

**ERIE COUNTY LEGISLATURE
MEETING NO. 6
MARCH 17, 2016**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Lorigo, who read an Irish Blessing.

The Pledge of Allegiance was led by Mr. Mills.

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 5 from 2016. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Honoring Jennifer Letina the 2016 St. Patrick's Day Parade Grand Marshal.

Item 6 – MR. LOUGHRAN presented a resolution In Remembrance of Former Buffalo Bills Cheerleader and SPCA Activist Amy M. Venski-Oliver, and Raising Awareness of Pancreatic Cancer on the Anniversary of Amy's Passing.

Item 7 – MS. MILLER-WILLIAMS & MR. LOUGHRAN presented a resolution Honoring the Work of the American Red Cross of Western New York.

Item 8 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing the Month of April 2016 as "Donate Life America Month" in Erie County, and to Educate the Public About the Importance of Being a Registered Organ Donor So That Others May Live.

Item 9 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing the Month of April 2016 as "Earth Month", and April 22, 2016 as "Earth Day" in Erie County.

Item 10 – MR. MILLS presented a resolution Congratulating Irvine Gaffney on Her Retirement as Town of Collins Historian, Serving Since 1977.

Item 11 – MR. MILLS presented a resolution Congratulating Leonard K. Pero on Receiving the Evans-Brant Chamber of Commerce's 2015 Citizen of the Year Award.

Item 12 – MR. SAVAGE presented a resolution Honoring William A. "Bill" Buyers as the Erie County Legislature's Citizen of the Month for March 2016.

Item 13 – MR. SAVAGE presented a resolution Congratulating William A. Buyers on his 86th Birthday.

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above nine items by adding one miscellaneous resolution for MS. DIXON, and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 14 – CHAIR MILLS directed that Local Law No. 2 (Print #2) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2015 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2015 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 2 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 20 – MR. LORIGO moved to take Local Law No. 4 (Print #1) 2016 off the table, and to receive and file the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 21 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 25 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

March 10, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 5E-23 (2016)
COUNTY EXECUTIVE: "Establishment of an Opioid Epidemic Task Force"
(5-0)

2. COMM. 5E-21 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of community based mental and behavioral health services for the residents of Erie County; and

WHEREAS, a 2016 budget appropriation was allocated to Restoration Society Inc. (RSI) for provision of Office of Mental Health and Department of Housing and Urban Development services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) has informed the Erie County Department of Mental Health of a \$250,000 increase to its State Aid for fiscal year 2016 (annualized also to \$250,000 starting in 2017), with a quick time frame requirement for implementing the associated mental and behavioral health services; and

WHEREAS, in order to quickly implement these mental and behavioral health services, the Erie County Department of Mental Health recommends that the County immediately amend its contract with RSI for the provision of the targeted mental and behavioral health services related to the new OASAS funding; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve individuals residing in Erie County; and

WHEREAS, \$250,000 in NYS OASAS funding is being appropriated to RSI for fiscal year 2016.

NOW, THEREFORE, BE IT

RESOLVED, that in order to implement mental and behavioral health services to youth and young adults associated with the new Youth Clubhouse and enable them to develop the necessary social skills for promoting long-term health, wellness, recovery and a drug-free lifestyle, the Department of Mental Health is authorized to immediately amend the agency contract of RSI; and be it further

RESOLVED, that the County Executive is hereby authorized to accept the NYS OASAS funding and amend the 2016 contract with RSI for a period commencing April 1, 2016 (and annually thereafter); and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to process the following budgetary adjustment:

2016 Budget
Department of Mental Health, Business Area 124
Cost Center 1241020, Fund 110

<u>Revenue</u>		<u>Increase</u>
406860	State Aid	\$250,000

<u>Expense</u>		<u>Increase</u>
517768	Restoration Society ASA	\$250,000

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.

(5-0)

3. COMM. 5E-22 (2016)

COUNTY EXECUTIVE

WHEREAS, Legislative resolution 9E-13 dated May 14, 2105, authorized the Department of Senior Services acceptance of the NY State Office for the Aging's (NYSOFA) award of \$167,278 in Balancing Incentive Program (BIP) Caregiver Support Program grant (163BIPCSP1516) monies for the period April 1, 2015 through March 31, 2016; and

WHEREAS, subsequent to the adoption of resolution 9E-13 (2015), NYSOFA placed a Statewide hold on releasing BIP Caregiver Support monies pending finalization of program instructions from their Federal funding agency; and

WHEREAS, as a result, the Department of Senior Services, to date, has not incurred any expenditures in this grant; and

WHEREAS, NYSOFA has recently released revised program instructions for the 163BIPCSP1516 grant which alter the ways the \$167,278 in 100% Federally funded grant monies can be used to assist caregivers of Medicaid recipients; and

WHEREAS, the NYSOFA revised program instructions also extend the grant end date from March 31, 2016 to June 30, 2017; and

WHEREAS, the Department of Senior Services desires to now utilize the grant monies to continue operating it's Ready, Set, Home program to assist hospitals and rehabilitation facilities make safe discharges of high risk Medicaid beneficiaries, whose caregivers need assistance in caring for the care receiver in the community during the waiting period for Medicaid Managed Long Term Care coverage to take effect; and

WHEREAS, the existing 163BIPCSP1516 budget needs to be amended to conform with the revised program instructions including increasing appropriations budgeted for client services; and

WHEREAS, to free up grant appropriations for client services, the Department of Senior Services desires to transfer, effective April 1, 2016, the vacant Case Manager Senior Services position #872 from the 163BIPCSP1516 grant to the 163III-B2016 grant; and

WHEREAS, the Department of Senior Services, currently contracts with a variety of approved subcontract agencies for the provision of various services and supports for eligible clients, including home care and home delivered meals, now desires to amend such contracts to utilize BIP Caregiver Support Program grant monies to purchase such services and supports for individuals eligible for this program.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to contract with the NY State Office for the Aging to utilize the \$167,278 of BIP Caregiver Support Program (163BIPCSP1516) grant monies for the revised period April 1, 2015 through June 30, 2017; and be it further

RESOLVED, that, effective April 1, 2016, Case Manager position #872 be transferred from the 163BIPCSP1516 grant to the 163III-B2016 grant (B100 #8625); and be it further

RESOLVED, that, the Department of Senior Services is authorized to utilize its existing subcontract agencies to provide the necessary client services to individuals eligible for the BIP Caregiver Support Program; and be it further

