



THE ERIE COUNTY LEGISLATURE

Session No. 13

July 14, 2016

John J. Mills
Chair

Joseph C. Lorigo
Majority Leader

Thomas A. Loughran
Minority Leader

Karen M. McCarthy
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Savage

PLEDGE OF ALLEGIANCE – Mr. Lorigo

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - [Session No. 12](#)

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

BURKE	Proclaiming the Organizers of the South Buffalo Walk for Hope as the Erie County Legislature's Citizens of the Month for July 2016
BURKE	Celebrating the 25th Anniversary of Ukraine Independence
MORTON & BURKE	Honoring Marian Kreutzer on Being Named the Grand Marshal for the 78th Annual Pulaski Day Parade
RATH	Honoring James F. Gerber for His 50th Year as Director of the Akron Community Band

LOCAL LAWS:

REFERENCE:

LL INTRO. 3-1 2/29/2016	BURKE	A LL Entitled, "SPRAWL PREVENTION ACT" Otherwise Known as "MUNICIPAL AND REGIONAL INTERESTS ACT" for the Creation of an Erie County Planning Board	Finance & Management
LL INTRO. 4-2 3/14/2016	SAVAGE, LOUGHRAN & BURKE	A LL in the Relation to Prohibiting the Sale of Tobacco Products and Electronic-Cigarettes in Licensed Health Care Institutions, Pharmacies and Retail Establishments Containing Pharmacies in Erie County	Health & Human Services
LL INTRO. 5-1 3/8/2016	LORIGO	A LL Increasing Governmental Transparency	Government Affairs
LL INTRO. 6-1 3/8/2016	LORIGO	A LL Requiring Publication of Ethical and Financial Disclosure Information	Government Affairs

LL INTRO. 7-1 3/14/2016	LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
LL INTRO. 8-1 4/11/2016	MILLER-WILLIAMS & GRANT	A LL in the Relation to Prohibiting the Asking of Questions Regarding or Pertaining to an Applicant's Prior Criminal Convictions on Preliminary Employment	Government Affairs
LL INTRO. 9-1 6/30/2016	MILLS	A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 5-2015.	Approved
LL INTRO. 10-1 7/11/2016	LOUGHRAN & HARDWICK	Requiring a Minority Business Utilization and Women-Owned Business Utilization Commitment by Persons or Firms Contracting with the County of Erie Law	Government Affairs

COMMITTEE REPORTS:

[REPORT NO. 11](#) HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 5](#) COMMUNITY ENRICHMENT COMMITTEE

[REPORT NO. 11](#) FINANCE & MANAGEMENT COMMITTEE

[REPORT NO. 12](#) ENERGY & ENVIRONMENT COMMITTEE

[REPORT NO. 12](#) ECONOMIC DEVELOPMENT COMMITTEE

[REPORT NO. 10](#) PUBLIC SAFETY COMMITTEE

LEGISLATOR RESOLUTIONS:

[INTRO. 13-1](#) SAVAGE, LORIGO, LOUGHRAN, GRANT, RATH, HARDWICK, BURKE & MILLER-WILLIAMS

A Resolution Asking Governor Cuomo to Sign Into Law S.8114/A.10706 - State Assumption of Costs for Indigent Legal Defense Services

REFERENCE:

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

REFERENCE:

From the Finance & Management Committee:

COMM. 4E-22	COUNTY EXECUTIVE	Rath Building Security	Approved as Amended
COMM. 12E-4	DISTRICT ATTORNEY	Justice Court Notifications	Approved as Amended
COMM. 12E-19	COUNTY EXECUTIVE	EC Public Health Lab - Revised Testing Schedule	Approved

SUSPENSION OF THE RULES:

REFERENCE:

INTRO. 13-2	MILLS & RATH	Request for an Update on the State's Funding of Rehabilitation and Reconstruction of Local Highways and Roads Through the PAVE NY Program	Approved
COMM. 13E-40	COUNTY EXECUTIVE	Sprague Brooke Park - Campsite Electric Installation	Economic Development
COMM. 13E-41	SHERIFF	School Resource Officer 2014/2015	Public Safety
COMM. 13E-42	SHERIFF	School Resource Officer 2015/2016	Public Safety
COMM. 13E-43	SHERIFF	School Resource Officer 2016/2017	Public Safety
COMM. 13E-44	COUNTY EXECUTIVE	Department of Social Services - Comprehensive Employment Program Staffing	Health & Human Services
COMM. 13E-45	COUNTY EXECUTIVE	Sprint Spectrum Realty Company LLC Cell Tower Lease Amendment	Economic Development
COMM. 13E-46	COUNTY EXECUTIVE	Award of Professional Services Contract for Employee Training	Government Affairs
COMM. 13E-47	COUNTY EXECUTIVE	Department of Senior Services - Accept Section 5310 Enhanced Mobility Grant Funding	Health & Human Services
COMM. 13E-48	COUNTY EXECUTIVE & SHERIFF	Transfer of Division of Correctional Health to the EC Sheriff's Office	Public Safety
COMM. 13E-49	COUNTY EXECUTIVE	Letter Withdrawing Appointment of Commissioner of the Department of Central Police Services	RFP

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 13E-1	COUNTY EXECUTIVE	Appointment of Commissioner of the Department of Central Police Services	Failed
COMM. 13E-2	MILLS	Letter Clerk of the Legislature Calling a Public Hearing Regarding LL Intro. 9-1 (2016)	RFP

COMM. 13E-3	LORIGO	Letter to County Executive Regarding Communications Between Legislative District Offices and County Departments	R&F
COMM. 13E-4	COUNTY EXECUTIVE	Letter to Legislator Lorigo Regarding Communications Between Legislative District Offices and County Departments	R&F
COMM. 13E-5	COUNTY EXECUTIVE	EC Sewer District No. 5 - Engineer Term Contract Agreement - Work Order W-4	R&F
COMM. 13E-6	COUNTY EXECUTIVE	Letter Regarding ECC STEM Building Award of Bid	Community Enrichment
COMM. 13E-7	COUNTY EXECUTIVE	Tonawanda Rails to Trails Extension - Right-of-Way Acquisition, City of Tonawanda	Economic Development
COMM. 13E-8	COUNTY EXECUTIVE	Agreement to Construct and Maintain Pedestrian Facilities on a County Road, Village of Hamburg	Economic Development
COMM. 13E-9	COUNTY EXECUTIVE	Buffalo Niagara Convention Center - 2016 Toilet Room Renovations, Loading Dock Railings, Sprinkler Conversion and Fire Alarm Upgrades	Economic Development
COMM. 13E-10	COUNTY EXECUTIVE	Buffalo & EC Public Library - Central Library - New ADA Elevator	Economic Development
COMM. 13E-11	COUNTY EXECUTIVE	EC Medical Examiner's Office - Laboratory Renovations - Phase 4	Economic Development
COMM. 13E-12	COUNTY EXECUTIVE	EC Home - 2016 Perimeter Fencing Re-Bid	Economic Development
COMM. 13E-13	COUNTY EXECUTIVE	EC Highway Facility Harlem Road - 2016 Fleet Building Addition	Economic Development
COMM. 13E-14	COUNTY EXECUTIVE	Various Highway Maintenance Facilities - 2015 New Salt Storage Buildings - Construction Contingency Fund Increase	Economic Development
COMM. 13E-15	COUNTY EXECUTIVE	Hamburg Highway Maintenance Facility - 2016 New Salt Storage Building	Economic Development
COMM. 13E-16	COUNTY EXECUTIVE	EC Holding Center - 2014 Various Renovations - Phase 2 Locker Room Renovations - Construction Contingency Increase	Economic Development
COMM. 13E-17	COUNTY EXECUTIVE	US EPA Great Lakes Restoration Initiative Grant: Buffalo River RAP Project Management: Bailey/Smith Habitat Restoration Delisting Project - Budget Revision	Energy & Environment

COMM. 13E-18	COUNTY EXECUTIVE	Department of Parks - Derby Parkland Acquisition	Energy & Environment
COMM. 13E-19	COUNTY EXECUTIVE	Application for NYS Climate Smart Communities Funding: Food Waste Composting at EC Correctional Facility	Energy & Environment
COMM. 13E-20	COUNTY EXECUTIVE	EC Sewer District No. 3 - Ontario & Park Sanitary Sewer - Cured-In-Place Lining Project - Opening Bid	Energy & Environment
COMM. 13E-21	COUNTY EXECUTIVE	BENLIC - Preemptive Bid Powers & Subsequent Repayment Agreement with EC	Finance & Management
COMM. 13E-22	COUNTY EXECUTIVE	Levy of the 2016-2017 School Tax Budgets	Finance & Management
COMM. 13E-23	COUNTY EXECUTIVE	Technical Adjustments to Inactive Capital Projects	Finance & Management
COMM. 13E-24	COUNTY EXECUTIVE	Risk Retention Fund - Supplemental Appropriation	Finance & Management
COMM. 13E-25	COMPTROLLER	Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Mar., Apr. and May 2016	Finance & Management
COMM. 13E-26	COUNTY EXECUTIVE	Department of Personnel - Acceptance to Donation from Labor Management Health Fund	Government Affairs
COMM. 13E-27	COUNTY EXECUTIVE	Medical Examiner's Office - Transfer of Funds	Health & Human Services
COMM. 13E-28	COUNTY EXECUTIVE	Department of Health - Acceptance of Grant Award EC Teen Pregnancy Prevention	Health & Human Services
COMM. 13E-29	COUNTY EXECUTIVE	Department of Health - Health Division - Authorization to Contract with Fee-For-Service Grant Writers	Health & Human Services
COMM. 13E-30	COUNTY EXECUTIVE	Department of Health Public Health Lab Division - Personnel Adjustment	Health & Human Services
COMM. 13E-31	COUNTY EXECUTIVE	Department of Mental Health - Authorization to Accept OMH Funding for Enhancement of Evidence-Based Systems of Care in Mental Health Forensic Clinics Division	Health & Human Services
COMM. 13E-32	COUNTY EXECUTIVE	Department of Mental Health - Youth Detention Mental Health Services	Health & Human Services

COMM. 13E-33	COUNTY EXECUTIVE	Department of Senior Services - Outreach and Public Education Services to Target Populations	Health & Human Services
COMM. 13E-34	COUNTY EXECUTIVE	Department of Social Services - Employee Education and Training	Health & Human Services
COMM. 13E-35	COUNTY EXECUTIVE	Department of Social Services Family Wellness Division - Child Protective Service Adjustments - Contract with Buffalo Public Schools	Health & Human Services
COMM. 13E-36	LORIGO & DIXON	Letter to Commissioner of Health Regarding Status of Opioid/Heroin County Hotline	Health & Human Services
COMM. 13E-37	DIXON	Letter to Commissioner of Public Works Regarding MWBE Bid Practices	Minority & Women Business Enterprise
COMM. 13E-38	DIXON	Letter to Director of the Commission on the Status of Women Regarding the Work of the Commission	Minority & Women Business Enterprise
COMM. 13E-39	COUNTY EXECUTIVE	Youth Services Contract with Niagara County	Public Safety

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 13D-1	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding LL Intro. 9-1 (2016)	R&F
COMM. 13D-2	CLERK OF THE LEGISLATURE	Comments Received Regarding LL Intro. 9-1 (2016)	R&F
COMM. 13D-3	CLERK OF THE LEGISLATURE	NYS DEC Documents Received	R&F
COMM. 13D-4	COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING	Information Regarding EC Parks System - Retention of Consultant to Update the Parks Master Plan	R&F
COMM. 13D-5	DEPARTMENT OF BUDGET & MANAGEMENT	2016 Mid-Year Budget Hearing Information	R&F
COMM. 13D-6	COUNTY ATTORNEY	Letter Regarding EC Charter Revision Recommendations	R&F
COMM. 13D-7	COUNTY ATTORNEY	Notice of Public Hearing Regarding LL Intro. 2-4 (2016)	R&F
COMM. 13D-8	REAL PROPERTY TAX SERVICES	2016 State & Class Equalization Rates	R&F
COMM. 13D-9	COUNTY ATTORNEY	Letter Regarding ECC STEM Building Award of Bid	Community Enrichment

COMM. 13D-10	DEPARTMENT OF BUDGET & MANAGEMENT	Budget Monitoring Report for Period Ending May 2016	Finance & Management
COMM. 13D-11	REAL PROPERTY TAX SERVICES	2016 Annual Report	Finance & Management
COMM. 13D-12	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 13D-13	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 13D-14	COMMISSIONER, DEPARTMENT OF HEALTH	Letter to Legislators Regarding Status of Opioid/Heroin County Hotline	Health & Human Services

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 13M-1	NYS UNIFIED COURT SYSTEM	Opinion Regarding Justice Court Notifications	R&F
COMM. 13M-2	EC BAR ASSOCIATION	Assigned Counsel Program - Quarterly Report for 4th Quarter 2015	R&F
COMM. 13M-3	EC BAR ASSOCIATION	Assigned Counsel Program - Quarterly Report for 1st Quarter 2016	R&F
COMM. 13M-4	EC BAR ASSOCIATION	Assigned Counsel Program - Financial Report, Attorneys on Panel, Board of Directors Meeting Minutes	R&F
COMM. 13M-5	EC BAR ASSOCIATION AID TO INDIGENT PRISONERS, INC	Board of Directors Meeting Minutes	R&F
COMM. 13M-6	BUFFALO & EC NAVAL & MILITARY PARK	Board of Directors Meeting Minutes	R&F
COMM. 13M-7	NFTA	Apr. 28, 2016 Board Minutes	R&F
COMM. 13M-8	MARK MEYERHOFER	Letter to Legislators Regarding LL Intro. 2-4 (2016)	R&F
COMM. 13M-9	ZDARSKY, SAWICKI & AGOSTINELLI LLP	Follow-Up Letter Regarding ECC STEM Building Award of Bid	Community Enrichment
COMM. 13M-10	TOWN OF LANCASTER	Town Resolution Regarding Support for Como Lake to Remain a Lake	Energy & Environment
COMM. 13M-11	EC Fiscal Stability Authority	Resolution Approving the 2015 ECFSA Annual Financial Audit	Finance & Management

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: