cannot be taxed under RPTL”. They base this assertion on a holding in *Matter of RCN*, a First Department case, whose holding has been rejected by a recent decision in our Judicial District, *Level 3 Communications, LLC vs. County of Erie et al* (copy attached). The addenda further allege that the taxes at issue were assessed based upon an “unlawful entry” pursuant to RPTL §550(7)(c). That section of the RPTL provides that an assessment is unlawful where it has been made by a person or body without the authority to make the assessment.

I have conducted an investigation of each Application and have determined that pursuant to *Level 3 Communications, LLC vs. County of Erie et al*, the fiber optic cable at issue is taxable as real property pursuant to RPTL 102(12)(f). Additionally, the assessor had the authority to make such an assessment and therefore, the assessments were not “unlawful entries” pursuant to RPTL §550(7)(c). Accordingly, it is my recommendation that this Honorable Body deny each of the Applications based upon the foregoing.

Property	Tax Levying Body	Tax Year
555.00-75-1.1	Eden Central School District – Town of Eden	2014
555.00-75-1.2	Lakeshore Central School District – Town of Eden	2014
658.089-9999-717./1882	North Collins Central School District – Town of North	2014

	Collins	
	North Collins Central School District – Town of North	
658-089-9999-760.7/1882	Collins	2014
	North Collins Central School District – Town of North	
658.089-9999-710./1882	Collins	2014
	North Collins Central School District – Town of North	
658.001-9999-760.7/1882	Collins	2014
	North Collins Central School District – Town of North	
658.001-999-710./1882	Collins	2014
	North Collins Central School District – Town of North	
658-001-9999-717./1882	Collins	2014

FISCAL YEAR 2014                      Petition No.                      215,092.00

OWNER                      Cancel                      \$819.53  
S-B-L 555.00-75-1.1      Fiberoptics              144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$819.53	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN		\$819.53
	Relevy School	\$819.53	144001 EDEN CENTRAL

RPTL550(2): Fiber optics and inclosure on private ROW  
Application denied: fiber optic cable is taxable

FISCAL YEAR 2014                      Petition No.                      215,093.00

OWNER                      Cancel                      \$336.66  
S-B-L 555.00-75-1.2      Fiberoptics              144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$336.66	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN		\$336.66
	Relevy School	\$336.66	144401 LAKE SHORE

CENTRAL

RPTL550(2): Fiber optics and inclosure on private ROW  
Application denied: fiber optic cable is taxable

FISCAL YEAR 2014                      Petition No.                      215,094.00

OWNER                      Cancel                      \$539.07  
S-B-L 658.089-9999-710              45889              145889 NORTH COLLINS

Acct. No. 112                      \$0.00      County

Acct. No. 132 \$539.07 Town/SpecialDist/School  
Charge To : 145889 NORTH COLLINS \$539.07  
Relevy School \$539.07 145801 NORTH COLLINS

CENT

RPTL550(2): Fiber optics and inclosure on private ROW  
Application denied: fiber optic cable is taxable

FISCAL YEAR 2014 Petition No. 215,095.00

OWNER Cancel \$601.35  
S-B-L 658.089-9999-717 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$601.35 Town/SpecialDist/School  
Charge To : 145889 NORTH COLLINS \$601.35  
Relevy School \$601.35 145801 NORTH COLLINS

CENT

RPTL550(2): Fiber optics and inclosure on private ROW  
Application denied: fiber optic cable is taxable

FISCAL YEAR 2014 Petition No. 215,096.00

OWNER Cancel \$154.63  
S-B-L 658.001-9999-710 145801 NORTH COLLINS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$154.63 Town/SpecialDist/School  
Charge To : 145801 NORTH COLLINS \$154.63  
Relevy School \$154.63 145801 NORTH COLLINS

CENT

RPTL550(2): Fiber optics and inclosure on private ROW  
Application denied: fiber optic cable is taxable

FISCAL YEAR 2014 Petition No. 215,097.00

OWNER Cancel \$5,616.47  
S-B-L 658.089-9999-760 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$5,616.47 Town/SpecialDist/School  
Charge To : 145889 NORTH COLLINS \$5,616.47





WHEREAS, early this year Explore & More, based on its track record of growth and sustainability, was selected by the Erie Canal Harbor Development Corporation to be an anchor attraction on Buffalo's waterfront; and

WHEREAS, to effectuate its move to construct the new location, Explore & More needs \$10 million in capital funding; and

WHEREAS, the Erie County Legislature recently met with representatives of Explore & More and viewed a presentation that stated Explore & More has reached over 60% of its \$10 million goal; and

WHEREAS, the move downtown will be a boon to the waterfront development and residents of the entire county; and

WHEREAS, the county's undesignated fund balance is anticipated to top \$100 million, far exceeding the mandatory minimum of \$50 million; and

WHEREAS, it is also expected that, despite the increased costs of the November Storm and our brutal winter, the county will have a large surplus from the 2014 fiscal year; and

WHEREAS, the county should make every effort to return reasonable amounts of those funds to the taxpayers and residents of Erie County, including assisting organizations, such as Explore and More that benefit the entire community; and

WHEREAS, helping the Explore & More Museum expand will be a benefit to the City of Buffalo, the development of Canalside and the Buffalo waterfront, and the residents of the County of Erie.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this honorable body encourages the County Executive efficiently allocate the generous surplus the county will have from 2014; and, be it further

**RESOLVED**, that pending a large surplus for the 2014 fiscal year, this honorable body hereby requests that the County Executive transfer \$2 million to Explore & More to fund its capital campaign; and, be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive, the Department of Environment and Planning, the Department of Budget and Management, Nancy Montone the Director of Development at the Explore & More Museum, and all other parties deemed necessary and proper.

(5-1) Legislator Hardwick voted in the negative.

**JOSEPH C. LORIGO**  
**CHAIR**

Item 42 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded..

CARRIED UNANIMOUSLY.

RESOLUTION NO. 128

May 21, 2015	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 9
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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. 10E-13 (2015)  
**COUNTY EXECUTIVE:** "EC Sewer District No. 5 - Engineer Term Agreement - DiDonato Associates"  
(6-0)
  - b. COMM. 10D-5 (2015)  
**CLERK OF THE LEGISLATURE:** "NYS DEC Documents Received"  
(6-0)
2. COMM. 10E-10 (2015)  
**COUNTY EXECUTIVE**  
WHEREAS, the NYSDOT has undertaken road improvements to Niagara Street in the City of Tonawanda; and

WHEREAS, said project is identified as NYSDOT PIN 5757.57.221; and

WHEREAS, said improvements required acquisition through eminent domain of certain County lands, thereby insuring the establishment of a proper work area; and

WHEREAS, said parcels have been identified on NYSDOT Map 1, Parcel 1 (Fee) and Map 4, Parcel 5 (Temporary Easement) in the City of Tonawanda, County of Erie; and

WHEREAS, said maps are on file with the Erie County Department of Parks, Recreation and Forestry.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Erie County Executive to execute an Agreement of Adjustment and/or an Agreement for Advance Payment and any and all other documents prepared by the New York State Department of Law for the acquisition of property regarding the reconstruction of the culvert (No. 530266) under Niagara Street with the NYSDOT PIN 5757.57.221 Project: City of Tonawanda: Niagara Street for the acquisition of Map 1, Parcel 1 (Fee) and Map 4, Parcel 5 (Temporary Easement) in the City of Tonawanda, County of Erie, in the amount of \$7,100 plus interest; 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; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and the Commissioner of the Department of Parks, Recreation and Forestry, Rath Building, 13th Floor.

(6-0)

3. **COMM. 10E-11 (2015)**  
**COUNTY EXECUTIVE**

WHEREAS, in 2005 the County Legislature of the County of Erie, New York (the "County Legislature") adopted an Increase and Improvements of Facilities Plan (the "2005 Plan") for Sewer District No. 3 (the "District") which provided for the expenditure of \$9,100,000 to finance the connection of the Village of Blasdell service area to the Southtowns Advanced Wastewater Treatment Facility (the "Project"); and

WHEREAS, several of the components of the Project have been completed; and

WHEREAS, at the direction of the County Legislature, the Erie County Sewer Agency and the Erie County Department of Environment and Planning caused a report entitled *Erie County Sewer Agency Report - Erie County Sewer District No. 3 For A Modifications of Plans (2015)* (the "Report") to be prepared, which Report recommends the modification of the 2005 Plan and the approval of certain additional improvements within the District, including but not limited to improvements to the Southtowns Advanced Wastewater Treatment Facility and the implementation of the Rush Creek Interceptor project (the "Modification of Plans"); and

WHEREAS, on February 27, 2015, the Board of Managers of the District (the "Board of Managers") accepted and adopted the Report and recommended that the Report be submitted to the County Legislature for consideration and action; and

WHEREAS, the Report and the recommendation of the Board of Managers was filed with the County Legislature on February 26, 2015; and

WHEREAS, the Modification of Plans will not result in an increase in the amount of the estimates or the original bond authorization set forth in the 2005 Report, of which there is currently \$3,192,000 in unused authorization; and

WHEREAS, said County Legislature duly adopted Resolution 5E-20 on the 26<sup>th</sup> day of March, 2015, calling a meeting of the County Legislature for the purpose of holding a public hearing to consider the Modification of Plans in accordance with the provisions of Section 253-b of the County Law; and

WHEREAS, notice of said public hearing was duly published in substantially the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said public hearing was duly held at 92 Franklin Street, 4<sup>th</sup> floor, in Buffalo, New York, in said County, on the 15<sup>th</sup> day of April, 2015, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to modify the plans for the facilities of Erie County Sewer District No. 3 in the County of Erie, New York, all as more fully described in the preambles hereof and in the Report, and such Modification of Plans for the improvement of facilities for the District is hereby authorized..

Section 2. This resolution shall take effect immediately.

(6-0)

TED B. MORTON  
CHAIR

Item 43 – MR. RATH presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

May 21, 2015	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 6
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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. 7E-7 (2015)  
**MILLER-WILLIAMS**: “Letter Regarding Redevelopment of Humboldt Parkway”  
(6-0)
  - b. COMM. 7E-8 (2015)  
**MILLER-WILLIAMS**: “Report Regarding Economic Impact Associated with the Redevelopment of Humboldt Parkway”  
(6-0)
  - c. COMM. 10M-3 (2015)  
**EC INDUSTRIAL DEVELOPMENT AGENCY**: “2014 Annual Audited Financial Statements”  
(6-0)
  - d. COMM. 10M-4 (2015)

**NFTA:** "March 26, 2015 Board Minutes"  
(6-0)

2. **COMM. 10E-16 (2015)**  
**COUNTY EXECUTIVE**

WHEREAS, the Elmwood Avenue Pedestrian-Bicycle Improvements Project PIN 5761.03 (the "Project") is eligible for funding under the Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the County of Erie has agreed to act as sponsor of the Project at the request of the Village of Kenmore; and

WHEREAS, under the Transportation Alternatives Program the federal cost share is limited to the amount set forth in the agreement NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the Village of Kenmore has agreed to reimburse the County of Erie for the entire local (non-federal) cost share, including 100% of any overruns; and

WHEREAS, based on reimbursement by the Village of Kenmore for the entire non-federal share of the costs the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, this new project will require a new capital project established in the amount of \$120,000 in Fund Center 123, Fund 420; and

WHEREAS, in Comm. 7E-5 (2015), this Honorable Body approved of the project and its funding in the amount of \$120,000; and

WHEREAS, it has been determined that DiDonato Associates has the necessary qualifications to provide engineering services for this project, and is an approved engineering firm via Comm. 13E-26 of July 18, 2013.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Erie County Legislature hereby approves the above subject Project; and be it further

**RESOLVED**, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase of the Project or portions thereof; and be it further

**RESOLVED**, that the Erie County Office of Budget and Finance establish a new capital project in the amount of \$120,000.00, Fund Center 123, Fund 420, to accept federal revenue in the amount of \$80,000.00, G/L Account 414000 and the Village of Kenmore share of \$40,000.00, G/L 420499; and be it further

RESOLVED, that the estimated total sum of Project phase \$120,000.00 is hereby appropriated from the new Capital Project and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase exceeds \$120,000.00 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the County's first instance funding of Project costs and the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute an inter-municipal agreement with the Village of Kenmore regarding the Village's responsibility to provide 100% of the local funding share of the project including any cost overruns (subject to the County of Erie Attorney's approval as to form and content); and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute an agreement with DiDonato for engineering services for the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase in an amount not to exceed \$120,000.00; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.

(6-0)

3. COMM. 10E-17 (2015)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works, Division of Highways has implemented multiple Miscellaneous Bridge Rehabilitation and Repair programs county-wide; and

WHEREAS, as a result of weather conditions and unanticipated project delays due to uncovered additional repair conditions, additional engineering services are necessary; and

WHEREAS, via Comm. 15E-23 of September 12, 2013 and Comm. 11E-3 of May 22, 2014 the Legislature approved CHA Consultants, Inc., as Project Engineer; and

WHEREAS, a Change Order to CHA Consultant Inc. project contract is necessary to remedy the project delays and additional engineering services required; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience to respond in a timely manner.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a Change Order with CHA Consultants, Inc. for the heretofore required services in the amount of \$85,000.00 from SAP Account B.12008.2, 2012 Preservation of Bridges and Culverts Program, Fund 420, BA123 ; and be it further

RESOLVED, that five (5) 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, the Office of the Comptroller and the Division of Purchase.  
(6-0)

4. COMM. 10E-18 (2015)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and biannual inspections of County-owned bridges; and

WHEREAS, as a result of these inspections and taxpayer notifications, Erie County desires to respond to conditions which may restrict access to the traveling public with a plan of action as soon as practicable; and

WHEREAS, design services are necessary for the annual Bridge Maintenance Program Project Number 5760.54, 5760.55, and 5760.56; and

WHEREAS, this honorable body has previously authorized the County Executive to enter into a Term Agreement for providing professional engineering services via Comm. 13E-26 adopted July 18, 2013; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience in bridge maintenance design, construction management, technical services and construction inspection of bridges; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to respond to these cited County bridge deficiencies with appropriate action, Legislature approval is required to authorize the County Executive to enter into a contract with CHA Consultants, Inc. to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with CHA Consultants, Inc. for the heretofore required services in the amount of \$222,000, with \$100,000 being allocated from the 2014 Preservation of Bridges and Culverts Program, Fund 420, BA123, SAP Account B.14019.1, and \$122,000 being allocated from Bridge Preservation Design, Fund 420, BA123, SAP Account B.14010; and be it further

RESOLVED, that five (5) 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, the Office of the Comptroller and the Division of Purchase.  
(6-0)

EDWARD A. RATH, III  
CHAIR

Item 44 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded..

CARRIED UNANIMOUSLY.

RESOLUTION NO. 130

May 21, 2015	PUBLIC SAFETY COMMITTEE REPORT NO. 6
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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. 10M-10 (2015)  
**THOMAS CHMIELOWIEC SR:** “Letter Regarding Fireman's Association State of New York Grant”  
(6-0)
  - b. COMM. 10M-11 (2015)  
**TAMI SEAMAN:** “Letter Regarding the Sparkling Device Law”  
(6-0)

2. COMM. 3E-9 (2015)  
**COUNTY EXECUTIVE AS AMENDED**  
WHEREAS, the Federal Bureau of Investigation (FBI) has expressed a desire to work with Erie County to make Erie County's Sheriff's Office Firing Range in Alden, New York the premier shooting range in Western New York which was approved in a resolution dated July 24, 2014, and

WHEREAS, the Erie County Sheriff's Office, in collaboration with the Erie County Department of Public Works, has worked with the FBI to define the improvements that are required to upgrade the shooting range, and



WHEREAS, the FBI as agreed to spend over \$1.5 million on the shooting range site improvements including a new classroom building and a prefabricated control tower and no funds will be required of Erie County, and

WHEREAS, the FBI has used TRS Range Services for many of their range projects and has requested that TRS Range Services perform the work in Erie County, and

WHEREAS, in a resolution dated February 6, 2014, the Erie County Legislature authorized the use of TRS Range Services for the preliminary study for the site work on the shooting range, and

WHEREAS, the FBI has awarded the range site work to TRS Range Services through their competitive Indefinite Delivery/Indefinite Quantity contract, and

WHEREAS, the FBI is willing to allocate another \$850,000 to Erie County for the construction of a Live Fire Shoot House on the same site, and

WHEREAS, the FBI has asked Erie County to take the lead role in the construction of the Live Fire Shoot House, and

WHEREAS, TRS Range Services has authorized Foit-Albert Associates to design the site improvements and classroom building at the Erie County Shooting range, and

WHEREAS, the Department of Public Works has deemed Foit-Albert Associates as the best qualified firm for the design of the Live Fire Shoot House, and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Foit-Albert Associates for providing Professional Design Services on Erie County Projects, and

WHEREAS, due to space constraints and similarity between the exterior shell of the Live Fire Shoot House and the classroom building, it would be both cost efficient and time efficient to have one contractor on the site constructing all the improvements for the Erie County Firing Range, and

WHEREAS, due to the nature of these projects, their use and location, it is not possible to meet all the requirements of LEED Silver, and

WHEREAS, federal revenue for this project, in the amount of \$850,000 has already been received and recorded in the 2014 Sheriffs Firing Range Capital Project (A.14076),

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is provided to the Director of Budget and Management to increase the budget of the 2014 Sheriff's Firing Range, Capital Project A.14076 by \$850,000 of federal revenue; and be it further

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into an agreement with TRS Range Services to award of the construction of the Live Fire Shoot House in the amount not to exceed \$780,000; and be it further

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into a contract with Foit-Albert Associates to design the Live Fire Shoot House at a cost not to exceed \$70,000; and be it further

RESOLVED, that the Erie County Legislature authorizes the requirement of LEED Silver be waived for the projects to be undertaken at the Erie County Shooting Range due to the nature of the buildings on the shooting range; and be it further

RESOLVED, that the Erie County Legislature requests that every effort be made to include those items which practically can be included from the LEED Silver check list; and be it further

RESOLVED, that the Comptroller's Office is hereby authorized to make payment for all of the above from SAP Account A.14076- Sheriff's Firing Range for an amount not to exceed \$850,000.00.

(6-0)

3. COMM. 10E-28 (2015)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Emergency Services purchased a 2006 Haulin traffic incident management trailer out of FY 2005 State Homeland Security Program (SHSP) Grant funds; and

WHEREAS, the Department of Emergency Services has purchased a new traffic incident management trailer out of homeland security funds (FY 11 SHSP); and

WHEREAS, the Elma CERT team does not have a trailer to put their Citizen Preparedness equipment in and Emergency Services would like to transfer the Haulin 2006, traffic incident management trailer to them; and

WHEREAS, the Elma CERT team agrees to take over the maintenance and repairs needed to the trailer; and

WHEREAS, because this is a homeland security purchase, the Elma CERT team agrees if Emergency Services is audited on the FY 2005 State Homeland Security Grant they will allow the auditors access to the trailer for auditing purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the transfer of the 2006 Haulin, VIN number 5NHUHAV207W048242, traffic incident management trailer to the Elma CERT Team; 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 Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

4. COMM. 10E-29 (2015)

**SHERIFF AS AMENDED**

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994; and

WHEREAS, the Erie County Sheriff's Office is in need of additional funds for canine related expenses, upgrade of mandatory canine housing units and equipment, additional badges for new employees, computer accessories to increase the digital storage of Professional Standards Division's files and vehicle GPS and monitoring devices; and

WHEREAS, there will be no impact on county tax dollars with the appropriation of these funds.

NOW, THEREFORE, BE IT

RESOLVED, that \$43,400 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE  
ASSET FORFEITURE FUNDED PROGRAM SAFS

REVENUE

421550	Forfeiture Crime Proceeds	<u>\$ 43,400</u>
	Total Revenue	<u>\$ 43,400</u>

APPROPRIATION

		<u>Increase</u>
530000	Canine and Supplies	\$ 15,000.00
505200	Official Uniform Badges	\$ 2,000.00
561410	PSD Digital Storage Accessories	\$ 2,000.00
506200	AVL	<u>\$ 24,400.00</u>
	Total Appropriations	<u>\$ 43,400.00</u>

and be it further

RESOLVED, that these expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Division of Purchase and the Chief of Administration of the Sheriff for implementation.

(6-0)

5. COMM. 10E-30 (2015)

**SHERIFF AS AMENDED**

WHEREAS, the Jail Management Division finds it necessary to make certain purchases for the safe and efficient operation of the Erie County Holding Center and Erie County Correctional Facility, and

WHEREAS, vehicles utilized to transport individuals in the Sheriff's custody are in need of computers and mounting brackets, vehicle GPS and monitoring devices, visiting area safety barriers, comfort improvements and K9 training, and

WHEREAS, these devices, training evolutions and other items are important for the safety and security of Deputies, inmates and visitors to the Erie County Holding Center and Erie County Correctional Facility, and

WHEREAS, necessary funds exist within the Jail Phone Revenue Trust account, and

WHEREAS, pursuant to Communication 6E-24 approved by your Body on May 9, 2013, the County Executive and the Sheriff jointly agree that available telephone revenue should be utilized for these purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Division of Budget and Management is hereby authorized to transfer \$154,960.00 from the Jail Phone Revenue Trust Account to the Jail Phone Revenue Account (#415622) and increase the following accounts within the Jail Management Division:

JAIL PHONE REVENUE ACCOUNT

APPROPRIATION		Increase
506200	AVL	\$ 11,600.00
561410	Computers	\$ 34,960.00
506200	Mounting Brackets	\$ 4,200.00
530000	Canines and Supplies	\$ 45,000.00
506200	Visiting Areas	\$ 50,000.00
561420	Visiting Area Chairs	\$ 30,000.00
510100	K9 Training & Travel	\$ 12,000.00
506200	AVL Installation	<u>\$ 2,200.00</u>
	Total Appropriations	\$ 189,960.00

; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Erie County Sheriff's Chief of Administration, the County Executive, the Division of Budget and Management and the Office of Comptroller.

(6-0)

EDWARD A. RATH, III  
CHAIR

**LEGISLATOR RESOLUTIONS**

Item 45 – MR. LORIGO presented the following resolution and moved for consideration.  
MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

RE: Support for Regulations on Shipping  
Train Cars  
(INTRO. 11-1)

A RESOLUTION TO BE SUBMITTED  
BY LEGISLATORS DIXON & MORTON

WHEREAS, recent accidents involving railroad cars derailing has brought to light concerns regarding their safety, especially when it comes to shipping hazardous and highly flammable materials, such as liquefied natural gas and refined oil; and

WHEREAS, shipping containers are moved via rail through densely populated areas where the risk of derailment and damage to tankers carrying oil and gas shipments could lead to explosions, property damage, and loss of life; and

WHEREAS, the use of trains is often the most efficient method to move cargo across the country and as a necessity trains carrying potentially explosive cargo will travel through populated areas; and

WHEREAS, we, as leaders, need to examine the problem and come to a solution that allows the use of cost effective, environmentally friendly, and rapid transportation of goods across the United States; and

WHEREAS, much discussion has been had regarding the safety of utilizing rail shipments to carry hazardous materials and most opinions call for replacement of older style train cars in favor of ones better designed and constructed to withstand the impacts involved with a train accident and to require trains to proceed through populated areas at a greatly reduced speed; and

WHEREAS, the federal government currently has proposals in front of Congress to increase rail safety by both phasing out the unsafe tanker calls and slowing down trains running through inhabited areas.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the U.S. Congress and its proposals to phase out the use of unsafe shipping containers and reduce the speed of trains while traveling through populated areas of our nation; and; be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the U.S. Congress and any parties deemed necessary and proper.

MR. LORIGO moved to amend the item 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.

Item 46 – MR. LORIGO presented the following resolution and moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

RE: Support for Changing Asbestos Project  
Notification Fees  
(INTRO. 11-2)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
MILLS, LORIGO, RATH, DIXON, HARDWICK & MORTON

WHEREAS, current New York State laws set the asbestos project notification fees at parity for both friable and non-friable asbestos materials; and

WHEREAS, non-friable materials pose significantly fewer health concerns than friable materials and as such the notification fees for asbestos abatement projects should be set at levels that reflect that reality; and

WHEREAS, the notification fees can quickly add up creating a burden and negatively impacting contractors' ability to complete a project and has prevented smaller residential projects from being performed; and

WHEREAS, members of the construction community have indicated a greater willingness to participate in smaller asbestos abatement projects if the notification fees are lowered especially if the project is of a smaller scale; and

WHEREAS, this honorable body believes the proposal in the Senate to alter fees for non-friable asbestos removal project notification fees will help contractors efficiently partake in asbestos abatement projects and increase the number of projects involving the removal of asbestos in Western New York buildings.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports Senate bill S3828-2015, its Assembly companion bill A3099-2015, and encourages the State of New York to make meaningful reform to the construction industry; and, be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, the Western New York Delegation to the New York State Senate and Assembly, and all parties deemed necessary and proper.

MR. LORIGO moved to amend the item to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 47 – MR. LORIGO presented the following resolution and moved for consideration. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

RE: Support for Release of Subcontractor's  
Retainage Fees  
(INTRO. 11-3)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
LORIGO, MILLS, DIXON, MORTON, RATH & HARDWICK

WHEREAS, current New York State laws allows contractors to accept public funds and pay their subcontractors after an entire project has been completed; and

WHEREAS, many subcontractors finish a substantial portion of their work prior to the completion of the final project; and

WHEREAS, in certain instances the subcontractor may be waiting on the 5% to 10% retainage fee for nearly a year or more before being paid the retainage fee; and

WHEREAS, retainage fees often represent the profit that will be made by the subcontractor, leaving them to carry lost revenue for the duration of the holding period; and

WHEREAS, members of the New York State Legislature and the construction industry have put forth proposals requiring the release of subcontractor retainage fees held by a public owner or contractor sixty (60) days after completion of the subcontracting work; and

WHEREAS, this measure would help subcontractors get paid immediately after completion of their work, while affording the general contractor the opportunity to inspect the sub's work.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the New York State Senate bill S2924-2015 and the Assembly's companion bill A4266-2015; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegations to the New York State Senate and Assembly.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 48 – CHAIR MILLS directed that the following resolution be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

INTRO. 11-4 from LEGISLATORS BURKE, SAVAGE, GRANT, MILLER-WILLIAMS & LOUGHRAN. Calling on the Administration of ECC to Develop Short and Long-Term Plans to Improve the Services and Facilities of ECC.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 49 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 10E-12. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

RE: EC Sewer District No. 3 - Modification  
of Plans - Bond Resolution  
(COMM. 10E-12, 2015)

RESOLUTION NO. 134-2015  
BOND RESOLUTION DATED MAY 28, 2015

AMENDED BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,100,000 BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 3; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,100,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY ERIE COUNTY SEWER DISTRICT NO. 3 TO SAID COUNTY.

(Introduced) May 14, 2015  
(Adopted) May 28, 2015



WHEREAS, pursuant to proceeding had and taken in accordance with the provisions of Article 5A of the County Law and more particularly a resolution of this County Legislature dated May 28, 2015, an increase and improvement of facilities for Sewer District No. 3 (the "Original Purpose") has been approved at an estimated maximum cost of \$9,100,000, and

WHEREAS, on May 19, 2005 the County Legislature adopted a bond resolution authorizing the \$9,100,000 of bonds of the County to finance the costs of the Original Purpose (the "2005 Bond Resolution"), and

WHEREAS, several of the components of the Original Purpose have been completed, and

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law, a modification of the plans for the facilities of Erie County Sewer District No. 3 to include the approval of certain additional improvements within such District, including but not limited to improvements to Southtowns Advanced Wastewater Treatment Facility and implementation of the Rush Creek Interceptor project, has been approved, and

WHEREAS, the County Legislature desires to amend the 2005 Bond Resolution to expand the objects and purposes or classes of objects and purposes to be financed to include the modifications referred to herein,

NOW, THEREFORE BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), THAT THE 2005 BOND RESOLUTION SHALL BE AMENDED TO READ AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended (the "Law"), and to the provisions of other laws applicable thereto, \$9,100,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of an increase and improvement of facilities in Erie County Sewer District No. 3, consisting of the construction of new pumping facilities at Milestrip Pumping Station to pump directly to the Southtowns Advance Wastewater Treatment Facility and the discharging of dry weather flows from the Blasdell Treatment Plant directly into the Northeast Interceptor, as more fully described in a report and estimate of cost approved by the Board of Managers of the Erie County Southtowns Sewage Treatment Agency on January 27, 2005 and filed with the County Legislature pursuant to Section 268 of the County Law, as modified to include improvements to the Southtowns Advanced Wastewater Treatment Facility and implementation of the Rush Creek Interceptor project, as more fully described in the report and estimate of cost approved by the Board of Managers of said District on February 27, 2015 and filed with the County Legislature pursuant to Section 268 of the County law. The estimate maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$9,100,000. The plan of financing includes the issuance of \$9,100,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of interest on said bonds and notes, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in (i) Erie County Sewer District No. 3, (ii) the Town of Hamburg on behalf of the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer District Nos. 21, 7, 10, 5, 4, 8, and 11 of the Town of Hamburg, (iii) Wanakah Sewer District

No. 3, (iv) Mount Vernon Sewer District No. 2, and (v) the Village of Hamburg, and (vi) the Village of Blasdell, each in accordance with their respective proportionate shares of equivalent dwelling units in their service areas, as determined pursuant to the Southtowns Agreement.

Section 2. The period of probable usefulness for the specific objects or purposes for which said \$9,100,000 bonds herein authorized to be issued, within the limitations of Section 11.00a.4 of the Law, is forty (40) years.

Section 3. Current funds are not required to be provided as a down payment prior to the issuance of the \$9,100,000 bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00d.3 of said Law.

Section 4. The County intends to finance and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 50 – MR. LORIGO moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 10E-26. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 135

RE: EC Public Health Lab - Revised Testing  
Schedule  
(COMM. 10E-26, 2015)

WHEREAS, New York State Public Health Law, Article 6, require that in order for a county to receive State Aid it must charge for services at a rate comparable to the cost of providing these services; and

WHEREAS, the Erie County Health Department currently charges fees for Environmental Health, Medical Examiner, Public Health Laboratory and Clinical services under a fee schedule; and

WHEREAS, the proposed amended fee schedule will generate revenues, which will be directly applied to offset the cost of providing these programs; and

WHEREAS, it is estimated that this action will result in an annual revenue increase of approximately \$45,000 above the existing fee schedule, all of which will be utilized in the Department of Health.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby adopts the proposed fee schedule revisions effective June 1, 2015 for the Erie County Department of Health as follows:

**Public Health Laboratory Fees and Charges**

**Environmental Testing Services**

**Inorganic Chemistry Analyses**

<b>ANALYTE</b>	<b>Fee (current schedule)</b>	<b>Fee (Revised)</b>
Color	\$5.36	<b>\$10.00</b>
pH	\$10.71	<b>\$15.00</b>
Alkalinity	\$21.42	<b>\$28.00</b>
Total Solids	\$10.71	<b>\$14.00</b>
Total Dissolved Solids	\$10.71	<b>\$14.00</b>
Total Suspended Solids	\$10.71	<b>\$14.00</b>
Settleable Solids	\$10.71	<b>\$10.00</b>
Calcium Hardness	\$10.71	<b>\$18.00</b>
Total Hardness	\$10.71	<b>\$18.00</b>
Chloride	\$10.71	<b>\$25.00</b>
Cyanide	\$21.42	<b>\$40.00</b>
Fluoride	\$21.42	<b>\$25.00</b>
Nitrate	\$16.07	<b>\$25.00</b>
Nitrite	\$10.71	<b>\$25.00</b>
Nitrite	\$10.71	<b>\$25.00</b>
Orthophosphates	\$10.71	<b>\$25.00</b>
Sulfate	\$10.71	<b>\$25.00</b>
Turbidity	\$10.71	<b>\$15.00</b>
Ammonia	\$21.42	<b>\$35.00</b>

**Dialysis Fluid, Metals and Inorganics**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
<b>Dialysis Water Metals:</b> Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Selenium, Silver, Thallium, Zinc, Calcium, Magnesium, Potassium, Sodium	NA	<b>\$90.00</b>
<b>Dialysis Inorganics:</b> Fluoride, Sulfate, Nitrate	NA	<b>\$30.00</b>

**Metals**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
<b>Trace Metals Scan:</b> Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Thallium, Zinc	NA	<b>\$80.00</b>

<b>NYS Part 5 Table 8B:</b> Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium, Mercury, Nickel, Selenium, Thallium	NA	<b>\$50.00</b>
<b>Distilled Water Metals Check:</b> Cadmium, Chromium, Copper, Lead, Nickel, Zinc	NA	<b>\$30.00</b>
Aluminum	NA	<b>\$20.00</b>
Arsenic	\$10.71	<b>\$20.00</b>
Barium	\$10.71	<b>\$20.00</b>
Cadmium	\$10.71	<b>\$20.00</b>
Chromium	\$10.71	<b>\$20.00</b>
Copper	\$10.71	<b>\$20.00</b>
Iron	\$10.71	<b>\$20.00</b>
Lead	\$10.71	<b>\$20.00</b>
Manganese	\$10.71	<b>\$20.00</b>
Mercury	\$21.42	<b>\$20.00</b>
Nickel	\$10.71	<b>\$20.00</b>
Selenium	\$10.71	<b>\$20.00</b>
Silver	\$10.71	<b>\$20.00</b>
Sodium	\$10.71	<b>\$20.00</b>
Zinc	\$10.71	<b>\$20.00</b>

**Disinfection Byproducts**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
Haloacetic acids	\$133.88	<b>\$160.00</b>
Trihalomethanes	\$42.84	<b>\$50.00</b>
Chlorate, Chlorite	NA	<b>\$25.00</b>
Bromate	NA	<b>\$35.00</b>
Bromide	NA	<b>\$25.00</b>

**Organic Chemistry Analyses**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
Total Volatile Organic Compounds (VOCs), NYS Part 5	\$107.10	<b>\$150.00</b>
Semi-volatiles (Pesticide, PCB), NYS Part 5	NA	<b>\$225.00</b>
Oil & Grease	\$21.42	<b>\$50.00</b>
Total Petroleum Hydrocarbons (TPH) (pending availability)	\$42.84	<b>\$55.00</b>

**Microbiology Services**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
Standard Plate Count	\$16.07	<b>\$16.00</b>
Coliform, Total (Colilert)	\$10.71	<b>\$11.00</b>
E. coli (Enumeration)	\$10.71	<b>\$11.00</b>
Coliform, Total (Filter)	\$16.07	<b>\$16.00</b>

Coliform, Fecal (Filter)	\$16.07	<b>\$16.00</b>
E. coli (Filter-mTEC)	\$16.07	<b>\$16.00</b>
Enterococci, (Filter-mEI)	contract	<b>\$16.00</b>
BOD-Biological Oxygen Demand	\$26.78	<b>\$30.00</b>
COD-Chemical Oxygen Demand	\$26.78	<b>\$30.00</b>
Frozen Dessert (Total Coliform)	\$5.36	<b>\$8.00</b>
Frozen Dessert (Standard Plate Count)	\$5.36	<b>\$10.00</b>
Restaurant Swab (Total Coliform)	\$5.36	<b>\$8.00</b>
Restaurant Swab (Standard Plate Count)	\$5.36	<b>\$10.00</b>
Autoclave Sterilization Spore Test (Sterility)	\$6.96	<b>\$10.00</b>
		<b>Call for pricing and availability</b>
Biological Air Monitoring	\$535.50	

**Community Environmental Health Laboratory Service Testing Packages**

<b>ANALYTE</b>	<b>Price (current)</b>	<b>Price (Revised)</b>
Potable Well Water Testing Package (includes total coliform/E. coli; nitrate; and lead analysis)	\$48.20	<b>\$62.00</b>
Enhanced Potable Well Water Testing Package (includes Potable Well Water Package + volatile solvents [petroleum] analysis)	\$155.30	<b>\$235.00</b>
Mortgage Well Water Testing Package (includes total coliform/E. coli, nitrate, nitrite, and lead analysis)	\$59.75	<b>\$80.00</b>
Recreational Water Bacterial Testing Package (E. coli or Enterococci culture analysis)	\$16.07	<b>\$16.00</b>
Recreational water Enterococci testing by qPCR *		<b>\$25.00</b>
Microcystin detection - Semi-Quantitative *		<b>\$35.00</b>
Microcystin detection - Quantitative *		<b>\$50.00</b>
Unknown Powder/ Substance ID *	\$50.00/ hour	<b>\$50.00/hour</b>

**Clinical Laboratory Services**

**BACTERIOLOGY**

Culture, general aerobic	na	<b>\$14.00</b>
Culture, general anaerobic	na	<b>\$18.00</b>
Bacterial Identification, per isolate, aerobic	na	<b>\$14.00</b>
Bacterial Identification, per isolate, anaerobic	na	<b>\$14.00</b>
Stool Culture	\$8.73	<b>\$15.50</b>
Culture, <i>Gonorrhea</i>	\$5.57	<b>\$10.50</b>
- Bacterial identification	na	<b>\$13.00</b>
- Confirmatory, Accuprobe	na	<b>\$28.00</b>
Gram Stain	\$13.39	<b>\$7.00</b>
Wet Prep	\$3.64	<b>\$7.00</b>
GC/Ct Nucleic Acid Amplification Test (Male urine / Female swab)	\$18.74	<b>\$25.00</b>

Pertussis PCR, <i>B. pertussis</i> and <i>B. parapertussis</i> w/ <i>B. holmesii</i> diff.	na	<b>\$100.00</b>
LRN Reference testing, Rule out B.anthraxis, Brucella, Fraciscella, or Y. pestis		<b>No fee</b>

**CLINICAL CHEMISTRY**

Chemistry analysis, Alkaline phosphatase, ALT, AST, Total Bilirubin, etc. - Call Lab for additional chemistry analytes and availability	\$5.39/analyte	<b>\$7.00</b>
Urine Pregnancy (hCG)	\$2.14	<b>\$10.00</b>

**DIAGNOSTIC IMMUNOLOGY**

Hepatitis B Virus Surface Antigen	\$11.87	<b>\$19.00</b>
Hepatitis B Virus Surface Antibody	\$10.82	<b>\$16.00</b>
Hepatitis C Virus Antibody	\$10.71	<b>\$24.00</b>
Syphilis Treponemal Antibody	\$13.60	<b>\$18.00</b>
RPR (Rapid Plasma Reagin) Non-treponemal Antibody	\$3.75	<b>\$9.00</b>
TPPA		<b>\$18.00</b>
HIV-1/HIV-2 Antibody EIA	\$15.17	<b>\$18.00</b>
Multispot HIV-1/HIV-2 Differentiation/Confirmation		<b>\$35.00</b>
HSV-2 Antibody (IgG type specific)	\$14.50	<b>\$30.00</b>

**VIROLOGY**

Influenza A/B Screen, PCR		<b>\$50.00</b>
Influenza A subtyping, PCR		<b>\$25.00</b>

**Miscellaneous Services (previously not offered, will enhance customer service)**

	<b>Price (current)</b>	<b>Price (Revised)</b>
Shipment and Handling of Water Sample kits		<b>\$5.00</b>
Specimen Packaging & Shipping, Category A		<b>\$ 60.00 plus shipping</b>
Specimen Packaging & Shipping, Category B		<b>\$30.00 plus shipping</b>
Dry Ice shipments (add-on cost)		<b>\$13.00</b>
Courier Fee (Routine)		<b>\$2.00</b>
Courier Fee (After-hours, Weekends, Emergency) -call for availability		<b>\$25.00</b>
RUSH analysis Fee -call for availability		<b>\$100.00</b>
Sample Storage – Long-term		<b>\$25.00</b>

; 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 Commissioner Gale R. Burstein in the Erie County Department of Health.

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, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Item 51 – MR. LORIGO moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 10E-27. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 136

RE: EC Correctional Health Services –  
Personnel Adjustments  
(COMM. 10E-27, 2015)

WHEREAS, the Erie County Department of Health provides medical oversight and medical staffing to provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, pursuant to the 2011 Stipulated Order of Dismissal, correctional health issues are under oversight from a Technical Compliance Consultant from the U.S. Department of Justice; and

WHEREAS, that consultant has recommended that in order to provide necessary nursing oversight, one position of Quality Improvement Nurse-Correctional Health and one position of Assistant Director of Nursing-Correctional health should be created.

NOW, THEREFORE, BE IT

RESOLVED, that in order to satisfy the recommendation of the U.S. Department of Justice's technical compliance consultant for Correctional Health, the Erie County Legislature hereby authorizes the creation of one full-time competitive managerial-confidential position of Assistant Director of Nursing-Correctional Health, JG 14, Step 0 (\$55,434 annual salary) B-100 #8178 and one full time position of a Quality Improvement Nurse-Correctional Health, JG 10, Step 1 (\$55,284 annual salary) B-100 #8179 in the NYSNA bargaining unit, with both positions to be budgeted in cost center 1276010; and be it further

RESOLVED, that the following budgetary adjustments to the 2015 Budget are hereby authorized effective June 1, 2015:

Fund 110 - 2015 Budget  
12760 – Correctional Health Services Division



<u>Expense Accounts</u>	<u>Increase/ (Decrease)</u>
500000 Full Time Salaries	\$ 65,580
502000 Fringe Benefits	\$ 35,413
Total	\$100,993

Fund 110 - 2015 Budget  
120- Social Services

<u>Expense Account</u>	<u>Increase/ (Decrease)</u>
525000 MMIS Medicaid Local Share	(\$100,993)
Total	(100,993)

and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the necessary budgetary transfers to provide funding for these two positions; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 52 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-25 from the COUNTY EXECUTIVE. Re: Geotechnical Investigation & Design - Mill Street, Town of Concord

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 53 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-26 from the COUNTY EXECUTIVE. Re: Isle View Park - Tribute Garden Wall - Phase II

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-27 from LEGISLATOR DIXON. Re: Letter Regarding Child Daycare Concerns

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 55 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-28 from the COMPTROLLER. Re: 2015 Revenue Anticipation Note Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 56 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-29 from the SHERIFF. Re: Funding for Departmental Purchases from Forfeiture Crime Proceeds

Item 57 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-30 from the SHERIFF. Re: Funding for Departmental Purchases from Jail Phone Revenue Account

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 58 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11D-9 from the COMMISSIONER, DEPARTMENT OF PUBLIC WORKS. Re: Letter Regarding County Executive Appointment to EC Bridge and Road Infrastructure Maintenance Advisory Board

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 59 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 137

RE: Buffalo and EC Botanical Gardens –  
2015 Houses 2 & 3 Renovation –  
Alternate No. 1  
(COMM. 11E-1)

WHEREAS, the Department of Public Works received bids for the Buffalo and Erie County Botanical Gardens-2015-Houses 2 & 3 Renovation on January 22, 2015; and

WHEREAS, Houses 2 & 3 were designed to be reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and would improve the appearance of the Botanical Gardens, as well as correct and preserve the glass structures which are failing; and

WHEREAS, currently, House 3 is closed when wind velocities exceed 40 mph; and

WHEREAS, the House 2 & 3 Reconstruction Package was bid out September 2014 but there were insufficient funds available to award the project. After rebidding the project in January 2015, lower bids were received; and

WHEREAS, the Erie County Legislature previously authorized the County Executive to enter into contracts for The Buffalo and Erie County Botanical Gardens 2015 Houses 2 & 3 Renovation Project; and

WHEREAS, not all Alternates were accepted in awarding the above contracts due to insufficient funds; and

WHEREAS, additional funds are now available to accept Alternate No. 1 for the reconstruction of House 2 at the Buffalo and Erie County Botanical Gardens; and

WHEREAS, the County Executive is requesting authorization to issue a Contract Amendment to Telco Construction, Goodwin Electric Corporation and Quackenbush Co. Inc. to accept alternate bid No. 1 for the Buffalo and Erie County Botanical Gardens 2015 Houses 2 & 3 Renovation to reconstruct House 2.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to accept add alternate bid No. 1 for the work relative to the reconstruction of House 2 at the Buffalo and Erie County Botanical Gardens as follows:

General Construction Work

Telco Construction Alternate No. 1 Bid: \$ 679,000.00

Electrical Construction Work

Goodwin Electric Corporation Alternate No. 1 Bid: \$ 29,500.00

Mechanical Construction Work

Quackenbush Co. Inc. Alternate No. 1 Bid: \$ 53,000.00

Total Contract Amendments for House 2 Alternate No. 1 Bids: \$ 761,500.00

RESOLVED, that the sum of \$88,500.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP account A.14024 – 2014 Buffalo and Erie County Botanical Gardens Master Plan Implementation for a total amount not to exceed \$850,000, with that funding coming from a designation of 2014 funds into the 2015 Budget; and be it further

RESOLVED, that authorization is hereby provided to increase the budget funded by an interfund transfer and to make the following adjustments in the 2014 Budget in order to provide funding for this request:

2014 General Fund 110 - Revenue Adjustment  
Fund 110 - Fund Center 120

Revenue	<u>Increase</u>
411490 – TANF FFFS	\$850,000
DSS Total	\$850,000
570050 – Interfund Transfer- Capital	<u>\$850,000</u>
Inter-Fund Total	\$850,000
Net - Fund 110 - Revenue less Expense	0

; and be it further,

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to establish a designation in 2014 for the amounts indicated above and to reappropriate said funds into 2015, 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.

**FROM THE SHERIFF**

Item 60 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 138

RE: Operation Stonegarden for FY13  
(COMM. 11E-2)

WHEREAS, the US Department of Homeland Security through the NYS Division of Homeland Security and Emergency Services has awarded 118,481.00 for FY 13 to Erie County in funding to increase security along the Canadian Border; and

WHEREAS, the Erie County Sheriff's Office will coordinate with police departments from the City of Buffalo, the Town of Cheektowaga, the Town Evans, the Town of Hamburg, the City of Tonawanda and the Town of Tonawanda to conduct joint law enforcement patrols in support of the U.S. Border Patrol's mission of apprehending terrorists and their weapons as they attempt to enter the United States illegally; and

WHEREAS, the funds will be used for overtime of the participating law enforcement agencies, including fringe benefits associated with the mission, and to purchase equipment required to support this program; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Department of Homeland Security to accept \$118,481.00 for FY 13; and be it further

RESOLVED, that the County Executive is authorized to enter into sub-contracts with the participating agencies to reimburse the expenses they incur while participating in the Stonegarden Border Security Operation; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281 and budget those funds as follows:

Erie County Sheriff's Office  
FY 13 Operation Stonegarden Grant  
September 1, 2013 to August 31, 2015

REVENUE	Increase
Account 414000 - Federal Revenue	\$ 118,481.00
TOTAL REVENUE	\$ 118,481.00
APPROPRIATIONS Account	Increase
Account 501000 - Overtime Account	\$ 15,145.00
Account 502000 - Fringe Benefits	\$ 4,390.86
Account 505600 - Auto Supplies	\$ 6,611.14
Account 516010 - Contractual Payments	\$ 88,842.00
Account 561410 - Lab & Technical Equipment	\$ 3,492.00
TOTAL APPROPRIATIONS	\$ 118,481.00

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 be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff.

FROM LEGISLATOR SAVAGE

Item 61 – (COMM. 10E-6) Appointment Recommendations to NYS Governor to ECMCC Board of Directors

Received, filed and printed.

May 18, 2015

RE: 5/14/15 Abstention on COMM. 10E-4 (2015), Fifth Amendment to Lock-Up Agreement  
By and Between the City of Buffalo and Erie County

Dear Ms. McCarthy:

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order and Section 5b of Erie County Local Law No. 10-1989, my abstention to the vote concerning the above was to avoid any possible conflict of interest based on my prior legal representation of the City of Buffalo.

Sincerely,  
PETER J. SAVAGE, III  
Erie County Legislator – 3<sup>rd</sup> District

FROM CHAIR MILLS

Item 62 – (COMM. 11E-4) Letter to Clerk of the Legislature Calling for Public Hearing Regarding ECC Proposed 2015-16 Budget

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 63 – (COMM. 11E-5) ECC - Authorization of an Online Orientation Software Purchase

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 64 – (COMM. 11E-6) Retaining a Consultant to Perform an Agribusiness Park Feasibility Study

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 65 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 139

RE: Town of Evans Shoreline Trail - Multi-Use Pathway - Phase III - Legal Name Correction to Approved Engineering Firm  
(COMM. 11E-7)

WHEREAS, Erie County is desirous of engaging engineering services for Phase III to the Evans Multi-Use Pathway; and

WHEREAS, the Erie County Legislature approved Communication 2E-16 (2015), on May 14, 2015 wherein the County Executive was authorized to execute a contract with Wendel in an amount not to exceed \$230,230, for the purposes of conducting Engineering Design Services which are necessary prior to construction of Phase III to the Evans Multi-Use Pathway; and

WHEREAS, it has been determined that the legal name of Wendel is Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC; and

WHEREAS, a new resolution is necessary to include the legal name noted above.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC, in an amount not to

exceed \$230,230, for the purposes of conducting Engineering Design Services which are necessary prior to construction of Phase III to the Evans Multi-Use Pathway; and be it further

RESOLVED, that the County Executive be authorized to execute contract amendments to the aforementioned contract in a cumulative amount not to exceed \$56,000; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account No. A.14079, Evans Multi-Use Pathway; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Environment and Planning, 10<sup>th</sup> Floor, Rath Building; the Office of the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; and the Office of the County Attorney.

Item 66 – (COMM. 11E-8) Storm Drainage Design - Lake Shore Road, Town of Evans

Item 67 – (COMM. 11E-9) EC Highway Facility Harlem Road - 2015 - Fleet Building Addition

Item 68 – (COMM. 11E-10) Agreement to Participate in the Tonawanda Rails to Trails Extension Federal Aid Project

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

FROM LEGISLATOR RATH

Item 69 – (COMM. 11E-11) Letter to Town of Amherst Supervisor Regarding Maple Road Cross Walk Project with NYS DOT

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 70 – (COMM. 11E-12) NYS Office of Parks - Environmental Protection Fund Program - Seneca Bluffs Natural Habitat Park Grant

Item 71 – (COMM. 11E-13) EC Sewer District No. 4 - Engineering Agreement Closeout - CRA Infrastructure & Engineering Inc.

Item 72 – (COMM. 11E-14) EC Sewer District No. 6 - Modification of Plans - EC Sewer Agency Report

Item 73 – (COMM. 11E-15) EC Sewer District No. 6 - Engineer Term Contract Agreement - CRA Infrastructure & Engineering Inc - Work Order CRA-5

Item 74 – (COMM. 11E-16) EC Sewer District No. 8 - Appointment to the Board of Managers



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

Item 75 – (COMM. 11E-17) Sale of Tax Certificates - 83 Roland Street, Cheektowaga to BENLIC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR LORIGO**

Item 76 – (COMM. 11E-18) Letter to Director of Budget and Management Regarding Information Requested for Mid-Year Budget Hearings

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY CLERK**

Item 77 – (COMM. 11E-19) Approval of Extension of Lease from Northtown Inc., as Landlord to EC for Northtown Auto Bureau

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM CHAIR MILLS**

Item 78 – (COMM. 11E-20) OPEN ITEM: EC Department of Social Services - Child Protective Services Updates

Item 79 – (COMM. 11E-21) OPEN ITEM: EC Department of Social Services - Adult Protective Services Updates

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

**FROM THE COUNTY EXECUTIVE**

Item 80 – (COMM. 11E-22) EC Holding Center - 2014 - Various Renovations Phase 2 - Locker Room Renovations

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 81 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 140

RE: Department of Emergency Services - No  
Cost Training  
(COMM. 11E-23)

WHEREAS, the Department of Emergency Services is routinely offered no cost state of the art training opportunities by State and Federal agencies; and

WHEREAS, the Department of Emergency Service is responsible for All Hazard Mitigation within the County; and

WHEREAS, on occasion no cost trainings are offered by the producers and transporters of hazardous materials; and

WHEREAS, CSX railroad has offered no cost hands on Responder Outreach for Unit Train Emergencies training at their Atlanta, Georgia Railroad Education Institute.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Department of Emergency Services to participate in no cost travel such as the CSX Responder Outreach for Unit Train Emergencies in Atlanta, Georgia; 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 Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

**FROM THE SHERIFF**

Item 82 – (COMM. 11E-24) Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COUNTY ATTORNEY**

Item 83 – (COMM. 11D-1) Notice of Local Law 2 (2015) Filing

Received and filed.

**FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES**

Item 84 – (COMM. 11D-2) Comm. 12E-34 Compliance Report - April - CPS Caseloads

Received and filed.

**FROM THE CLERK OF THE LEGISLATURE**

Item 85 – (COMM. 11D-3) Public Hearing Notice Regarding ECC Proposed 2015-16 Budget

Item 86 – (COMM. 11D-4) Organizations Funded by Erie County - 2014 Close-Out Report

Item 87 – (COMM. 11D-5) Organizations Funded by Erie County - 2015 Budget Submissions

The above three items were received and filed.

**FROM THE DEPARTMENT OF ENVIRONMENT AND PLANNING**

Item 88 – (COMM. 11D-6) Bi-Monthly Report - ECC Academic Building

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 89 – (COMM. 11D-7) NYS DEC Documents Received

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 90 – (COMM. 11D-8) Supplemental Information Regarding Comm. 10E-27 (2015) - EC Correctional Health Services - Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE BUFFALO & EC PUBLIC LIBRARY**

Item 91 – (COMM. 11M-1) May 21, 2015 Board of Trustees Agenda

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE MUSEUM OF DISABILITY HISTORY**

Item 92 – (COMM. 11M-2) Spring 2015 Newsletter

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM NYS ASSEMBLYMAN MICHAEL P. KEARNS**

Item 93 – (COMM. 11M-3) Letter Regarding Small Boat Harbor's Public Access and Proposed Parking Fee

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM VISIT BUFFALO NIAGARA**

Item 94 – (COMM. 11M-4) 2015 First Quarter Report

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE NYS ASSOCIATION OF COUNTIES**

Item 95 – (COMM. 11M-5) 2015-2016 State Budget Impact Report for EC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE MWBE UTILIZATION ADVISORY BOARD**

Item 96 – (COMM. 11M-6) March 30, 2015 Meeting Minutes

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

**FROM THE EC FIRE ADVISORY BOARD**

Item 97 – (COMM. 11M-7) Letter Regarding EC Fire Training Facilities Repair

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE TOWN OF LANCASTER**

Item 98 – (COMM. 11M-8) Town Resolution Regarding Wireless 911 Cell Phone Surcharge

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE TOWN OF MARILLA**

Item 99 – (COMM. 11M-9) Town Resolution Regarding Wireless 911 Cell Phone Surcharge

Received and referred to the PUBLIC SAFETY COMMITTEE.

**ANNOUNCEMENTS**

Item 100 –CHAIR MILLS announced a public hearing is scheduled for June 3, 2015, 1:30 p.m., regarding the proposed increase and improvements for EC Sewer District No. 3.

Item 101 – CHAIR MILLS announced the committee schedule for June 4, 2015 has been distributed.

Item 102 –CHAIR MILLS announced a public hearing is scheduled for June 4, 2015, 3:30 p.m., regarding the proposed 2015-2016 Erie Community College Budget.

Item 103 – CHAIR MILLS announced the next legislative session is scheduled for June 11, 2015, 2:00 p.m.

Item 104 – CHAIR MILLS announced the Finance & Management Committee’s Mid-Year Budget Hearings schedule for June 15-June 19, 2015 has been distributed.

**MEMORIAL RESOLUTIONS**

Item 105 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Joseph Freeley and Shirley K. Herrmann.

Item 106 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of John R. DeGlopper and George A. Newman Sr.

Item 107 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Charles J. Ardillo Sr.

**ADJOURNMENT**

Item 108 - 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, June 11, 2015 at 2:00 p.m. Eastern Standard Time. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, June 11, 2015 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY**  
**CLERK OF THE LEGISLATURE**