RESOLVED, that the budget for the BIP Caregiver Support Program grant 163BIPCSP1516, be amended as follows:

		INITIAL	CHANGE	AMENDED
		BUDGET		BUDGET
APPROPRIATIONS				
Account	Description			
500000	Full Time Salaries	\$ 35,500	-\$35,500	-0-
500350	Other Employee Payments	841	-841	-0-
502000	Fringe Benefits	20,490	-20,490	-0-
505000	Office Supplies	400	-400	-0-
510000	Local Mileage Reimbursement	2,000	-2,000	-0-
510200	Training & Education	500	-500	-0-
516020	Professional Svcs Contracts & Fees	69,410	-69,410	-0-
516025	Geriatric Counseling	27,000	-27,000	-0-
516027	Meal Preparation	-0-	+16,500	16,500
516026	Home Care Services	-0-	+92,610	92,610
530000	Other Expenses	3,000	+55,168	58,168
916390	ID Senior Services Grants	8,137	-8,137	-0-
	TOTAL APPROPRIATIONS	<u>167,278</u>	<u>-0-</u>	<u>167,278</u>

and be it further

RESOLVED, that the budget for the 163III-B2016 grant be amended as follows:

		AMENDED BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS				
Account	Description			
500000	Full Time Salaries	\$ 651,631	+\$26,158	\$677,789
502000	Fringe Benefits	406,150	+16,218	422,368
516020	Professional Svcs Contracts & Fees	85,238	-42,376	42,862
TOTAL APPROPRIATIONS		<u>\$1,143,019</u>	<u>-0-</u>	<u>1,143,019</u>

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 grantor awards; and be it further

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

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

(5-0)

LYNNE M. DIXON
CHAIR

Item 26 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

March 10, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 5D-7 (2016)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(5-0)

2. COMM. 4E-15 (2016)
COUNTY CLERK

WHEREAS, the Erie County Clerk is responsible for processing all pistol permits in Erie County and the maintenance of related records; and

WHEREAS, the County Clerk purchased Gunkeeper, a proprietary software created by Vivax Corporation, several years ago for the tracking and issuing of permits; and

WHEREAS, the Clerk's office has identified a need for additional licenses to enable timely processing of pistol permit records; and

WHEREAS, the Clerk's Office/Registrar Division has identified a funding source to pay for these additional software licenses from unanticipated revenues recorded in the 2015 revenue lines of the Clerk's Office and designated for reappropriation into 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the allocation of the following funds from unanticipated revenues to adjust the Clerk's 2015 Budget as follows:

2015 Budget - County Clerk, Business Area 113
Fund Center 11310-Registrar Division

	<u>Increase</u>
421000 Pistol Permits	\$20,000
561410 Lab & Tech Equipment	\$20,000

; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the carry forward of this appropriation to the Clerk's 2016 Budget; and be it further

RESOLVED, that the Budget Director and Comptroller may make any changes necessary to effectuate the implementation of this resolution; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Clerk, the Director of Budget and Management, and the County Comptroller.
(5-0)

3. COMM. 5E-19 (2016)
COUNTY EXECUTIVE

WHEREAS, the Youth Services Division has previously contracted with Community Connections of New York (CCNY) to develop and implement an online reporting and dashboard software system; and

WHEREAS, annual license agreements to support the applications on the platform are required; and

WHEREAS, full-time support coverage is desired for basic computer issues, solving technical problems and investigating elevated issues; and

WHEREAS, development, support and implementation of said services is not efficiently provided by Erie County Department of Information Support Services; and

WHEREAS, because CCNY has developed and implemented the four application systems in use by Youth Services it is deemed best to maintain their services and expertise as a contract vendor; and

WHEREAS, Youth Services Division is seeking the consistency and compatibility the use of this vendor will provide; and

WHEREAS, the Youth Services Division has available balances within their 2016 budget to contract with Community Connections of New York for the annual purchase of 132 licenses and full-time software support coverage of the four applications, owned by DSS, on the Salesforce platform.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with CCNY to provide full-time software support coverage of the online reporting and dashboard system and 132 licenses in the amount of \$20,658, funding being available in account 516020, professional services, of the Youth Services Division; and be it further

RESOLVED, the County Administrative Code requirement in section 19.08 Request for Proposals (RFP) is hereby waived, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Social Services, and the Division of Youth Services.
(5-0)

KEVIN R. HARDWICK
CHAIR

Item 27 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

March 10, 2016

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. 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 216058 through 216076, 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	2016	Petition No.	216,058.00
	ASSESSOR	Cancel	\$918.16
S-B-L	93.01-1-112./006	15 Calla Way	143089 CHEEKTOWAGA
	Acct. No. 112		\$230.59 County
	Acct. No. 132		\$687.57 Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$687.57
	Relevy School		\$272.25

RPS550(2): Duplicate Entry
Delete parcel from the tax roll

FISCAL YEAR	2016	Petition No.	216,059.00
	ASSESSOR	Cancel	\$3,927.60
S-B-L	80.17-16-33	77 Highview Rd	143089 CHEEKTOWAGA
	Acct. No. 112		\$378.88 County
	Acct. No. 132		\$3,548.72 Town/SpecialDist/School
	30025 FIRE # 6 CLEVELAND HILL		\$101.03
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$3,447.69
	Relevy School		\$2,180.50

RPS550(2): Duplicate Entry
Delete parcel from the tax roll

FISCAL YEAR	2016	Petition No.	216,060.00
	ASSESSOR	Refund	\$580.00

S-B-L 235.01-1-7 8542 Erie Rd 144489 EVANS
Acct. No. 112 \$0.00 County
Acct. No. 132 \$580.00 Town/SpecialDist/School
44069 ERIE CO SEW DIST 2 \$580.00
Charge To : 144489 EVANS \$0.00

RPS550(2): Incorrect Sewer Charge
Refund to be issued to Richard and Delores Spoth

FISCAL YEAR 2016 Petition No. 216,061.00
ASSESSOR Refund \$920.00
S-B-L 184.00-6-40 5870-5930 South A 146089 ORCHARD PARK
Acct. No. 112 \$0.00 County
Acct. No. 132 \$920.00 Town/SpecialDist/School
60700 ERIE CO#3 ARM MCKNY \$920.00
Charge To : 146089 ORCHARD PARK \$0.00

RPS550(2): Incorrect Sewer Charge
Refund to be issued to Catholic Ch of Armor, St Bernadette

FISCAL YEAR 2015 Petition No. 216,062.00
ASSESSOR Refund \$880.00
S-B-L 182.00-6-40 5870-5930 South A 146089 ORCHARD PARK
Acct. No. 112 \$0.00 County
Acct. No. 132 \$880.00 Town/SpecialDist/School
60700 ERIE CO#3 ARM MCKNY \$880.00
Charge To : 146089 ORCHARD PARK \$0.00

RPS550(2): Incorrect Sewer Charge
Refund to be issued to Catholic Ch of Armor, St Bernadette

FISCAL YEAR 2014 Petition No. 216,063.00
ASSESSOR Refund \$860.00
S-B-L 184.00-6-40 5870-5930 South A 146089 ORCHARD PARK
Acct. No. 112 \$0.00 County

Acct. No. 132 \$860.00 Town/SpecialDist/School
60700 ERIE CO#3 ARM MCKNY \$860.00
Charge To: 146089 ORCHARD PARK \$0.00

RPS550(2): Incorrect Sewer Charge
Refund to be issued to The Diocese of Buffalo

FISCAL YEAR 2013 Petition No. 216,064.00

ASSESSOR Refund \$840.00
S-B-L 184.00-6-40 5870-5930 SOutH A 146089 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$840.00 Town/SpecialDist/School
60700 ERIE CO#3 ARM MCKNY \$840.00
Charge To: 146089 ORCHARD PARK \$0.00

RPS550(2): Incorrect Sewer Charge
Refund to be issued to The Diocese of Buffalo

FISCAL YEAR 2016 Petition No. 216,065.00

OWNER Refund \$148.44
S-B-L 112.56-2-6.1 1180 Bailey Ave 140200 BUFFALO

Acct. No. 112 \$0.00 County
Acct. No. 132 \$148.44 Town/SpecialDist/School
5201 Code RP520 \$148.44
Charge To: 140200 BUFFALO \$0.00

RPS550(2): Error calculating 520 amount
Refund to be issued to Michelle Rzeszutek

FISCAL YEAR 2016 Petition No. 216,066.00

ASSESSOR Cancel \$950.07
S-B-L 335.16-1-39 51 Franklin St 143801 SPRINGVILLE

Acct. No. 112 \$753.39 County
Acct. No. 132 \$196.68 Town/SpecialDist/School
Charge To: 143801 SPRINGVILLE \$196.68

RPS550(2): Village owned
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,067.00
	ASSESSOR	Cancel	\$64.03
S-B-L	335.16-1-38	VL Factory	143801 SPRINGVILLE
	Acct. No. 112		\$50.78 County
	Acct. No. 132		\$13.25 Town/SpecialDist/School
<u>Charge To :</u>		143801 SPRINGVILLE	\$13.25

RPS550(2): Village owned
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,068.00
	ASSESSOR	Cancel	\$40.22
S-B-L	335.16-1-37	22 Factory	143801 SPRINGVILLE
	Acct. No. 112		\$31.89 County
	Acct. No. 132		\$8.33 Town/SpecialDist/School
<u>Charge To :</u>		143801 SPRINGVILLE	\$8.33

RPS550(2): Village owned
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,069.00
	ASSESSOR	Cancel	\$90.84
S-B-L	335.16-1-40	53 Franklin St	143801 SPRINGVILLE
	Acct. No. 112		\$72.03 County
	Acct. No. 132		\$18.81 Town/SpecialDist/School
<u>Charge To :</u>		143801 SPRINGVILLE	\$18.81

RPS550(2): Village owned
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,070.00
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ASSESSOR Cancel \$385.80
S-B-L 140.00-5-19.1 1761 Eastwood Rd 145400 MARILLA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$385.80 Town/SpecialDist/School
Charge To : 145400 MARILLA \$385.80

RPS550(2): Incorrect Sewer Charge
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,071.00

ASSESSOR Cancel \$244.07
S-B-L 61.00-1-34.1 12706 Main St 145689 NEWSTEAD

Acct. No. 112 \$244.07 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 145689 NEWSTEAD \$0.00

RPS550(2): Error calculating exemption
New TAX bill to be issued

FISCAL YEAR 2016 Petition No. 216,072.00

ASSESSOR Cancel \$164.13
S-B-L 223.20-4-13 3015 E Pleasant Av 144000 EDEN

Acct. No. 112 \$93.23 County
Acct. No. 132 \$70.90 Town/SpecialDist/School
Charge To : 144000 EDEN \$70.90

RPS550(2): Removed exemption in error
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 216,073.00

ASSESSOR Refund \$574.17
S-B-L 27.07-2-42 257 N Rockingham 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$574.17 Town/SpecialDist/School

Charge To : 142289 AMHERST \$574.17
Relevy Village \$574.17 Village of AMHERST
RPTL550(2): Failed to apply basic STAR exemption.
Refund to be issued to Jason Santiago

FISCAL YEAR 2016 Petition No. 216,074.00

ASSESSOR Cancel \$107.33
S-B-L 216.00-4-19.1 7146 Olean Rd 145000 HOLLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$107.33 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$107.33

RPTL550(2): Incorrect exemption calculation
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 216,075.00

ASSESSOR Cancel \$780.21
S-B-L 203.00-2-5.11 13201 Warner Hill 146600 WALES

Acct. No. 112 \$0.00 County
Acct. No. 132 \$780.21 Town/SpecialDist/School
Charge To : 146600 WALES \$780.21

Relevy Village \$780.21 Village of WALES
RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,076.00

ASSESSOR Cancel \$319.85
S-B-L 203.00-2-5.11 13021 Warner Hill 146600 WALES

Acct. No. 112 \$249.21 County
Acct. No. 132 \$70.64 Town/SpecialDist/School
Charge To : 146600 WALES \$70.64

RPTL550(2): Incorrect assessment
New tax bill to be issued

; and, be it further

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

JOSEPH C. LORIGO
CHAIR

Item 28 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

March 10, 2016	ENERGY & ENVIRONMENT 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. 5E-18 (2016)

MILLS: “Letter to Chair of Energy & Environment Committee Regarding Interviews for Commissioner of the EC Water Authority”
(6-0)

b. COMM. 5M-3 (2016)

JEROME D. SCHAD: “Letter of Interest for Commissioner of the EC Water Authority”
(6-0)

2. COMM. 3E-11 (2016)

COUNTY EXECUTIVE **AS AMENDED**

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the East Aurora Wastewater Treatment Plant Tank No. 1 Air Line Replacement Project, Erie County Sewer District No.8, Contract No. 16 at 10:00 a.m. on March 3, 2016:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 16	Hohl Industrial Services, Inc. 770 Riverview Blvd. Tonawanda, NY 14150	\$297,300.00

; and

WHEREAS, the aforementioned lowest responsible bidder is recognized as a reputable contractor capable of completing this project; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there are adequate cash reserves in Erie County Sewer District No.8 Capital Reserve Account C.11801.

NOW, THEREFORE, BE IT,

RESOLVED, that the East Aurora Wastewater Treatment Plant Tank No.1 Air Line Replacement Project, Erie County Sewer District No.8, Contract No. 16 be awarded as follows

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 16	Hohl Industrial Services, Inc. 770 Riverview Blvd. Tonawanda, NY 14150	\$297,300.00

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$297,300.00 from Sewer Capital, Erie County Sewer District No.8, Account C.00071 for Contract No. 16; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer \$300,000.00 from Erie County Sewer District No.8 Capital Reserve Account C.11801 to Sewer District No.8 Capital Account C.00071 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to increase estimated revenue and appropriations in Erie County Sewer District No.8 Capital Account C.00071 by \$300,000.00 for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

3. COMM. 4E-12 (2016)
COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals from consulting firms to perform professional services associated with the Erie County Sewer District No. 3 - Flow Monitoring and I/I Quantification Project; and

WHEREAS, the completion of flow monitoring and I/I quantification will assist Erie County Sewer District No. 3 in making informed decisions relative to collection system work and regulatory requirements; and

WHEREAS, the project has been awarded a \$100,000.00 grant from the New York State Department of Environmental Conservation; and

WHEREAS, Erie County Sewer District No.3 has adequate cash in its capital reserve account C. 00007 to fund the local share of this project; and

WHEREAS, a review committee was established to evaluate all responses to the County's Request for Proposals for this project, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends Arcadis of New York, Inc. (Arcadis) to complete the requested consulting services; and

WHEREAS, the Division of Sewerage Management has determined that this proposed project is a Type II action in accordance with 6 NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT,

RESOLVED, that Arcadis be retained to perform professional services associated with the Erie County Sewer District No. 3- Flow Monitoring and I/I Quantification Project for the Division of Sewerage Management; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Arcadis, 50 Fountain Plaza, Suite 600, Buffalo, New York 14202 for professional services associated with this project in an amount not to exceed \$180,000.00, subject to approval as to content by the Commissioner of the Department of Environment and Planning and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to establish a Capital Project in "ECSD No. 3 Flow Monitoring .2M" in Erie County Sewer District No. 3 (C.16301) with budgeted Appropriations and estimated Revenues as follows:

Appropriations	
Estimated Revenue	\$200,000
Transfer in Capital Reserve	\$100,000
Grant NYSDEC	\$100,000

RESOLVED, that the Director of Budget and the County Comptroller be authorized to transfer \$100,000 from Erie County Sewer District No. 3 capital reserve account C.00007 to Erie

County Sewer District No. 3 Capital Project C.16301 and to establish all budgetary accounts as necessary to facilitate the transfer of \$100,000; and be it further

RESOLVED, that the Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the Erie County Director of Budget and Management, the Erie County Comptroller, Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.
(6-0)

4. COMM. 5E-16 (2016)

COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the County Executive has made an appointment to the Erie County Sewer District No. 3 Board of Managers pursuant to the power vested to him by Article 5-A of the County Law and Section 2204 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointment to the Erie County Sewer District No. 3 Board of Managers is hereby confirmed:

Erie County Sewer District No. 3	Term Expires
Mr. Emery Wittmeyer (Appointment)	
4295 South Buffalo St	12/31/17
Orchard Park, NY 14127	

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the Board of Managers, the appointee and Joseph Fiegl, P.E. - Deputy Commissioner of the Department of Environment and Planning.
(6-0)

TED B. MORTON
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

March 10, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. INTRO. 17-1 (2015)
MORTON

WHEREAS, with the growth of Lancaster over the past several years the amount of traffic on William Street has increased exponentially; and

WHEREAS, this has led to a dangerous situation for pedestrians and bikers who also use this county road during periods of heavy traffic; and

WHEREAS, William Street needs to be redesigned and reconstructed between Transit Road and Aurora Street in the Town of Lancaster in such a way that it can support the increased traffic count and ensure pedestrian safety; and

WHEREAS, local residents have signed a petition asking for the county to take care of its road and now it is time for something to be done; and

WHEREAS, Executive Poloncarz needs to take appropriate measures to protect the safety of the public and the residents who live in Lancaster and all county residents that walk or drive on William Street.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the redevelopment and redesign of William Street in the Town of Lancaster to keep in mind the safety of drivers and others that share the road with motorists; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Commissioner of the Department of Public Works, the Town of Lancaster Supervisor, the Superintendent for Highways of the Town of Lancaster, and any other party deemed necessary and proper.

(6-0)

EDWARD A. RATH, III
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 45

March 10, 2016	PUBLIC SAFETY COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. INTRO. 5-4 (2016)
RATH, MILLS, LORIGO, DIXON, HARDWICK & MORTON AS AMENDED

WHEREAS, the volunteer fire service in New York provides fire and emergency response to 79% of the State's population (outside the City of New York), including our residents here in Erie County; and

WHEREAS, these dedicated men and women put in countless hours of training and response time, which results in a \$3.87 billion annual savings to taxpayers; and

WHEREAS, the numbers of volunteer firefighters has declined over the years from approximately 120,000 volunteers throughout the State in the 1990's, to less than 84,000 in 2010, with the average volunteer age steadily increasing; and

WHEREAS, in 2010, the Firemen's Association of the State of New York (FASNY) received a \$4.2 million Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Federal Department of Homeland Security, with the goal of the grant focused on recruitment and retention of volunteer firefighters throughout New York; and

WHEREAS, by integrating a statewide mass media campaign, local "train the recruiter" seminars and an innovative community college tuition reimbursement program, FASNY was able to enlist 20,000 new volunteers over the four year grant period; and

WHEREAS, while this success helped stem the hemorrhaging of volunteers, it still leaves the volunteer force far below what is necessary to maintain public safety at the highest level; and

WHEREAS, prior to the grant period ending, FASNY applied for a second SAFER grant (FY2014), but despite meeting, and significantly exceeding, all performance goals of the original grant, their request was denied; and

WHEREAS, as a result, FASNY has had to curtail their statewide recruitment and retention efforts and will have to suspend the community college tuition reimbursement program in the near future, which is designed to encourage youth to join the ranks of volunteer firefighters by their pursuit of a community college degree in exchange for volunteer service, and where they covered this year's tuition out of their own budget; and

WHEREAS, it is estimated that volunteer firefighters account for such a significant portion of emergency services calls that property taxes would have to be raised 26.5%, with projections in Erie County being 34.4%, to account for their efforts if they were replaced by career firefighters; and

WHEREAS, FASNY is currently developing an application for the FY2015 SAFER grant, which would enable them to continue their recruitment and retention efforts so that the manpower level of New York's volunteer fire service is adequate to meet the demands placed upon it; and

WHEREAS, without the FY2015 SAFER grant, there would likely be a return to the past decades of decline in the volunteer firefighter ranks, a loss of funding and enrollment at community colleges across the State of New York, and a drop in the quality of response on the part of Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the awarding of the Fiscal Year (FY) 2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant to the Fireman's Association of the State of New York (FASNY); and be it further

RESOLVED, that this honorable body hereby supports the refunding of money paid by FASNY for the 2015-2016 community college tuition reimbursement program in addition to receiving the FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Brian E. Kamoie, Assistant Administrator of the Federal Emergency Management Agency for Grant Programs; County Executive Mark Poloncarz; the Erie County Department of Emergency Services; the Firemen's Association of the State of New York; U.S. Senator for New York Chuck Schumer; U.S. Senator for New York Kirsten Gillibrand; U.S. Congressman for New York Chris Collins; U.S. Congressman for New York Brian Higgins; and all parties deemed necessary and proper.
(6-0)

2. COMM. 5E-25 (2016)

COUNTY EXECUTIVE

WHEREAS, the New York State Division of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$209,112 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept this funding in order to purchase the necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security and Emergency Services to receive \$209,112 in federal grant funding for the Erie County Department of Emergency Services; and be it further

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

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

Erie County Department of Emergency Services
FY15 Public Safety Answering Point (PSAP)
Operations Grant

Revenue	Increase
Account 414000 Federal Aid	\$209,112.00

Appropriations	Increase
Account 516030 Maintenance Contracts	<u>\$209,112.00</u>
Total	\$209,112.00

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.
(6-0)

3. COMM. 5E-26 (2016)

SHERIFF

WHEREAS, the NYS Division of Homeland Security and Emergency Services has awarded \$100,000 to the Erie County Sheriff's Office in funding for an Incident Response Vehicle; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$100,000 in funds for an Incident Response Vehicle; 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 Division of Homeland Security to receive \$100,000 in grant funding for the Erie County Sheriff's Office; 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 Sheriff's Office
Tactical Team Targeted Grant
December 7, 2015 to August 31, 2018

<u>REVENUE</u>	<u>Increase</u>
Account 414000 - Federal Revenue	<u>\$ 100,000</u>
TOTAL REVENUE	<u>\$ 100,000</u>

<u>APPROPRIATIONS</u>	<u>Increase</u>
Account 561440- Motor Vehicle	<u>\$ 100,000</u>
TOTAL APPROPRIATIONS	<u>\$ 100,000</u>

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.

(6-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

RE: Celebrating March as Women's History
Month
(INTRO.6-1)

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

WHEREAS, March is Women's History Month as declared both by the State of New York and also by the Congress of the United States of America; and

WHEREAS, this year the Erie County Legislature does hereby officially set aside time to recognize the unique and varied contributions that women have made to Erie County and our community; and

WHEREAS, this Honorable Body is currently, and in past years has been, served by many Women Legislators who work together to improve the representation and participation of women in all areas of government, support issues that affect women and their families in Erie County and provide a network of support for women in the Erie County Legislature; and

WHEREAS, today three Women serve as Honorable Legislators for Erie County bringing the diverse experiences of women into law and public policy; and

WHEREAS, in addition to the Women Legislators in this Honorable Body there are many women in positions of leadership in the business and political community of Erie County that make significant contributions to the families of Erie County in their daily work and service.

NOW, THEREFORE, BE IT

WHEREAS, those 18 years or older, who have risk factors of chronic kidney disease should be screened for the disease by having their blood tested for creatinine, a waste product: if their kidney function is abnormal, the creatinine level will be elevated; and

WHEREAS, the County of Erie wishes to designate the month of March as “Kidney Disease Awareness Month” in Erie County to raise awareness of chronic kidney disease and its risk factors, and to encourage those who are able to consider registering as an organ donor.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby declares that beginning in 2016, and continuing every year thereafter, the month of March shall be designated as “Kidney Disease Awareness Month” in Erie County; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Commissioner of the Department of Health, and all other parties deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

Item 33 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

RE: Support for NYS Funding for the WNY
Southtowns Scenic Byway
(INTRO.6-3)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, the creation of the Southtowns Scenic Byway has led to the construction of informative signs and the preservation of the natural landscape across miles of roadway crossing much of Western New York; and

WHEREAS, the WNY Scenic Byway is the only state legislated byway in Western New York; and

WHEREAS, funding in the amount of \$50,000 has been requested by Senator Gallivan for the FY 2017 Budget; and

WHEREAS, that funding could provide for the expansion of the Interpretive Sign Project, increasing the Project by fourteen (14) signs placed at various notable locations in towns and villages along the byway route; and

WHEREAS, the allocation of this vital funding would also allow for further marketing of the Southtown areas including Springville and Orchard Park, which are already drawing visitors from all across New York.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests that funding be included in the 2017 FY budget for the Western New York Southtowns Scenic Byway; and, be it further

RESOLVED, that certified copies be sent to the Western New York Delegation for the New York State Senate and Assembly, Governor Cuomo's Office, and any party deemed necessary and proper.

Item 34 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

RE: Amendment to 2016 Rules of Order
Regarding Rule 5.09
(INTRO.6-4)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, the Erie County Legislature would like to amend the Erie County Rules of Order for the Erie County Legislature; and

WHEREAS, one day notice is required to be filed with the Clerk of the Legislature pursuant to section 5.09 of the 2016 Rules.

NOW, THEREFORE, BE IT

RESOLVED, amend section 5.09 AMENDMENT OF RULES of the Erie County Rules of Order to read as follows:

5.09 AMENDMENT OF RULES

These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Legislature, and only after at least one day's notice in writing, filed with the Clerk of the Legislature. Any additions to the Rules of Order shall be underlined and any deletions shall be bracketed [].

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

RE: Department Name Change for Office of
the Disabled
(INTRO. 6-5)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR BURKE

WHEREAS, the Erie County Office for the Disabled has a long track record of providing people with disabilities access to services and organizations to improve their quality of life; and

WHEREAS, it is important to recognize that a person with a disability is not defined nor confined by that disability; and

WHEREAS, according to the United States Department of Labor, the correct terminology is "person with a disability" rather than "disabled person" as it uses people first language which strives to put the person before the disability to describe what the person has, rather than what the person is; and

WHEREAS, inappropriate descriptors perpetuate the feeling of these individuals as being pitied, ignored, or feared and counteract Erie County's mission to be inclusive.

NOW, THEREFORE, BE IT

RESOLVED, Erie County recognizes the need to use wording that does not apply negative labels to individuals; and

RESOLVED, upon date of approval, the Erie County Office for the Disabled shall be known as the Erie County Office for People with Disabilities for all purposes going forward; and be it further

RESOLVED, that certified copies of this resolution be sent to the Honorable Mark Poloncarz, Erie County Executive; David Palmer, Commissioner of the Erie County Office of Personnel; Frank Cammarata III, MPA, Executive Director of the Erie County Office for the Disabled; Todd Aldinger, Chair of the Erie County Charter Review Commission; and any other party deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

GRANTED.

INTRO. 6-6 from LEGISLATORS BURKE, MILLER-WILLIAMS, GRANT, SAVAGE & LOUGHRAN. Supporting New York State Legislation to Provide Benefits for Paid Family Leave.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

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

GRANTED.

INTRO. 6-7 from LEGISLATORS MILLS, LORIGO, RATH, HARDWICK, DIXON & MORTON. Re: Calling on the Governor to Release All State Records from Winter Storm Knife

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

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

WHEREAS, the 2014 November storm brought record amounts of snowfall across large parts of Erie County leading to the deaths of more than a dozen residents; and

WHEREAS, the storm caused large sections of the New York State Thruway to be closed off, though for many motorists already stranded on the Thruway it was too late; and

WHEREAS, requests under the Freedom of Information Law (FOIL) for emails and correspondence regarding the storm have been made of the Governor's Office as early as December of 2014; and

WHEREAS, Governor Cuomo's administration has refused to release the records and information from that storm; and

WHEREAS, those records could be used to help with preparation for the next extreme weather event and could save lives the next time around; and

WHEREAS, this honorable body calls on the Governor's Office to release all information their office has regarding the State Thruway Authority's role in the November 2014 storm and correspondence related to the decisions made at the time.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests all information related to New York State's response to Winter Storm Knife, the closing of the I-90, and all other state correspondence related to the handling of the November 2014 blizzard be released to the public immediately; and, be it further

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo's Office, the New York State Thruway Authority, and any parties deemed necessary and proper.

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

GRANTED.

COMM. 6E-15 from the COUNTY EXECUTIVE. Re: Department of Public Works - Transfer of Funds

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 39 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. 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.

RESOLUTION NO. 52

RE: State Authorization for the Private Sale
of Bonds by Negotiated Agreement
(COMM. 6E-1)

HOME RULE REQUEST
ASSEMBLY

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2016; and

WHEREAS, Assembly Bill A-9358A and Senate Bill S-6788, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2017;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A-9358A, entitled "AN ACT to amend the local finance law, in relation to costs of sales in the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies of the New York State Assembly and two copies to the New York State Senate.

HOME RULE REQUEST
SENATE

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2016; and

WHEREAS, Senate Bill S-6788 and Assembly Bill A-9358A, now pending before the New York State legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2017;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S-6788, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law. Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies of the New York State Senate and two copies to the New York State Assembly.

FROM CHAIR MILLS

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

MR. LOUGHRAN presented a petition nominating Jerome D. Schad to be reappointed to the position of Commissioner of the Erie County Water Authority. CHAIR MILLS nominated Jerome D. Schad to the position of Commissioner of the Erie County Water Authority. MR. LOUGHRAN 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.

RESOLUTION NO. 53

RE: Appointment of Commissioner of the
EC Water Authority
(COMM. 6E-2)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Jerome D. Schad, 199 Meadowview Lane, Williamsville, NY 14221, to the Erie County Water Authority for a three (3) year term commencing April 27, 2016 and expiring on April 27, 2019.

FROM LEGISLATOR LOUGHRAN

Item 41 – (COMM. 6E-3) Letter Regarding Appointment of Commissioner of the EC Water Authority

Received, filed and printed.

March 14, 2016

Hon. John J. Mills, Chair

Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Dear Chair Mills

Public Authorities Law Section 1053(1) specifies the procedure for appointment of commissioners to the Erie County Water Authority: "Any subsequent appointment shall be made for a term of three years and shall be made by the chairman of the board of supervisors of the county of Erie, pursuant to nominations in writing by the majority, respectively, of the supervisors of each political party represented on such board of supervisors, subject to confirmation by a majority of such board of supervisors."

Accordingly, pursuant to Public Authorities Law Section 1053(1), please find attached a petition signed by a majority of the duly elected Democratic Party members of the Erie County Legislature, nominating Erie County Water Authority Commissioner Jerome D. Schad for re-appointment to that position.

Should you need any additional information concerning this matter, please do not hesitate to contact me.

Thank you.

Sincerely,
THOMAS A. LOUGHRAN
Thomas A. Loughran
Minority Leader
5th District Legislator

Pursuant to Public Authorities Law Section 1053(1), the undersigned, being a majority of the members of the duly elected Democratic Party Erie County Legislators for the term beginning January 1, 2016, do hereby nominate JEROME D. SCHAD, 199 Meadowbrook Ln., Williamsville, NY 14221 for re-appointment as Commissioner of the Erie County Water Authority, to fill a three year term commencing April 28, 2016 and expiring April 27, 2019:

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams
1st District

BETTY JEAN GRANT
Betty Jean Grant
2nd District

PETER J. SAVAGE, III
Peter J. Savage, III
3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran
Minority Leader
5th District

PATRICK B. BURKE
Patrick B. Burke
7th District

FROM LEGISLATOR MILLER-WILLIAMS

Item 42 – (COMM. 6E-4) Letter of Absence from Legislative Committee Meetings

Received, filed and printed.

March 1, 2016

Hon. Karen McCarthy
Clerk of the Legislature
92 Franklin Street, Fouth Floor
Buffalo, NY 14202

Dear Clerk McCarthy:

Please be advised that do to a United States Army Military Obligation, I am unable to attend the upcoming Legislative Committee Meetings. I apologize for my absence from the Committee Meetings being held on Thrusday, March 10, 2016.

By copy of this Letter, I have notified the Chairperson of the Erie County Legislature of my unavailability during this period.

Sincerely,
BARBARA MILLER-WILLIAMS
Erie County Legislator
District 1

Cc: Legislator John J. Mills, Chair of the Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 43 – (COMM. 6E-5) 2016 Bridge Preservation Program - Professional Engineering Services

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 44 – (COMM. 6E-6) Department of Parks - Agreement with Buffalo Niagara Riverkeeper for Enhancements at Ellicott Creek Park

Item 45 – (COMM. 6E-7) Department of Parks - Isle View Park Easement Request

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

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 6E-8) Expanded Lead Poisoning Prevention Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 47 – (COMM. 6E-9) Opioid Crisis Response Plan

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER

Item 48 – (COMM. 6E-10) 2015 Year End Sales Tax Report & Analysis

Item 49 – (COMM. 6E-11) Report on Sales Tax Collections Correlation with Gasoline Prices

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

FROM THE COUNTY EXECUTIVE

Item 50 – (COMM. 6E-12) Indigent Legal Services Grant - ILS Distribution #6

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 51 – (COMM. 6E-13) Department of Emergency Services - EC Paging Contract - I Am Responding

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 52 – (COMM. 6E-14) Inmate Television Services

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE REAL PROPERTY TAX SERVICES

Item 53 – (COMM. 6D-1) Cost to Prepare School District Tax Rolls & Bills

Received, filed and printed.

March 1, 2016

The Honorable
Erie County Legislature
25 Delaware Avenue - Fourth Floor
Buffalo, New York 14202

RE: Cost to Prepare School District Tax Rolls & Bills

Honorable Members:

Please receive, file and print the attached billing for the preparation of 2015-2016 School District Tax Rolls at your next meeting.

As directed by Section 4-3.1 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading School District Tax Rolls, together with the apportionment to each School District benefitted.

Sincerely,
JOSEPH L. MACIEJEWSKI, CCD
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2015-2016

STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL DISTRICT TAX BILLS
AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills Paper	\$11,000.00
Tax Roll Paper	\$1,000.00
Data Processing Charges	\$58,663.83
Wages	\$73,733.76
Total	\$144,397.59

268,141.00 parcels 0.538513655 Cost per parcel

Alden Out of County	\$50.00
AKC1 Out of County	\$75.00
Gowanda Extra Roll	\$0.00
Attica Flat Charge@ \$125.00	\$125.00
Silver Creek Charge@ \$125.00	\$125.00
Pioneer Extra Set Bills	\$50.00

Total to Spread: Cost per parcel and flat charge \$144,822.58

School	Parcels	Rate	Amount Due
Alden	4913	0.538513655	\$2,695.72
Akron	3787	0.538513655	\$2,114.35
Amherst	9124	0.538513655	\$4,913.40
Sweet Home	11060	0.538513655	\$5,955.96
Attica	0	0	\$125.00
East Aurora	6076	0.538513655	\$3,272.01

Cheektowaga	8217	0.538513655	\$4,424.97
Maryvale	7490	0.538513655	\$4,033.47
Cleveland Hill	4597	0.538513655	\$2,475.55
Sloan	5146	0.538513655	\$2,771.19
Clarence	11999	0.538513655	\$6,461.63
Springville	6717	0.538513655	\$3,617.20
Depew	6779	0.538513655	\$3,650.58
Eden	4893	0.538513655	\$2,634.95
Frontier	16925	0.538513655	\$9,114.34
Grand Is	8941	0.538513655	\$4,814.85
Gowanda	1454	0.538513655	\$783.00
Hamburg	10354	0.538513655	\$5,575.77
Holland	3529	0.538513655	\$1,900.41
Iroquois	8282	0.538513655	\$4,459.97
Lancaster	17707	0.538513655	\$9,535.46
Lake Shore	10251	0.538513655	\$5,520.30
North Collins	2689	0.538513655	\$1,448.06
Orchard Park	13933	0.538513655	\$7,503.11
Pioneer	962	0.538513655	\$568.05
Silver Creek	0	0	\$125.00
Ken-Ton	26539	0.538513655	\$14,291.61
Williamsville	27701	0.538513655	\$14,917.37
West Seneca	21638	0.538513655	\$11,652.36
City of Tonawanda	6438	0.538513655	\$3,466.95
Total	268,141	\$144,822.59	\$144,822.59

March 1, 2016

The Honorable
Erie County Legislature
25 Delaware Avenue - Fourth Floor
Buffalo, New York 14202

RE: Cost to Prepare Village Tax Rolls & Bills

Honorable Members:

Please receive, file and print the attached billing for the preparation of Village Tax Rolls and Bills for the year 2015-2016 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act it is herewith certified to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading Village Tax Rolls and Bills.

Sincerely,
JOSEPH L. MACIEJEWSKI, CCD
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2015-2016

STATEMENT, MATERIALS AND LABOR IN PRODUCING VILLAGE BILLS AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills/Paper Costs			\$3,700.00	
Tax Rolls, Assessment Roll & Worksheets			\$950.00	
Wages			\$4,959.24	
Data Processing Time			\$6,801.34	
		Total Cost	\$16,410.58	
		Extra Bills	\$102.00	
		Cost per parcel	\$0.459487	\$16,512.58
		1 Extra set		
Village	parcels	of bills	Rate	Cost
Akron	1263	\$15.00	\$0.459487	\$595.33
Alden	872		\$0.459487	\$400.67
Angola	936		\$0.459487	\$430.08
Blasdell	1154	\$15.00	\$0.459487	\$545.25
Depew	6667		\$0.459487	\$3,063.40
East Aurora	2593		\$0.459487	\$1,191.45
Farnham	209	\$7.00	\$0.459487	\$103.03
Gowanda	1198	\$15.00	\$0.459487	\$565.47
Hamburg	3774		\$0.459487	\$1,734.10
Kenmore	5665		\$0.459487	\$2,602.99
Lancaster	4326		\$0.459487	\$1,987.74
North Collins	544		\$0.459487	\$249.96
Orchard Park	1156	\$15.00	\$0.459487	\$546.17
Sloan	1588		\$0.459487	\$729.67
Springville	1646	\$5.00	\$0.459487	\$761.32
Williamsville	2124	\$30.00	\$0.459487	\$1,005.95
	35715	\$102.00		\$16,512.58

March 1, 2016

The Honorable
Erie County Legislature
25 Delaware Avenue - Fourth Floor
Buffalo, New York 14202

RE: Cost to Prepare City of Tonawanda Tax Rolls & Bills

Honorable Members:

Please receive, file and print the following billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2015 at your next meeting.

As directed by Section 3-2.2 of the amended Erie County Tax Act, it is herewith certified to the Erie County Legislature that the attached statement is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills

Sincerely,
JOSEPH L. MACIEJEWSKI, CCD
Director of Real Property Tax Services

TO THE ERIE COUNTY LEGISLATURE 2015
STATEMENT, MATERIALS AND LABOR IN PRODUCING CITY OF TONAWANDA BILLS
AND THE SPREADING OF ASSOCIATED COSTS:

Tax Bills	\$225.00
Tax Rolls, Assessment Roll & Worksheets	\$200.00
Wages	\$1,081.20
Data Processing Time	\$1,730.13
Total Cost	\$3,236.33

FROM THE CLERK OF THE LEGISLATURE

Item 54 – (COMM. 6D-2) Letters of Interest for Commissioner of the EC Water Authority

Item 55 – (COMM. 6D-3) NYS DEC Documents Received

The above two items were received and filed.

FROM THE COMPTROLLER'S OFFICE

Item 56 – (COMM. 6D-4) Notice of Audit of Division of Information & Support Services
Information Backup Procedures

Received and filed.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 57 – (COMM. 6D-5) Follow-Up Information Regarding EC Parks System Master Plan

Received and filed.

Item 58 – (COMM. 6D-6) Notice of Payment Terms and Conditions for Lease Agreement -
Former Dog Control Property, 3789 Walden Ave, Lancaster

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 59 – (COMM. 6D-7) Follow-Up Information Regarding Assistant County Attorney Position Assigned to ECC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM HARRIS BEACH PLLC

Item 60 – (COMM. 6M-1) Acknowledgement of Filings - Certificates of Appointments of Members of the ECIDA

Received, filed and printed.

CERTIFICATE
OF
APPOINTMENT
AS MEMBER OF
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE
UNDER
GENERAL MUNICIPAL LAW SECTION 856(2)

THIS is to certify that PAUL V. VUKELIC has been appointed as a member of ERJE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA"), which has been duly established by Chapter 293 of the Laws of 1970. Paul V. Vukelic will fill the vacancy created by Betty Jean Grant.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Erie this 17th day of February, 2016.

THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE
By: KAREN M. McCARTHY
Karen M. McCarthy
Clerk of the Legislature

SEAL

CLERK'S CERTIFICATE

I, Karen M. McCarthy, Clerk of the Erie County Legislature, Erie County, New York (the "Legislature"), HEREBY CERTIFY that the attached extract from the minutes of the meeting of the Legislature duly called and held on June 2, 1970, has been compared by me with the original minutes of said meeting as officially recorded in the Minute Book of the Legislature, and said extract is a correct transcript referred to in said extract, and the resolution contained in said extract has been duly adopted and said resolution, as amended, is in full force and effect.

I HEREBY FURTHER CERTIFY that the attached copy of the Certificate of Establishment of the Erie County Industrial Development Agency was duly filed with the Secretary of State on August 5, 1970, and pursuant to Section 856, subdivision 2 of the General Municipal Law, the undersigned hereby certifies that the following persons have been appointed or reappointed and are currently serving as members of the Erie County Industrial Development Agency and that the attached copies of the Certificate of Appointment of said members are true copies of the originals filed with the Secretary of State on the date or dates received thereon:

Diane Benczkowski	Frank B. Mesiah
Bryon W. Brown	John J. Mudie
James F. Doherty	Glenn R. Nellis
Dennis W. Elsenbeck	Carol Nowak
Joseph H. Emminger	Mark C. Poloncarz
Dottie Gallagher-Cohen	Darius G. Pridgen
Chris T. Johnston	Edward A. Rath, III
Richard Lipsitz, Jr.	David J. State
Brenda W. McDuffie	Paul V. Vukelic
	Barry A. Weinstein

IN WITNESS WHEREOF, I have hereunto set my hand as aforesaid and affixed the seal of the Erie County Legislature as of March 1, 2016.

KAREN M. McCARTHY
Karen M. McCarthy
Clerk of the Legislature

(SEAL)

FROM THE VILLAGE OF SPRINGVILLE

Item 61 – (COMM. 6M-2) Town Resolution Regarding Request for Improvements to NYS Tax Cap

Received and filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 62 – (COMM. 6M-3) Mar. 17, 2016 Board of Trustees Agenda

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NFTA

Item 63 – (COMM. 6M-4) Jan. 28, 2016 Board Minutes

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 64 – CHAIR MILLS announced the committee schedule for April 7, 2016 will be distributed.

Item 65 – CHAIR MILLS announced the next regularly scheduled legislative session is April 14, 2016.

Item 66 – CHAIR MILLS announced there are numerous meetings of the full Erie County Charter Revision Commission and its' committees, and the full schedule of meetings is available on the Legislature website.

Item 67 – MR. SAVAGE announced a reception in honor of the Citizen of the Month for the month of March immediately after session.

MEMORIAL RESOLUTIONS

Item 68 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Mary Ellen Walsh Boyle.

Item 69 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of David A. Hock.

Item 70 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Duane C. Russell.

Item 71 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Francis J. Owczarczak.

Item 72 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of William D. Chamberlin.

ADJOURNMENT

Item 73 - 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, April 14, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, April 14, 2016 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE