

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 14**  
**JULY 27, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Savage, who led a short prayer.

The Pledge of Allegiance was led by Mr. Burke.

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 13 from 2017. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. BURKE presented a resolution Honoring Patrick McDonald as the Erie County Legislature's Citizen of the Month for July 2017, and Recognize his Accomplishments as a Buffalo Police Officer.

Item 6 –MS. DIXON presented a resolution Honoring Mike and Amy Lesakowski, all 40 Players and Everyone Involved in the 11 Day Power Play.

Item 7 – MR. HARDWICK presented a resolution Congratulating Matthew Joseph McGinniss, Boy Scout Troop 286, on Achieving the Rank of Eagle Scout.

Item 8 – MR. LOUGHRAN presented a resolution Honoring the Life of Town Justice Nicholas L. LoCicero.

Item 9 – MS. MILLER-WILLIAMS presented a resolution Coming Together at the Disability Pride Parade and Commemorating the 27th Anniversary of the Americans with Disabilities Act.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 10 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 11 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 22 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158

July 20, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 13E-31 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health Division of Services of Children with Special Needs is responsible for the operation of Pre-School and Early Intervention Programs; and

WHEREAS, through the Pre-School Program for three and four year old children specialized education and therapeutic services are provided to children with special needs; and

WHEREAS, the Pre-School Program serves of 2,000 children every year; and

WHEREAS, some children require additional specialized nursing care while participating in the Pre-School Program, which must be contracted through Erie County per New York State law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments to that contract with PSA HealthCare; and

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

2. COMM. 13E-32 (2017)

**COUNTY EXECUTIVE**

WHEREAS, as part of their efforts to support the Erie County Opioid Epidemic Task Force, members of the Family and Support Workgroup wish to ; and

WHEREAS, in order to accept the funds for the Erie County Department of Health, legislative authorization is required.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Department of Health is authorized to receive \$200.00 from the family of Susan Kziazek, and is authorized to receive any future donated funds from other entities, organizations or individuals, for the purpose of providing services to the Erie County Department of Health; and be it further

RESOLVED, that the following budgetary adjustments to the 2017 Budget are hereby authorized:

Fund 110 – 2017 Budget  
12700 – Health Division

Revenue	Increase
467000 Miscellaneous Departmental Income	\$200.00
Expense	Increase
505000 Office Supplies	\$200.00

; and be it further

RESOLVED, that the Division of Budget and Management, and Department of Health are hereby authorized to accept and make any necessary budgetary adjustments for these and any future donated funds; and be it further

RESOLVED, that future donated funds will be placed into the Erie County Department of Health's Fund Center 127000, Account505000; and

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Division of Budget and Management, Department of Health, and the County Comptroller.  
(6-0)

3. **COMM. 13E-34 (2017)**  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is departing from its traditional approach of contracting individually with colleges and universities for the Employee Education and Training Program and recommending a new model that utilizes one provider to coordinate the degree and in-service training programs; and

WHEREAS, as a result of the RFP bidding process, the Research Foundation of SUNY on behalf of SUNY Empire State College submitted the only bid for the new model which would provide for overall coordination and training for the Erie County Department of Social Services Employee Education and Training Program; and

WHEREAS, this new model reduces administrative expenses by more than \$180,000 while providing the same level of degree programs for employees and increasing the availability of funding for in-service training; and

WHEREAS, this contract will enable employees of the Department of Social Services to upgrade their professional knowledge and skills thereby benefiting departmental operations; and

WHEREAS, the Department of Social Services must have Legislative approval to enter into contract; and

WHEREAS, there is no fiscal impact to the 2017 Adopted Budget based on this resolution and no additional County local share funds are necessary because the existing appropriation in account 516040, DSS Training and Education, is sufficient to cover the cost of entering into contract for 2017.

**NOW, THEREFORE, BE IT**

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to enter into contract with the Research Foundation of SUNY on behalf of SUNY Empire State College, to provide educational and training services for the Erie County Department of Social Services Employee Education and Training Program as specified below:

Educational Institution	Period	Gross Contract	Institution's Contribution	Amount to be Paid
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Empire State College Research Foundation (Bachelor's/Associates Degrees in Business/Community and Human Services to reimburse appropriate local degree programs and provide in-service training to DSS employees)	8/1/2017– 8/31/2018	\$2,159,088	\$647,726	\$1,511,362
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and be it further

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

(6-0)

4. COMM. 13E-39 (2017)

**COUNTY EXECUTIVE**

WHEREAS New York State Public Health Law Article VI encourages local health departments to seek reimbursement for services rendered to individuals with health insurance; and

WHEREAS, United Healthcare is a health care insurance provider which offers government-sponsored manage care services, primarily through Medicaid, Medicare Advantage, and Medicare Prescription Drug Plans to families, children, seniors, and individual adults; and

WHEREAS, by entering into a contract with United Healthcare the Erie County Department of Health will be able to bill for services rendered to individuals with United Healthcare health insurance coverage; and

WHEREAS, the purpose of this resolution is to authorize the County Executive to enter into contract with United Healthcare beginning on January 1<sup>st</sup> 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments to that contract with United Healthcare beginning January 1, 2017; and

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

(6-0)

LYNNE M. DIXON  
CHAIR

Item 23 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

July 20, 2017	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.

KEVIN R. HARDWICK  
CHAIR

Item 24 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

July 20, 2017	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. LL INTRO. 7-1 (2017)  
**LOUGHRAN:** “A Local Law amending Local Law No. 1-1959, Constituting the Erie County Charter, as Amended, in Relation to the Adjustment of Job Qualifications for the Erie County Commissioner of Public Works”  
(Chair’s Motion)
  2. COMM. 13E-29 (2017)  
**COUNTY EXECUTIVE**  
WHEREAS, Erie County is required to provide specific legally mandated training courses to all county employees; and

WHEREAS, this mandated training includes employee workplace violence and harassment prevention, privacy and safety courses. Non-mandatory on-line training courses include topics to develop and enhance employee’s business and communication skills; and

WHEREAS, following a request for proposal process the County Legislature on June 30, 2011 approved Comm.13E-16 authorizing the county administration to retain Skillsoft to provide online training for employees; and

WHEREAS, on July 12, 2012 (Comm. 13E-8), and July 19, 2013 (Comm. 13E-19), the County Legislature approved authorizing contract extensions with Skillsoft to provide on-line training for employees for additional one (1) year terms.

WHEREAS on July 26, 2014, (Comm 12E-29) the County Legislature authorized a contract extension with Skillsoft to provide on-line training for employees for three (3) years, and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is included as Attachment A to this resolution; and

WHEREAS, the selection process has determined that Skillsoft is the most appropriate and cost-effective firm to provide content for web-based (on-line) training; and

WHEREAS the Department of Personnel desires to continue contracting with Skillsoft for a three (3) year contract period; and

WHEREAS, the Department of Personnel has funds available within their 2017 Budget to pay for the remaining 2017 portion of the employee training contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract for three (3) years with Skillsoft for the provision of web-based (on-line) training content in an amount not to exceed \$17,000 per year; and be it further

RESOLVED, that funding in the amount of \$17,000 already exists within the 2017 Adopted Budget, Funds Center 16110 Personnel, Account 516020 Professional Services Contracts & Fees; and be it further

RESOLVED, that funding in the amount of \$17,000 per year be made available from Funds Center 16110 Personnel, Account 516020 Professional Services Contracts & Fees, and be it further

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

(6-0)

3. COMM. 13E-30 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Clerk's Office Registrar processes an average of 17,000 transactions monthly and records related cash receipts of approximately \$5 million monthly; and

WHEREAS, to efficiently take care of customer needs when they come to the Clerk's Office to conduct business, adequate amounts of change need to be available at all times.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an increase in the County Clerk's change making fund for County Clerk Cashiers from \$1,900 to \$2,300; and be it further

RESOLVED, that in accordance with Section 2.06 of the Erie County Administrative Code the Change-Making Fund (Reserve balance) in the County Clerk's Office is increased by \$400; and be it further

RESOLVED, that these funds will be allocated to:

BA 113 – Erie County Clerk - 117100 Petty Cash  
Cnty Clerk – Cashier Change Fd

Current:       \$1,900  
Increase       \$400  
Total:           \$2,300

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.  
(6-0)

KEVIN R. HARDWICK  
CHAIR

Item 25 – MR. LORIGO presented the following report, moved to separate item Number 2A, and moved to approve the balance of the report. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

July 20, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 12
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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. 4E-11 (2017)  
**MILLER-WILLIAMS**: "Letter from Visit Buffalo Niagara Regarding Proposed Study of the Convention Center"  
(Chair's Motion)

b. COMM. 12E-11 (2017)  
**COUNTY EXECUTIVE:** "EC Youth Detention Facility - 2016 Interior Housing Unit Renovations"  
(Chair's Motion)

2. RESOLVED, the following item hereby failed by a majority or tie vote:

a. COMM. 13E-11 (2017)  
**COUNTY EXECUTIVE:** "Retaining a Consultant to Perform a Market Analysis and Feasibility Study for a New or Expanded Buffalo Niagara Convention Center"  
(3-3) Legislators Burke, Dixon and Mills voted in the negative.

3. COMM. 10E-24 (2017)  
**COUNTY EXECUTIVE AS AMENDED**  
WHEREAS, bids will be taken on July 13, 2017, for the Goodrich Road (CR 216) Reconstruction Project; ECDPW Project No. CAP-216-17 in the Town of Clarence.; and

WHEREAS, it is necessary to award a construction contract to the lowest responsible bidder as soon as possible to maximize the time available for construction, for an amount not to exceed \$6,500,000; and

WHEREAS, it is necessary to award a contract for construction inspection and engineering services during construction of the Project to Clark Patterson Lee for an amount not to exceed \$250,000; and

WHEREAS, it is necessary to establish a Construction Contingency of \$250,000 for the Project with authorization to execute related Change Orders; and

WHEREAS, it is necessary to enter into an agreement with Erie County Soil and Water Conservation District to implement mitigation required by State and Federal permits for an amount not to exceed \$60,000; and

WHEREAS, the estimated cost of the Project in the amount of \$7,060,000 is available in Fund 420, SAP B.16001, B.17001 and B.17050; and

WHEREAS, Erie County was awarded \$2,566,800.46 in additional highway aid through the PAVE-NY program; and

WHEREAS, the Department of Public Works wishes to utilize PAVE-NY funds to advance highway projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for ECDPW Project No. CAP-216-17, between the County of Erie and the lowest responsible bidder; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for construction inspection and engineering services during construction of the Project with Clark Patterson Lee; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute Project related change orders; and be it further

RESOLVED, that the Commissioner of Public Works be authorized to enter into any necessary agreements, with the Utility Companies, to expedite the execution of the Utility Companies work and/or acknowledgement of Erie County Department of Public Works complying with the Utility Companies required rules/regulations; and be it further

RESOLVED, that Erie County is authorized to accept PAVE-NY funding in the amount of 2,566,800.46; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection, engineering services during construction, the Project contingency and Mitigation Services shall not exceed \$7,060,000; and be it further

RESOLVED, the Project Funds, in the amount of \$7,060,000 be made available as follows: Fund 420, SAP Project B.16001- 2016 Preservation of Roads - Construction - Goodrich Road (Clarence) (\$2,000,000), SAP Project B.17002 - 2017 Preservation of Roads - Construction - Goodrich Road (Clarence) (\$2,500,000) and SAP Project B.17050 - 2017 Capital Overlay Program (\$2,560,000)); and be it further

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

(6-0)

4. COMM. 10E-24 (2017)

**COUNTY EXECUTIVE AS AMENDED**

WHEREAS, construction of the Federal Aid Elmwood Avenue Pedestrian & Bicycle Improvements Project, Project No. TAP-119-17, PIN 5761.03 (the "Project") is currently ongoing along Elmwood Avenue; and

WHEREAS, a safety concern was raised by the Village of Kenmore regarding the location of a crosswalk on Elmwood Avenue; and

WHEREAS, upon investigation it was deemed appropriate to re-locate the crosswalk; and

WHEREAS, the scope of the Project was already set and it is not possible to include the crosswalk re-location in the scope of the Project; and

WHEREAS, it is desired to proceed with the crosswalk re-location; and

WHEREAS, to properly re-locate the crosswalk design engineering services are required;  
and

WHEREAS, DiDonato Associates is already under contract for engineering services for the design and construction phases of the Elmwood Avenue Pedestrian & Bicycle Improvements Project; and

WHEREAS, under a prior resolution authority was sought to execute an amendment to DiDonato Associates current contract for the design engineering services necessary to re-locate the crosswalk; and

WHEREAS, due to a subsequent change in location of the re-located crosswalk additional funds have been determined to be necessary for the design of the re-located crosswalk; and

WHEREAS, it is desired to execute a supplemental amendment to DiDonato Associates current contract for design engineering services for the crosswalk re-location as a 100% County funded share; and

WHEREAS, it is estimated that the cost of the required supplemental design engineering services will not exceed \$3,000

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following authorized Project funds, Fund 420, BA 123, SAP Project B.16002 (2016 Preservation of Roads Design (Countywide)) in a not to exceed amount of \$3,000 be made available for the required supplemental design engineering services; and be it further

**RESOLVED**, that the County Executive be authorized to execute a supplemental amendment to DiDonato Associates current contract for the Project as a 100% County funded share for the design engineering services required for the crosswalk re-location in a not to exceed amount of \$3,000; and be it further

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

(6-0)

5. **COMM. 13E-4 (2017)**

**COUNTY EXECUTIVE**

WHEREAS, engineering services are required for five projects which are recipients of Federal Aid and the Bridge NY Funding Program; and

WHEREAS, the Department of Public Works desires to advance these projects; and

WHEREAS, the Department of Public Works is in receipt of Proposals for these three projects using the Local Design Services Agreement (LDSA) process; and

WHEREAS, the County of Erie desires to enter into Engineering Services Agreements with the most qualified consultants; and

WHEREAS, the Department of Public Works wishes to amend the engineer of record's agreement, Greenman-Pedersen Inc. to complete the partially designed project, NYS PIN 5762.15; and

WHEREAS, the Department of Public Works wishes to retain the engineer of record CHA to complete the partially designed project NYS PIN 5762.22; and

WHEREAS, these projects have Erie County authorized agreements with New York State Department of Transportation.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to in enter into Engineering Services Agreements with the most qualified firms presently under review by the Selection Committee for the following projects:

AE - To Be Determined

SAP B.17078	Bridge Replacement	COMM 8E-6 (2017)	\$130,000
	Cedar Street over Ledge Creek – Town of Newstead		

AE – To Be Determined

SAP B.17080	Bridge Replacement	COMM 8E-10 (2017)	\$180,000
	Quaker Road over Clear Creek – Town of Collins		

Greenman-Pederson Inc.

SAP B.17079	Bridge Replacement	COMM 8E-9 (2017)	\$160,000
	Trevett Road over Eighteen Mile Creek – Town of Boston		

CHA

SAP B.17076	Culvert Replacement	COMM 8E-12 (2017)	\$ 24,750
	Warner Hill over Trib. Cazenovia Creek –Town of Wales		

AE To Be Determined

SAP B.17075	Culvert Replacement	COMM 8E-11 (2017)	\$ 50,000
	<u>Amsdell Road over Drainage Structure – Town of Hamburg</u>		
	For Amount Not To Exceed		\$544,750

and be it further;

RESOLVED, that the fees for these contracts will not exceed the amount designated in each of the respective New York State agreements previously approved by the Legislature; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.

(6-0)

6. COMM. 13E-5 (2017)

**COUNTY EXECUTIVE**

WHEREAS, there is a need for Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspections to be performed by engineering firms specializing in such services; and

WHEREAS, the Interim Commissioner is presently soliciting requests for proposals; and

WHEREAS, the most qualified firm will be selected by a selection committee.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an agreement with the most qualified firm to perform the condition inspections for 2017 and 2018 large culverts and pedestrian bridges; and be it further

RESOLVED, that the fees for the contract to the above noted Engineering firms will be negotiated with a not to exceed amount placed on the work; and be it further

RESOLVED, that fees will be appropriated from SAP Project B.14013, Small Bridge Inspections and will not exceed the \$390,000 in this account; and be it further

RESOLVED, that three (3) copies of this resolution be sent to the Department of Public Works, Office of the Commissioner and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

7. COMM. 13E-6 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works, Division of Highways, and the Department of Environment and Planning GIS host and maintain GIS ERSI database; and

WHEREAS, as a result of this software and services, Erie County DPW will operate more efficiently as well as respond to the public with consistent and accurate data; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Bergmann and Associates has the appropriate experience in design, construction management, technical services and implementation services to perform the Needs Assessment; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County deficiencies with asset repairs and construction, Legislature approval is required to enter into a contract with Bergmann and Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a contract with Bergmann and Associates for an amount not to exceed \$9,500 with funding from SAP Project B.16004 Asset Management Software; 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)

8. COMM. 13E-7 (2017)

**COUNTY EXECUTIVE**

WHEREAS, to improve the efficiency within the Department of Social Services, the County of Erie desires to renovate 12,000 square feet of attorney office space on the 7th floor of the Erie County Rath Building; and

WHEREAS, the Erie County Department of Public Works received bids for the Rath Building – Department of Social Services 7th Floor Renovations project on March 17, 2017 and June 13, 2017; and

WHEREAS, this project is eligible for partial State and Federal reimbursement through the Department of Social Services; and

WHEREAS, the Erie County Department of Public Works and its consultant are recommending award of the contract to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the lowest responsible bidders for the Rath Building – 2017 Department of Social Services 7th Floor Renovations project as follows:

General Construction Work

Galbo Construction Inc. Base Bid: \$344,200

Electrical Construction Work

Weydman Electric, Inc. Base Bid: \$200,000

Total Amount of Contracts Not to Exceed: \$544,200

and be it further

RESOLVED, that the sum of \$60,000 be allocated to a Construction Contingency Fund for the project 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 change order reductions will result in such 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 project account as follows:

BA122, Fund 410 - A.16035 – Social Services Project Office Space Renovation and Purchase of Equipment and Furnishings	<u>\$604,200</u>
For a Total Amount Not to Exceed:	\$604,200

and be it further

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

(6-0)

9. COMM. 13E-8 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Erie County Medical Examiner's Toxicology Laboratory Renovations, Phase 4, on May 31, 2017; and

WHEREAS, The Erie County Department of Public Works, along with the Architect, is recommending award of the contract to the lowest bidder; and

WHEREAS, the Erie County Department of Public works received A/E professional design proposals for the Erie County Medical Examiners Toxicology Laboratory renovations on September 9, 2016; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Trautman Associates for providing additional asbestos design and air monitoring services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Erie County Medical Examiner's Toxicology Laboratory Renovations – Phase 4, as follows:

General Construction Work

Javen Construction Co, Inc.	Base Bid	\$ 628,000
	Deduct Alt G-2	16,000
	Deduct Alt G-3	<u>1,500</u>
		\$ 610,500

Mechanical Work

DV Brown & Associates	Base Bid:	\$ 181,000
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Electrical Work

Goodwin Electric Corp	Base Bid:	\$ 195,400
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	Deduct Alt E-2	\$ 3,700
	Deduct Alt E-3	\$ <u>6,600</u>
		\$ 185,100
<u>Plumbing Work</u>		
MLP Plumbing & Mechanical	Base Bid:	\$ 125,500
<u>Asbestos Abatement</u>		
Mark Cerrone, Inc.	Base Bid	\$ 97,377
<u>Equipment Work</u>		
Kraftwerks	Base Bid:	\$ 94,537
<u>Lab Casework/Office Furniture Work</u>		
Prentice Office Environments	Base Bid:	\$ 154,607
	Add Alt #1	\$ <u>39,938</u>
		\$ 194,545
Total Amount Not To Exceed		\$1,488,559

and be it further

RESOLVED, that the sum of \$140,000 be allocated to the 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 change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Trautman Associates, for additional asbestos design and air monitoring services for an amount not to exceed \$30,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Projects:

A.16024 – 2016 - Renovations to Toxicology Lab	\$1,550,000.00
A.20904 -2009 - Space Allocation	\$ 50,135.37
A.20903 -2009 - Countywide Fire Alarm & Security	\$ 15,176.38
A.12011 – 2012 - Morgue & Toxicology Improvements	\$ 7,932.33
A.14013 – 2014 - Renovations to Toxicology Lab	\$ 10,000.00
A.13005 -2013 - Roof & Waterproofing	\$ 25,314.92

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Total amount not to exceed \$1,658,559.00  
and be it further;

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

10. COMM. 13E-9 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the low level outlets (LLO) at Como Park Lake Dam are no longer fully functional due to deterioration and damage; and

WHEREAS, the reduced functionality impairs the ability to control flow over the Dam; and

WHEREAS, it is desired to repair the LLO in order to restore full functionality and the ability to control flow over the dam (the "Project"); and

WHEREAS, this work is best accomplished mid to late summer when the flows in Cayuga Creek are generally low; and

WHEREAS, in order to accommodate that timing to the extent possible it is desired to obtain advance authorization to award a construction contract to the lowest responsible bidder and execute a contract with the project designer, Bergmann Associates for engineering services during construction; and

WHEREAS, Bergmann Associates has been determined to possess the appropriate experience in design, construction management and technical services to provide the required engineering services during construction through utilizing their New York State Office of General Services professional services contract.

WHEREAS, it is estimated that the construction cost will not exceed \$200,000 and that engineering services during construction will not exceed \$75,000.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, Fund 420, BA 123 SAP Project B.14020, 2014 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$175,000), and SAP Project B.15014, 2015 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$25,000) for a not to exceed total of \$200,000 be made available for construction of the Project; and be it further

RESOLVED, that the County Executive be authorized to award a construction contract for the Project to the lowest responsible bidder in an amount not to exceed \$200,000; and be it further

RESOLVED, that the following authorized Project funds, Fund 420, BA 123, SAP Project B.15014, 2015 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$75,000) be made available for engineering services during construction; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for engineering services during construction for the Project with Bergmann Associates in a not to exceed amount of \$75,000; and be it further

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

(6-0)

11. COMM. 13E-10 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the County park known as Black Rock Canal Park is within the City of Buffalo; and

WHEREAS, Erie County was recently awarded a \$700,000 reimbursable grant through the Niagara River Greenway funding process for Phase 3 improvements to Black Rock Canal Park; and

WHEREAS, Erie County is completing the Phase 3 improvements, which include enhancements to the boat basin area to improve the utilization of the public boat launch and public safety improvements, including security cameras; and

WHEREAS, the security cameras are now connected to the Buffalo Police Department security camera system and are monitored by the Buffalo Police Department; and

WHEREAS, Erie County desires to continue working with the City of Buffalo and Buffalo Police Department in providing public safety in the Black Rock Canal Park; and

WHEREAS, in order for the Buffalo Police Department to continue monitoring and maintaining the security cameras at no cost to Erie County, the City of Buffalo requires ownership of the security cameras.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the City of Buffalo to transfer the ownership of the security cameras at Black Rock Canal Park to the City of Buffalo for the sum of one dollar (\$1.00); and be it further

RESOLVED that the Buffalo Police Department will continue to monitor and maintain said security cameras at no cost to Erie County; and be it further

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

(6-0)

12. COMM. 13E-14 (2017)

**COUNTY EXECUTIVE AS AMENDED**

WHEREAS, the Erie County Department of Public Works received bids for the Erie County Youth Detention Facility - 2016 Parking Lot Expansion and Paving project on June 30, 2017; and

WHEREAS, the Erie County Department of Public Works is recommending the award of the construction contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for Erie County Youth Detention Facility - 2016 Parking Lot Expansion and Repaving project for an amount not to exceed as follows:

General Construction Work:

Anastasi Trucking and Paving Co.	Base Bid	\$ 40,850
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;and be it further

RESOLVED, that the sum of \$5,000 from SAP Project A.16036 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the amount of this Contingency Fund; and be it further

RESOLVED, that change order reductions 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 Project A.16036 - Renovation to Secure Youth Detention Facility, for an amount not to exceed \$45,850; and be it further

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

13. COMM. 13E-42 (2017)

**COUNTY EXECUTIVE**

WHEREAS, Erie County has engaged Greenman-Pederson, Inc. for engineering services for the Bethlehem Steel Shoreline trail; and

WHEREAS, Erie County is desirous of expanding the services for the Bethlehem Steel Shoreline Trail to include development of the final Plans, Specifications & Estimate, and construction inspection services; and

WHEREAS, in compliance with Section 19.08 of the Erie County Administrative Code, a consultant selection process was undertaken to evaluate responses to a Request for Supplemental Information to Expression of Interest Document dated March 20, 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract amendment with Greenman-Pedersen, Inc. for an additional amount not to exceed \$230,000 to be added to the existing contract of \$300,000, for a total amount not to exceed of \$530,000 for the purposes of developing the final Plans, Specifications and Estimate which are necessary prior to start of construction and construction inspection services of the Bethlehem Steel Shoreline Trail; and be it further

RESOLVED, that the County Executive be authorized to execute additional contract amendments for contingencies to the aforementioned contract in a cumulative amount not to exceed \$50,000; and be it further

RESOLVED, that said funding amounts shall be allocated from capital project A.13012, 2013 Industrial Redevelopment Projects; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to Thomas R. Hersey, Jr., Commissioner of 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; the Office of the County Attorney; and Christopher S. Pawenski, Coordinator, Industrial Assistance Program.  
(6-0)

JOSEPH C. LORIGO  
CHAIR

MR. LORIGO moved to approve item Number 2A. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RE: Retaining a Consultant to Perform a  
Market Analysis and Feasibility Study  
for a New or Expanded Buffalo Niagara  
Convention Center  
(COMM. 13E-11)

WHEREAS, it is recognized that having a competitive convention center and support services is a valuable tool for creating economic growth and prosperity for a region; and

WHEREAS, in Erie County's Initiatives for a Smart Economy, the County has committed to the goal of studying the Buffalo Convention Center and its location in the regional and nationwide marketplace; and

WHEREAS, Erie County has solicited proposals from qualified firms for proposals to perform a market analysis and feasibility study for a new or expanded convention center in Erie County; and

WHEREAS, Erie County has conducted a review and selection process of the proposals that have been received for the Erie County convention center market feasibility study; and

WHEREAS, Erie County desires to work with HVS Consulting to perform a convention center market feasibility study; and

WHEREAS, this study will research the situation where the revitalized Buffalo and Erie County are competing with other cities and regions for tourism and convention dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into agreements with HVS Consulting or other entities as appropriate, in amounts not to exceed \$149,900, to perform a convention center market feasibility study; and be it further

RESOLVED, that there is sufficient funding in the previously approved capital project A.14011 – 2014 Convention Center Need Analysis for this study; and be it further

RESOLVED, that this Resolution takes effect from and after its date of adoption; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Director of the Division of Budget and Management; the Comptroller’s Office; Kenneth J. Swanekamp, Director of Business Assistance; Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning, and the County Attorney.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

July 20, 2017	FINANCE & MANAGEMENT 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. 13E-25 (2017)  
**COUNTY EXECUTIVE:** “Letter Regarding State Legislature Action Concerning Sales Tax Extender Legislation”  
(6-0)
  - b. COMM. 13E-27 (2017)  
**COMPTROLLER:** “Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Mar., Apr. & May 2017”  
(Chair’s Motion)

- c. COMM. 13E-28 (2017)  
**COMPTROLLER:** "Opposition to NFTA Ridesharing Fee"  
(Chair's Motion)
- d. COMM. 13E-37 (2017)  
**DISTRICT ATTORNEY:** "Crimes Against Revenue Program Grant Budget - Position Changes & Budget Revision"  
(Chair's Motion)
- e. COMM. 13D-6 (2017)  
**DEPARTMENT OF BUDGET & MANAGEMENT:** "Budget Monitoring Report for Period Ending May 20"  
(Chair's Motion)
- f. COMM. 13D-7 (2017)  
**DEPARTMENT OF BUDGET & MANAGEMENT:** "2017 Mid-Year Budget Hearing Data"  
(Chair's Motion)
- 2. COMM. 3D-6 (2017)  
**COUNTY EXECUTIVE 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 217097 through 217112, 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	2017	Petition No.	217,097.00
	ASSESSOR	Cancel	\$215.72
S-B-L	92.18-14-1.2	187 Claudette Ct 143003 DEPEW	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$215.72 Town/SpecialDist/School
<u>Charge To :</u>	143003 DEPEW		\$215.72
	Relevy Village	\$215.72	Village of DEPEW
RPTL 550(2): Failed to apply exemption New tax bill to be issued.			

FISCAL YEAR 2017                      Petition No.                      217,098.00

   ASSESSOR                      Cancel                      \$150.00

S-B-L 235.20-1-15      11 North Main St 144401 ANGOLA

   Acct. No. 112                      \$0.00      County

   Acct. No. 132                      \$150.00      Town/SpecialDist/School

44006 DEL WATER SRV CHARGE                      \$150.00

Charge To :                      144401 ANGOLA                      \$0.00

RPTL 550(2): Applied delinquent water service charge in error  
New tax bill to be issued.

FISCAL YEAR 2017                      Petition No.                      217,099.00

   ASSESSOR                      Cancel                      \$361.38

S-B-L 47.48-1-39      33 Mechanic St 145601 AKRON

   Acct. No. 112                      \$0.00      County

   Acct. No. 132                      \$361.38      Town/SpecialDist/School

Charge To :                      145601 AKRON                      \$361.38

   Relevy Village                      \$361.38      Village of AKRON

RPTL 550(2): Failed to apply exemption  
New tax bill to be issued.

FISCAL YEAR 2017                      Petition No.                      217,100.00

   ASSESSOR                      Cancel                      \$76.07

S-B-L 47.19-3-8      142 Skyline Dr 145601 AKRON

   Acct. No. 112                      \$0.00      County

   Acct. No. 132                      \$76.07      Town/SpecialDist/School

Charge To :                      145601 AKRON                      \$76.07

   Relevy Village                      \$76.07      Village of AKRON

RPTL 550 (2): Failed to apply exemption  
New tax bill to be issued.

FISCAL YEAR 2017                      Petition No.                      217,101.00

   ASSESSOR                      Cancel                      \$276.77

S-B-L 47.11-4-53      161 Main St 145601 AKRON

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$276.77 Town/SpecialDist/School  
Charge To : 145601 AKRON \$276.77

Relevy Village \$276.77 Village of AKRON  
RPTL 550(2): Failed to apply exemption  
New tax bill to be issued.

FISCAL YEAR 2017 Petition No. 217,102.00

ASSESSOR Cancel \$864.32  
S-B-L 555.00-66-1 TV Cable 145601 AKRON

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$864.32 Town/SpecialDist/School  
Charge To : 145601 AKRON \$864.32

Relevy Village \$864.32 Village of AKRON  
RPTL 550(2): Agreement between town and owner  
New tax bill to be issued.

FISCAL YEAR 2013 Petition No. 217,103.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-39 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2014 Petition No. 217,104.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-37 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2015 Petition No. 217,105.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-37 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2015 Petition No. 217,106.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-37 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2016 Petition No. 217,107.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-37 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2017 Petition No. 217,108.00

OWNER Cancel \$0.00  
S-B-L 80.09-12-37 312 Saratoga Rd 142289 AMHERST

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

FISCAL YEAR 2017 Petition No. 217,109.00

ASSESSOR Cancel \$50.00  
S-B-L 335.16-1-41 65 Franklin 143801 SPRINGVILLE

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$50.00 Town/SpecialDist/School  
38002 Accts Receivable \$50.00  
Charge To: 143801 SPRINGVILLE \$0.00

RPTL 550(2): Applied accts receivable charge in error  
New tax bill to be issued.

FISCAL YEAR 2017                      Petition No.                      217,110.00

   ASSESSOR                      Cancel                      \$50.00

S-B-L 336.14-1-8.1    614 E Main St    143801 SPRINGVILLE

   Acct. No. 112                      \$0.00    County

   Acct. No. 132                      \$50.00    Town/SpecialDist/School

   38002 Accts Receivable                      \$50.00

Charge To :                      143801 SPRINGVILLE                      \$0.00

RPTL 550(2): Accts Receivable relevy added in error.  
New tax bill to be issued.

FISCAL YEAR 2017                      Petition No.                      217,111.00

   ASSESSOR                      Refund                      \$125.00

S-B-L 347.08-1-50    147 Cattaraugus    143801 SPRINGVILLE

   Acct. No. 112                      \$0.00    County

   Acct. No. 132                      \$125.00    Town/SpecialDist/School

   38002 Accts Receivable                      \$125.00

Charge To :                      143801 SPRINGVILLE                      \$0.00

RPTL 550(2): Accts Receivable relevy added in error.  
Refund to be issued to Irene Lockwood.

FISCAL YEAR 2017                      Petition No.                      217,112.00

   ASSESSOR                      Cancel                      \$25.00

S-B-L 335.15-5-3.1    138 Franklin    143801 SPRINGVILLE

   Acct. No. 112                      \$0.00    County

   Acct. No. 132                      \$25.00    Town/SpecialDist/School

   38002 Accts Receivable                      \$25.00

Charge To :                      143801 SPRINGVILLE                      \$0.00

RPTL 550(2): Accts Receivable relevy added in error.  
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.

(6-0)

3. COMM. 13E-22 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the several non-city school districts lying within the County of Erie have adopted their school budgets for the current school year, determined the amount thereof to be raised by real property tax and will have fixed their school tax rates, said budgets, amounts and rates to be certified to and filed with the Real Property Tax Services Department of Erie County, no later than August 10, 2017; and

WHEREAS, the Director for said Real Property Tax Services Department will spread and extend said school tax amounts, at the school tax rates certified to him, against the taxable real property appearing on the respective school assessment rolls.

NOW, THEREFORE, BE IT

RESOLVED, that there is hereby levied and assessed upon the taxable real property appearing on the school assessment rolls for the respective school districts the amounts to be raised by school taxes, as spread and extended by the Director of the Real Property Tax Services Department, which amounts shall be collected from the persons and corporations liable therefore in accordance with and pursuant to the provisions of the statutes in such cases made and provided; and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature are hereby directed to execute in the name and under the seal of the County of Erie, and to annex to the respective school district tax rolls as they are compiled by the Director of the Real Property Tax Services Department, a good and sufficient warrant, addressed to the proper tax collecting officials, commanding them to collect such school district taxes in accordance with applicable law; and be it further

RESOLVED, that the Director of the Real Property Tax Services Department is hereby directed to deliver such school district tax rolls and warrants to such tax collecting officials to be acted upon in accordance with applicable law; and be it further

RESOLVED, that each and every act of the Director for the Real Property Tax Services Department in connection with the foregoing is hereby ratified and confirmed; and be it further

RESOLVED, The Clerk of the Legislature is hereby directed to cause such non-city school district budgets, tax rates and resolutions to be printed in the journal of the proceedings of the Legislature; and be it further

RESOLVED that certified copies of this resolution be forwarded to the County Executive, County Attorney, County Comptroller, Director of Budget and Management, and Director of Real Property Tax Services.

(6-0)

4. COMM. 13E-23 (2017)

**COUNTY EXECUTIVE**

WHEREAS, it is the mission of the Buffalo Erie Niagara Land Improvement Corporation to confront and alleviate the problems distressed properties cause to communities by supporting municipal and regional revitalization efforts and strategically acquiring, improving, assembling, and selling distressed, vacant, abandoned, and/or tax-delinquent properties; and

WHEREAS, section 1616(i) of the New York Not-for-Profit Corporation Law provides that New York Land banks, including the Buffalo Erie Niagara Land Improvement Corporation, may tender a preemptive bid at In Rem tax sales in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment and in the event of such tender by a land bank, the property shall be deemed sold to the land bank regardless of any bids by any other third parties; and

WHEREAS, the bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank wherein the obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment.

WHEREAS, it is anticipated that the Buffalo Erie Niagara Land Improvement Corporation will exercise its pre-emptive bid powers at the upcoming County In Rem 165 tax sale; and

WHEREAS, agreements between the County and the Buffalo Erie Niagara Land Improvement Corporation are necessary to outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment.

NOW, THEREFORE, BE IT

RESOLVED, that the County, through its Director of Real Property Tax Services, is hereby authorized to enter into agreements with the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) which outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment consistent with the Property Tax and Maintenance/Foreclosure Cost Recapture Policy for In Rem 165 to be held on September 28, 2017; and be it further

RESOLVED, that to the extent that such agreement results in the repayment of county taxes in the amount less than the amount of County taxes which were the basis for the judgment, pursuant to Section 12-1.0 of the Erie County Tax Act the Director of Real Property Tax Services is hereby authorized to cancel such past due real property taxes

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Erie County Comptroller, County Attorney, Director of Real Property Tax Services and the Buffalo Erie Niagara Land Improvement Corporation.

(6-0)

5. COMM. 13E-33 (2017)

**COUNTY EXECUTIVE**

WHEREAS, Erie County Department of Social Services expends a significant amount of money annually for anti-poverty programs; and

WHEREAS, the Department wishes to have an organized event with community stakeholders to discuss the effectiveness of its programs in an effort to improve its services; and

WHEREAS, the Buffalo Niagara Convention Center has agreed to host the event and is waiving the costs associated with renting the space for the Erie County Poverty Summit; and

WHEREAS, funds are being used to provide food and beverages at the event, which must be provided by the Buffalo Niagara Convention Center; and

WHEREAS, funds for this contract are available from the Department of Social Service's operating budget; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract not to exceed \$6,500 with the Buffalo Niagara Convention Center to provide space for one day, as well as food and beverages, for the Erie County Poverty Summit; and be it further

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

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

(6-0)

6. COMM. 13E-43 (2017)

**COUNTY EXECUTIVE**

WHEREAS, in May 2017 Erie County sponsored an initiative to explore the possibility of selecting new providers for the following services: Local, Long Distance telephone services, Equipment Maintenance on Existing Nortel Systems (MACS), Point to Point Networks, Frame Relay Networks, POTS services, Special access services, Wireless Services, ISDN BRI services, ISDN PRI services, DID services, Dedicated Internet services and Toll Free Services, and

WHEREAS, the County is open to new technology that would help it gain efficiencies or streamline overall communications and billing processes, and

WHEREAS, Erie County conducted a three-month evaluation with several nationally recognized telecommunications providers, and based on the criteria prescribed by the RFP process, selected Verizon Business Service to be the single point of contact for all voice, data and wireless communication needs using a state-of-the-art, scalable architecture that can provide increasing bandwidth on demand, and

WHEREAS, this utility will be provided at mutually agreed upon service levels and at a lower cost than current services, for a contractual term of services of sixty (60) months with the County's option of two, one year renewals, with an annual projected savings of \$ 181,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County is hereby authorized to enter into the Verizon Business Services contract dated September 1, 2017; and be it further

RESOLVED, that funding for this Contract is available in the annual operating Budget, cost center 105 Division of Information and Support Services, Commitment Item 515000, Utility Charges; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Comptroller, Director of Budget and Management, Director of Information and Support Services, Director of Purchase, and the County Attorney.  
(6-0)

JOSEPH C. LORIGO  
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

July 20, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 13E-16 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, pursuant to the Legislative Comm. 6E-15 (2015), the County awarded a contract known as the “Rush Creek Interceptor / Blasdell Milestrip Wet Weather Relief Pumping Station and Force Main Project” (hereinafter referred to as “the Project”); and

WHEREAS, part of the Project included construction of a new sanitary sewer in Miriam Avenue and Commercial Street in the Village of Blasdell; and

WHEREAS, the Village of Blasdell requested a betterment to box out the intersection of Miriam Avenue and Commercial Street and replace base and binder outside the areas disturbed by the Project (hereinafter referred to as the “additional work”); and

WHEREAS, the County and the Village desire to enter into a cooperative agreement to reimburse the County for the additional work in order to achieve cost containment / efficiency and to further improve the roadway infrastructure for local businesses and residents; and

WHEREAS, the Village of Blasdell has agreed to reimburse the County for costs associated with the additional work.

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Intermunicipal Agreement between the County of Erie and the Village of Blasdell for the aforementioned additional work, 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 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, 10<sup>th</sup> Floor.  
(6-0)

2. COMM. 13E-17 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the County Executive has made the below appointment to the Erie County Sewer District Board of Managers pursuant to the power vested to him by Section 2204 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointment to the Erie County Sewer District Board of Managers is hereby confirmed:

<u>Erie County Sewer District No. 6</u>	<u>Term Expires</u>
Mr. David C. Millar, P.E. (Appointment) Asst. Deputy Commissioner Erie County Dept. of Environment and Planning 95 Franklin Street, Room 1034 Buffalo, New York 14202	12/31/17

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

3. COMM. 13E-18 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the State of New York, through its Department of Environmental Conservation (NYSDEC), provides financial aid for Stormwater compliance assistance projects of which Erie

County was granted \$388,054 to commence the Western New York Stormwater Coalition (WNYSC): Gap Analysis and Mapping Project; and

WHEREAS, a 25% local match is required and will be provided by WNYSC membership dues and Erie County DEP staff in-kind; and

WHEREAS, the WNYSC, comprised of 44 municipalities in both Erie and Niagara County, requires a coordinator, filled by Ms. Mary Rossi since 2004, to assist with regulatory requirements; and

WHEREAS, the WNYSC unanimously voted at its April 12, 2017 meeting to increase its budget commitment to support a promotion for Ms. Rossi from a Principal Environmental Compliance Specialist (JG 14) to a Chief Environmental Compliance Specialist (JG 15); and

WHEREAS, the promotion to a Chief Environmental Compliance Specialist (JG-15) will not impact the county budget as it will be paid for by dues from the WNYSC and grant funding from the New York State Department of Environmental Conservation grant entitled, WNYSC: Gap Analysis and Mapping Project (162WNYSCGAMP1719); and

WHEREAS, it is necessary that a contract by and between the people of the State of New York, herein called the "State", and Erie County be executed for such State aid; and

WHEREAS, it necessary for the County of Erie to enter into an agreement with the Research Foundation of SUNY at Buffalo State College for student interns to assist with the WNYSC: Gap Analysis and Mapping Project; and

WHEREAS, the County of Erie, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Deputy County Executive is the representative authorized to act on behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance; and be it further

**RESOLVED**, that the Deputy County Executive is hereby authorized to enter into a contract and accept \$388,054 in funding from the New York State Department of Environmental Conservation (NYSDEC); and be it further

RESOLVED, that the Deputy County Executive is authorized to enter an agreement with the Research Foundation of SUNY at Buffalo State College for student interns to assist with the WNYSC: Gap Analysis and Mapping Project in an amount not to exceed \$5,000 in grant resources; and be it further

RESOLVED, that the grant budget and project period for the WNY Stormwater Coalition: Gap Analysis and Mapping Project is hereby created in the Department of Environment and Planning, Business Area 162, Fund 281 as follows:

WNY Stormwater Coalition: Gap Analysis and Mapping Project  
SAP Grant 162WNYSCGAMP1719  
Grant Period: 6/1/17– 12/31/19

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue	(\$388,054)
TOTAL REVENUE		(\$388,054)

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
500000	Full Time Salaries	\$169,780
502000	Fringe Benefits	\$97,531
530000	Other Expenses	\$550
510000	Local Mileage	\$500
561410	Lab & Technical Equipment	\$1,000
516020	Professional Service Contract	\$5,000
916290	ID Env. & Planning Grant Services	\$113,693
TOTAL APPROPRIATIONS		\$388,054

and be it further

RESOLVED, that the following position which is 100% grant funded will be transferred from the WNY Stormwater Coalition: Newly Designated Urbanized Area Project –grant 162WNYSCNDUAP1518, business area 162, fund 281 into the newly created grant 162WNYSCGAMP1719 upon consumption of the current budget:

Environmental Compliance Specialist (JG 9) – B100 # 9432  
Budgeted Annual Salary: \$42,400

and be it further

RESOLVED, that the following adjustments be made to the positions in grant 162WNYSCMS4AP1112, for which there will be sufficient funding through WNYSC membership dues and NYSDEC grant funding through ID Billing from 162WNYSCGAMP1719 for personal services and fringe benefits:

B100 # 9451:

Add: Chief Environmental Compliance Specialist (JG-15)  
Budgeted Annual Salary: \$93,000

Delete: Principal Environmental Compliance Specialist (JG 14)  
Budgeted Annual Salary: \$83,000

and be it further

RESOLVED, that Ms. Rossi will be provisionally promoted to the position of Chief Environmental Compliance Specialist (JG-15); and be it further

RESOLVED, that in order to allow the new mapping grant to reimburse 50% of the time of the Chief Environmental Compliance Specialist (JG-15) position, the grant budget for the WNY Stormwater Coalition: MS4 Assistance Project grant is hereby revised in the DEP, business area 162, fund 281 as follows:

WNY Stormwater Coalition: MS4 Assistance Project 2011/12  
SAP Grant Account #162WNYSCMS4AP1112  
Grant Period: 01/01/11-12/31/19

REVENUE

Account	Description	Current Budget	Revision	Revised Budget
420499	Other Local Source	<u>(\$561,714)</u>	<u>\$0</u>	<u>(\$561,714)</u>
TOTAL REVENUE		(\$561,714)	\$0	(\$561,714)

APPROPRIATIONS

Account	Description	Current Budget	Revision	Revised Budget
500000	Full Time Salaries	\$451,189	\$69,750	\$520,939
502000	Fringe Benefits	\$273,182	\$43,943	\$317,125
916290	ID Env & Plan Grants	<u>(\$162,657)</u>	<u>(\$113,693)</u>	<u>(\$276,350)</u>
TOTAL APPROPRIATIONS		\$561,714	\$0	\$561,407

and be it further

RESOLVED, that this Resolution take effect immediately; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of the Division of Environmental Compliance Services.

(6-0)

4. COMM. 13E-19 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Soil and Water Conservation District has New York State Department of Environmental Conservation (NYSDEC) grant funding to form and implement the Lake Erie Watershed Protection Alliance (LEWPA), a three-county collaborative effort to improve Lake Erie water quality; and

WHEREAS, it is vital that the LEWPA project does not lose momentum as it is crucial to securing funds to make improvements to water quality along the Lake Erie shoreline in New York State, as well as the associated watershed; and

WHEREAS, the Erie County Soil and Water Conservation District has a need for the services of a LEWPA Coordinator; and

WHEREAS, the Erie County Soil and Water Conservation District would like to contract with Erie County to have an Environmental Compliance Specialist (JG-9) fulfill the role of LEWPA Coordinator for the NYSDEC grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with the Erie County Soil and Water Conservation District to coordinate the Lake Erie Watershed Protection Alliance and to accept funding in an amount not to exceed \$102,400 in grant resources; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish a grant in the Department of Environment and Planning, Cost Center 1620020, Fund 281 as follows:

Lake Erie Watershed Protection Alliance Project  
162LEWPA1718  
9/01/2017 – 3/31/2019

<u>Revenue</u>	Increase
Account 409000 State Aid (NYSDEC)	<u>\$102,400</u>
Total Revenue	\$102,400
<u>Appropriations</u>	Increase
Account 500000 Full Time – Salaries	\$64,000
Account 502000 Fringe Benefits	<u>\$38,400</u>
Total Appropriations	\$102,400

and be it further

RESOLVED, that the Environmental Compliance Specialist (JG-9) position, currently in grant 162RNRLEWMP1417, which is due to expire in September 2017, will be transferred from that

grant to the new grant 162LEWPA1718 at the end of 162RNRLEWMP1417 (B-100 9432); and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(6-0)

5. COMM. 13E-20 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) has identified events resulting from climate change as an increasing risk to life and property within the County; and

WHEREAS, the Erie County Legislature resolved to become a Climate Smart Community and plan for adaption to unavoidable climate change (Comm. 12E-5, 2014); and

WHEREAS, the DEP has individual projects and initiatives to address severe weather events, but has not conducted a comprehensive vulnerability assessment or planning related to risks from climate change; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has issued a Request for Applications for grant moneys to conduct vulnerability assessment and planning; and

WHEREAS, the NYSDEC would require a fifty percent (50%) local match which can be met through in-kind services such as overhead, salary and fringe in the event of a grant award; and

WHEREAS, the DEP would use the grant award to fund a contractor to facilitate the efforts and no new staff would be hired or paid for by the grant.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby granted for the Erie County Department of Environment and Planning (DEP) to apply for grant funding from the New York State Climate Smart Communities Grant Program to conduct climate change vulnerability assessment and adaption planning; and be it further

RESOLVED, that in the event of a grant award, the DEP can make resources available to the project to meet the required fifty percent (50%) match through in-kind services; and be it further

RESOLVED, that certified copies of this resolution shall be provided for the County Executive; the County Attorney; the Director of the Division of Budget and Management; Thomas

R. Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.  
(6-0)

6. COMM. 13E-21 (2017)

**COUNTY EXECUTIVE AS AMENDED**

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 2 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) July 20, 2017.

(Adopted) July 27, 2017.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 2 of the County of Erie, New York, has heretofore been established, and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of said District No. 2 which report and estimate of cost have been approved by the Board of Managers of said District on July 11, 2017 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of said District No. 2 in said County, consisting of the following projects: (i) improvements to the Big Sister Creek Water Resource Recovery Facility at the estimated maximum cost of \$800,000; (ii) improvements to the Sweetland Road Pumping Station and other pumping stations at the estimated maximum cost of \$1,500,000; and improvements to various collection system components at the estimated maximum cost of \$500,000; all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the total maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District No. 2 is \$2,800,000 will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$13.28 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$14.00 for calendar year 2017; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 24th day of August, 2017, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 2 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 24<sup>th</sup> day of August, 2017, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 2 in said County.

The increase and improvement of such facilities consisting of the following projects: (i) improvements to the Big Sister Creek Water Resource Recovery Facility at the estimated maximum cost of \$800,000; (ii) improvements to the Sweetland Road Pumping Station and other pumping stations at the estimated maximum cost of \$1,500,000; and improvements to various collection system components at the estimated maximum cost of \$500,000; all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on July 11, 2017 (the "Report").

The maximum estimated cost of such increase and improvement of facilities is \$2,800,000, will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$13.28 for the District. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in the Report.

Dated: Buffalo, New York,  
August 9, 2017

BY ORDER OF THE COUNTY

LEGISLATURE OF THE COUNTY OF  
ERIE, NEW YORK

By Karen M. McCarthy  
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the “*Amherst Bee*” and in the “*Challenger*”, the official newspapers of said County, and in the “*Angola Pennysaver*”, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.

(6-0)

7. COMM. 13E-21 (2017)

**COUNTY EXECUTIVE AS AMENDED**

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 3 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) July 20, 2017.

(Adopted) July 27, 2017.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 3 of the County of Erie, New York, has heretofore been established, and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of said District No. 3 which report and estimate of cost have been approved by the Board of Managers of said District on July 11, 2017 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of said District No. 3 in said County, consisting of improvements to the Southtowns Water Resource Recovery Facility, existing pumping stations, and the sanitary sewer collection system all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the total maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District No. 3 is \$10,500,000 will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$13.73 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$14.00 for calendar year 2017; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 24th day of August, 2017, at 6:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 3 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 24<sup>th</sup> day of August, 2017, at 6:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 3 in said County.

The increase and improvement of such facilities consisting of improvements to the Southtowns Water Resource Recovery Facility, existing pumping stations, and the sanitary sewer collection system; all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on July 11, 2017 (the "Report").

The maximum estimated cost of such increase and improvement of facilities is \$10,500,000, will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$13.73 for the District. The County Legislature has heretofore caused to be prepared and filed for public inspection with the

Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in the Report.

Dated: Buffalo, New York,  
August 9, 2017, 2017.

BY ORDER OF THE COUNTY  
LEGISLATURE OF THE COUNTY OF  
ERIE, NEW YORK

By Karen M. McCarthy  
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the “*Amherst Bee*” and in the “*Challenger*”, the official newspapers of said County, and in the “*Hamburg Sun*”, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.

(6-0)

TED B. MORTON  
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

July 20, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR SAVAGE.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 1E-19 (2017)

**COUNTY EXECUTIVE AS AMENDED**

WHEREAS, the Erie County Sheriff’s Office is charged with securing the facilities and maintaining a safe housing and workplace environment; and

WHEREAS, one of the greatest threats to inmates, officers, and civilian personnel is contraband which includes drugs, cell phones, weapons, small metal objects, and various other items; and

WHEREAS, contraband can be used to as a form of currency to get inmates to commit violent acts; and

WHEREAS, drug contraband can endanger the lives of inmates and jail personnel; and

WHEREAS, during the current drug epidemic, inmates and visitors conceive new methods to smuggle drugs into the facilities to feed a destructive drug addiction which negates the Division of Correctional Health's detox and addiction therapy initiatives; and

WHEREAS, although the Sheriff's Office has taken increased measures to stem the flow of contraband into the Erie County Holding Center and Erie County Correctional Facility, inmates and visitors continually attempt new plans to smuggle illegal items into the detention facilities; and

WHEREAS, through the Sheriff's ongoing efforts to stop the flow of any contraband, the office has researched a portable, full-body, ferromagnetic detection system that can detect all cell phones, whether the device is powered on or off, small metal objects and weapons, lighters, and foil packages which traditional magnetometers can miss; and

WHEREAS, this anti-contraband and safety device is portable and can be deployed anywhere inmates, personnel, vendors, and visitors have access to the facilities; and

WHEREAS, Metrasens has developed the world's first portable, one-piece, full-body ferromagnetic detection system and has provided a sole source statement indicating the company is a sole source vendor for these specific devices and services, and it is necessary for the Legislature to waive the RFP procedures and award this contract based on the review and evaluation of received documentation and research into the detection and safety device; and

WHEREAS, in accordance with COMM. 6E-24, 2013, the County Executive and the Sheriff agree that telephone revenue should be dedicated to the operation of the holding center and the correctional facility and recommend the contraband detection devices be purchased to ensure inmate welfare; and

WHEREAS, Telephone Revenue funds will be used to purchase the three (3) contraband detection systems and two (2) wall-mount installation kits as well as receive on-site training and certification by company trainers; and

WHEREAS, the balance of the Telephone Revenue account is \$869,313.17, and

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

NOW, THEREFORE, BE IT

RESOLVED, that \$40,000.00 in available Telephone Revenue Funds are hereby transferred to the appropriate Erie County Sheriff's Office accounts; and be it further

RESOLVED, that the legislature does hereby authorize the following budgetary transactions:

ERIE COUNTY SHERIFF'S OFFICE

Jail Management		
<u>REVENUE</u>		<u>DECREASE</u>
415622	Jail Telephone Revenue funds	\$ 40,000.00
 <u>SHERIFF APPROPRIATION</u>		 <u>INCREASE</u>
561410	Lab and Tech	\$ 40,000.00
Total Appropriations		\$ 40,000.00

; and be it further

RESOLVED, that the Erie County Legislature does hereby waive the procedures provided for in Section 19.08 of the Erie County Administrative Code to secure the services of Metrasens to provide equipment, installation kits, and training for the anti-contraband detection devices; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funding either remain in or returned to Telephone Revenue account; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

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

(5-0)

2. COMM. 13E-35 (2017)

**COUNTY EXECUTIVE**

WHEREAS, it is the desire of the Erie County Department of Homeland Security and Emergency Services to retain a software consultant to assist in integrating new mapping and geocoding software into the current countywide dispatch system and to upgrade various components to improve the overall functionality of the system; and

WHEREAS, a Request for Proposal (RFP) was issued by Erie County and among the proposals submitted, Globalquest Staffing Solutions Inc. was deemed to have submitted the best overall proposal by the selection committee; and

WHEREAS, the firm of Globalquest Staffing Solutions, Inc. is a New York State Certified Women-Owned Business (WBE) as designated by the NYS Department of Economic Development, Division of Minority and Women's Business Development.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive be, and hereby is, authorized to issue a purchase order to Globalquest Staffing, Inc.; and be it further

RESOLVED, that the funding for this contract is hereby authorized in grant HS167SICG1617 account 516020; 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 Homeland Security and Emergency Services c/o Melissa Calhoun, the Department of Central Police Services c/o Marlane Hoffman, the County Comptroller, and the County Attorney.  
(5-0)

3. COMM. 13E-36 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services Division of Youth Services has a 64-bed secure youth detention facility located at 810 East Ferry Street licensed by New York State Office of Family and Children Services, and

WHEREAS, New York State regulation 180.9 (9 CRR-NY 180.9) dictates education program requirements for secure institutional detention facilities, and

WHEREAS, the Youth Services division conducted a thorough RFP process to determine the best suitable educational provider for youth during their required stay at the Erie County Secure Youth Detention Center, and

WHEREAS, the a review committee of three persons unanimously recommended Baker Victory Services be the provider of educational services at Erie Secure Youth Detention for the 2017-18 school year, and

WHEREAS, the Youth Services division has available balances within their current budget to contract with Baker Victory Services for educational services for the months of September through December 2017, and antipates funding being available in the adopted 2018 budget for the remaining 8 months of the 2017-18 school year ending August 31, 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to contract with Baker Victory Services in the amount of \$435,000 to provide educational services at Erie Secure Youth Detention for the 2017-18 school year, funding being available in account 516020, professional services, of the Youth Services division for September through December 2017 and contingent upon approval in 2018 adopted budget for the remaining 8 months of the 2017-18 school year ending August 31, 2018, 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)

4. COMM. 13E-40 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Central Police Services requires as external DNA audit be conducted to assure compliance with FBI Quality Assurance Standards; and

WHEREAS, there are sufficient funds in the 165DNABACKLOG2017 grant, fund 281, account #516020 to provide this service; and

WHEREAS, the Erie County Legislature has the authority, under Article III Section 7.b and Section 19.08 of the Erie County Administrative Code to waive the bidding procedures and the Request for Proposal (RFP) process; and

WHEREAS, the Department of Central Police Services recommends that a purchase order be issued with the National Forensic Science Technology Center (NFSTC), a recognized leader in the forensic science community for helping to improve the quality at laboratories conducting DNA analysis.

NOW, THEREFORE, BE IT

RESOLVED, that in order to commence the external DNA audit, the Erie County Legislature hereby waives the request for proposals process and bidding procedures; and be it further

RESOLVED, that authorization is hereby provided to issue a purchase order to the National Forensic Science Technology Center, in the amount of \$8,256 to conduct a quality assurance audit of the Forensics Laboratory; and be it further

RESOLVED, that the funding for this contract in the 165DNABACKLOG2017 grant, fund 281, account 516020 – professional services is hereby authorized to be appropriated for the external audit; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the office of the Comptroller and the Department of Central Police Services, attention: Brian Speers.

(5-0)

EDWARD A. RATH III  
CHAIR

**LEGISLATOR RESOLUTIONS**

Item 29 – CHAIR MILLS directed that the following item be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

INTRO. 14-1 from LEGISLATOR MILLER-WILLIAMS. Expanding Upon and Addressing the Findings of the Urban Land Institute's Study of the Central Terminal.

Item 30 – CHAIR MILLS directed that the following item be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO. 14-2 from LEGISLATOR MILLER-WILLIAMS. Supporting H.R. 1143 "Hygiene Assistance for Families of Infants and Toddlers Act of 2017" in the US House of Representatives.

Item 31 – CHAIR MILLS directed that the following item be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 14-3 from LEGISLATOR MILLER-WILLIAMS. Strengthening Law Concerning Rape Kit Testing Backlogs, and Mandating that Rape Kits are Stored Until All Legal Options are Exhausted.

Item 32 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

RE: Ensuring the Continuation of the Free and Open Internet for All Americans (INTRO. 14-4)

A RESOLUTION TO BE SUBMITTED  
BY LEGISLATOR BURKE

WHEREAS, net neutrality is the idea that Internet Service Providers (ISPs) must treat all content equally and not give preference to specific providers. They cannot charge customers more or alter download times to stream certain preferred content or to visit a website with a certain agenda. This keeps the internet free and uncensored; and

WHEREAS, in *Verizon v. FCC* (2014), the courts deemed that the FCC did not have the authority to enforce portions of the Open Internet Order because ISPs were not considered carriers of a common utility. In February 2015, the FCC and President Barack Obama worked together to form a new order which would make broadband service a public utility under Title II of the 1934 Communications Act, thus making ISPs regulatable. Under that law, the FCC adopted no-blocking, no-throttling and no-paid-prioritization rules; and

WHEREAS, President Donald Trump's appointed FCC chairman Ajit Pai, a former attorney for Verizon, is working to remove the 2015 classification for ISPs as a public utility. Doing this would allow ISPs to charge different rates for preferred content, censoring the internet; and

WHEREAS, those against Title II will argue that this is too much government oversight and ISPs haven't throttled, blocked or capped services. In reality both Comcast and AT&T have both attempted these practices but were stopped with lawsuits. The FCC has no new alternatives in their proposals besides regressing back to Title I; which lost in court to Title II because it could not protect net neutrality; and

WHEREAS, those that support Title II argue that it keeps the internet free and accessible to all, regardless of socioeconomic standing. Protecting Net Neutrality protects free speech as unregulated ISPs could simply slow down or block websites they do not politically agree with. Companies such as Google, Netflix, Microsoft and Twitter have signed on in support for the 2015 regulations as they are concerned ISPs could extort higher fees out from them just to maintain current levels of speed and service; and

WHEREAS, net neutrality provides a level playing field, spurs competition by lowering barriers of entry for start up companies, and ensures ISPs cannot unfairly promote their own content over their competitors. Net neutrality helps up and coming businesses by reducing their start up costs and allows access of the internet to all, not just those who can afford it.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body voices its support of net neutrality regulations and stands behind the principle of free and fair internet.

RESOLVED that copies of this resolution will be sent to President Donald J. Trump, the Chairman of the Federal Communications Commission Ajit Pai, Congresswoman Louise Slaughter, Congressman Brian Higgins, Congressman Chris Collins, Senator Kirsten Gillibrand, Senator Chuck Schumer and all other parties deemed necessary and proper.

Item 33 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 14-5 from LEGISLATOR BURKE. Reinstating the Fairness Doctrine in the Wake of President Trump's Concern with the Rise of "Fake News".

Item 34 – CHAIR MILLS directed that the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO. 14-6 from LEGISLATOR BURKE. Opposition to the Proposed National Grid Rate Increase.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 35 – MR. LORIGO moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 13E-38. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166

RE: Akron Falls Park – Proposal for  
Engineering Service for Pedestrian  
Overlook  
(COMM. 13E-38, 2017)

WHEREAS, the Department of Parks, Recreation and Forestry seeks authorization to retain and utilize CHA Consulting Inc to design a pedestrian overlook at Akron Falls Park; and

WHEREAS, CHA Consulting Inc would also write the project bid specifications; and

WHEREAS, the project will not exceed \$12,000 in capital funding; and

WHEREAS, CHA Consulting Inc is on the Department of Public Works approved vendor list.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the services of CHA Consulting Inc to be retained to provide design services associated with a pedestrian overlook at Akron Falls Park, as well as write the project bid specifications; and be it further

RESOLVED, that the funding for the design phase of this project will not exceed \$12,000 and will be paid for out of Capital Project A.17012 – 2017 County-wide Parks Improvements, Fund 410, Business Area 164 and Account 516020 – Professional Services; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; the Erie County Comptroller; the Commissioner of the Department of Parks, Recreation and Forestry, Daniel J. Rizzo; and Assistant County Attorney Kristen M. Walder.

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

CARRIED UNANIMOUSLY.

Item 36 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 13E-26. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

RE: 2017 RAN Resolution  
(COMM. 13E-26, 2017)

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$130,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, 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 (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$130,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the 2017 fiscal year from (i) State Social Services aid, (ii) State aid for Health Department programs, and (iii) State aid for Mental Health programs, (iv) Social Services aid from the United States government; and (v) the collection or receipt of revenues due and payable to the County in the 2017 fiscal year from sales and compensating use taxes; the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

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, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. ABSENT: MS. MILLER-WILLIAMS (AYES: 10; NOES: 0; ABSENT: 1)

CARRIED UNANIMOUSLY.

**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. 14-7 from LEGISLATORS RATH, MILLS & HARDWICK. Re: Support for the Niagara Falls Air Force Reserve Station

RESOLUTION NO. 168

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

WHEREAS, the Niagara Military Affairs Council (NIMAC) has expressed concern over a proposal by APEX Clean Energy to construct wind turbines along the shores of Lake Ontario; and

WHEREAS, the proposed turbines, which pose a threat of interference with military radar and flight operations, would be located near the Niagara Falls Airforce Reserve Station (NFARS); and

WHEREAS, NFARS was first established over sixty years ago and is currently home to the Air Force Reserve Command's 914<sup>th</sup> Airlift wing, the 328<sup>th</sup> Air Force Reserve C-130 mission, as well as the Air National Guard's new Remotely Piloted Aircraft mission; and

WHEREAS, NFARS supplies the area with over three thousand jobs and is a vital part of both the community and the area's economy; and

WHEREAS, encroachment is a key factor that is considered when the federal government is reviewing military bases for potential shut down and seventy individual six-hundred foot tall wind turbines located on the edge of Lake Ontario near the base could be considered major objects of encroachment; and

WHEREAS, the NFARS has already been subjected to multiple Base Closure and Realignment Commission reviews, and as part of the 2012 US Air Force Structure Adjustment it does not need any impediments to future operations that might be considered negative in the next round of reviews.

NOW, THEREFORE, BE IT

RESOLVED, that this honorably body expresses its support for the Niagara Falls Airforce Reserve Station, the Niagara County Legislature, and the men and women of the armed forces that call NFARS home and hereby opposes the construction of the wind turbines in the military base's flight paths; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Niagara County Legislature, Apex Clean Energy headquarters, the Niagara Military Affairs Council, the Western New York Delegation to the New York State Senate and Assembly, the representatives of the United States Congress representing the people of Western New York, John Conger the Deputy Under Secretary of the Department of Defense's Division of Installations and Environment, and Elizabeth Ray the Vice President of Mission Support Services for the Federal Aviation Administration, and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item. MR. RATH seconded. MR. SAVAGE voted in the negative.

CARRIED 9-1.

MR. LORIGO moved to reconsider the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the item to add MS. MILLER-WILLIAMS as cosponsor. MR. RATH seconded

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded. MR. SAVAGE voted in the negative.

CARRIED 9-1.

\*See page 694 for further action on this item

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

GRANTED.

COMM. 14D-4 from the DEPARTMENT OF ENVIRONMENT & PLANNING. Re: Buffalo Convention Center Study

Received and filed.

Item 39 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14M-6 from the SUPERVISOR, TOWN OF HOLLAND. Re: Letter Regarding Condition of Whitney Rd, Town of Holland

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14E-14 from the COUNTY EXECUTIVE. Re: Opioid Epidemic Response Programming - Authorization to Issue Contracts per RFP#1715VF - Evergreen Health

RESOLUTION NO. 169

WHEREAS, in order to take additional steps to combat the opioid epidemic the Erie County Legislature approved the allocation of \$1,000,000 of unassigned fund balance via Intro. 10-8 (2017); and

WHEREAS, per COMM 11E-10 the Erie County Legislature designated \$500,000 to the Erie County Department of Health to establish a Request for Proposal process to allocate funding in response to the opioid epidemic; and

WHEREAS, COMM 11E-10 directed the Departments of Health and Mental Health assess the funding proposals; and

WHEREAS, COMM 11E-10 designated the funding to support "innovated and novel approaches to combat the opioid epidemic which currently have no funding source"; and

WHEREAS, an Evaluation Committee was formed to review these proposals; and

WHEREAS, Neighborhood Health Center, Evergreen Health, and International Institute of Buffalo had the highest scoring proposals based on the criteria set forth; and

WHEREAS, the Erie County Legislature has indicated its desire to move forward with awarding a contract to Evergreen Health; and

WHEREAS, a special session of the Erie County Legislature will be held to discuss additional awards.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Evergreen Health for \$235,775; and be it further

RESOLVED, that funding is available for this contract in Fund 110, Fund Center 12700, Account #516020, Professional Svc Contracts & Fees; and

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, Michael R. Ranney, Commissioner of Mental Health and to Dr. Gale R. Burstein, Commissioner of Health.

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

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. ABSENT: MS. MILLER-WILLIAMS (AYES: 10; NOES: 0; ABSENT: 1)

CARRIED UNANIMOUSLY.

\* MR. LORIGO moved to reconsider INTRO. 14-7. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the item, and add MR. LORIGO, Mr. MILLS, MR. MORTON & MS. MILLER-WILLIAMS as cosponsors. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Replace the previous text with the following:

WHEREAS, the Niagara Military Affairs Council (NIMAC) has expressed concern over a proposal by APEX Clean Energy to construct 70 wind turbines along the shores of Lake Ontario that would potentially reach 600 feet high; and

WHEREAS, the proposed turbines, which pose a threat of interference with military radar and flight operations, would be located near the Niagara Falls Air Reserve Station (NFARS); and

WHEREAS, NFARS was first established over sixty years ago and is currently home to the Air Force Reserve Command's 914<sup>th</sup> Airlift Wing, and the 328<sup>th</sup> Air Force Reserve C-130 mission, as well as the Air National Guard's new Remotely Piloted Aircraft mission; and

WHEREAS, NFARS supplies the area with over three thousand jobs and is a vital part of both the community and the area's economy; and

WHEREAS, encroachment is a key factor that is considered when the federal government is reviewing military bases for potential shut down and 70 individual, 600-foot tall wind turbines, located on the edge of Lake Ontario near the base, could be considered major objects of encroachment; and

WHEREAS, the NFARS has already been subjected to multiple Base Closure and Realignment Commission reviews, and as part of the 2012 US Air Force Structure. Wind turbines in the base's flight path could be seen as impediments to future operations and could tilt the scales towards closure in the next round of reviews; and

WHEREAS, this honorable body has previously expressed its support for the Niagara Falls Air Reserve Station and has advocated for caution when it comes to approving any project that could potentially interfere with the military operations on the airbase; and

WHEREAS, New York State's rules and regulations require an application to operate an electrical generation facility, and as a part of that application detailed information regarding potential impacts on airports and military installations and operations must be provided; and

WHEREAS, the state review board, prior to approval of an application, may request a formal review be conducted by the Department of Defense.

NOW, THEREFORE, BE IT

RESOLVED, that this honorably body reaffirms its support for the Niagara Falls Air Reserve Station and the men and women of the armed forces that call NFARS home and hereby opposes the construction of any turbines that could impact base operations; and, be it further

RESOLVED, that this honorable body supports the Niagara Falls County Legislature and hereby joins in its request that Governor Cuomo and the review board request the Department of Defense conduct a formal review of the Apex application under 32 CFR, Section 211.7 when it is submitted; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Western New York Delegation to the New York State Senate and Assembly, the office of Governor Andrew Cuomo, the Niagara Falls Legislature and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded. MR. SAVAGE voted in the negative.

CARRIED 9-1.

### **COMMUNICATIONS FROM ELECTED OFFICIALS**

#### **FROM THE COUNTY EXECUTIVE**

Item 41 – (COMM. 14E-1) Opioid Epidemic Response Programming - Authorization to Issue Contracts per RFP#1715VF

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 42 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 170

RE: ECC - Authorization to Enter into  
Contract with Nuventive LLC for  
Software Implementation and Services  
(COMM. 14E-2)

WHEREAS, the Erie Community College Board of Trustees approved Nuventive LLC as a new vendor at their June 29, 2017 Board Meeting; and

WHEREAS, Nuventive LLC was the vendor approved for a maximum contract not to exceed \$87,800 in year one of the contract (including one-time implementation costs) and \$55,200 in years two and three; and

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS, the new software will complete the college's evolution toward a mature planning, assessment and reporting system; and

WHEREAS, the goals of implementing the chosen vendor's software and services are to centralize accreditation services at the college, to build a consistent data warehouse that is used by all units and standardizes data at the college, and to improve the college's assessment efforts as required by the Middle States Commission on Higher Education; and

WHEREAS, ECC has adequate funds available in its operating budget to cover the cost of this software. This initiative is in collaboration with ECC faculty, staff, and students; and

NOW, THEREFORE, BE IT

RESOLVED, that Erie Community College is hereby authorized to award a contract to Nuventive LLC for the purpose of implementing the selected suite of products at a cost to the college not to exceed \$87,800 in the first year of the contract and \$55,200 in years two and three of the contract; and be it further

RESOLVED; the President or his designee is authorized to enter a contract with Nuventive LLC for the above-mentioned services; and be it further

RESOLVED: that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

Item 43 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 171

RE: ECC - Approval to Enter into Contract

with We Care LLC for Inter-Campus Shuttle Service  
(COMM. 14E-3)

WHEREAS, the Erie Community College Board of Trustees approved Inter-campus shuttle service by PLS III, LLC d/b/a We Care Transportation as a vendor renewal at their June 29, 2017 Board Meeting; and

WHEREAS, PLS III, LLC d/b/a We Care Transportation was the vendor approved for a maximum contract not to exceed \$205,000 annually, for 149 days of service; and received SUNY/NYS contract pricing; and

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS, PLS III, LLC d/b/a We Care Transportation has become the college's pre-eminent inter-campus shuttle service to provide opportunities for students to take courses and participate in events and activities on all campuses as well as to increase the persistence, retention, and graduation rates of ECC students; and

WHEREAS, PLS III, LLC d/b/a We Care Transportation was chosen as the vendor for inter-campus transportation services for ECC, through a Request for Proposal (RFP) process; and

WHEREAS, the goals of the student transportation program are to help meet the transportation needs of all registered students, making education more accessible at each of ECC's campuses; students are assessed a transportation fee which will assist the college in providing transportation resources; and

WHEREAS, ECC has adequate funds available in its operating budget to cover the cost of this intercampus shuttle service. This initiative is in collaboration with ECC faculty, staff, and students; and

NOW, THEREFORE, BE IT

RESOLVED, that Erie Community College is hereby authorized to award a contract to PLS III, LLC d/b/a We Care Transportation for the purpose of continuing the implementation of ECC's inter-campus shuttle service at a cost to the college not to exceed \$205,000 annually; and be it further

RESOLVED; the President or his designee is authorized to enter a contract with PLS III, LLC d/b/a We Care Transportation for the above-mentioned services; and be it further

RESOLVED: that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

Item 44 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 172

RE: ECC - Authorization to Enter Into  
Contract with Xerox Corporation for  
Lease of Large Document Copiers  
(COMM. 14E-4)

WHEREAS, the Erie Community College Board of Trustees approved Xerox as a vendor renewal at their June 29, 2017 Board Meeting; and

WHEREAS, after RFP submission review, Xerox was chosen as the source for the monthly leasing of duplicating machines and for services to ECC Institutional Services for leasing and software; and

WHEREAS, Xerox was the vendor approved for a maximum contract not to exceed \$13,520.15 per month for sixty (60) months; and

WHEREAS, it is expected savings for the life of the lease will approximate \$700,000; and

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS, ECC has adequate funds available in its operating budget to cover the cost of this leasing and software; and

NOW, THEREFORE, BE IT

RESOLVED, that Erie Community College is hereby authorized to obtain the Erie County Legislature's approval to award a contract to Xerox Corporation for the purpose of leasing machines and software at a cost not to exceed \$13,520.15 per month for sixty (60) months; and be it further

RESOLVED, the President or his designee is authorized to enter into a contract with Xerox Corporation for the above-mentioned services; and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

Item 45 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 173

RE: Appointment of Trustee of Erie  
Community College  
(COMM. 14E-5)

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the County Executive, of Leonard R. Lenihan (233 Glendale Dr., Tonawanda, NY 14150) to serve as Trustee of Erie Community College for a term expiring June 30, 2024.

Item 46 – (COMM. 14E-6) Authorization for the Use of Unassigned Fund Balance - EC Court Building Water Pipe Leak

Received and filed.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 174

RE: Authorization to Utilize Referee Trust Funds to Fund Foreclosure Costs (COMM. 14E-7)

WHEREAS, beginning in 2012 Erie County again began conducting an annual In Rem proceeding to foreclose on delinquent properties in order to recover past due taxes;

WHEREAS, since 2012 the annual In Rem proceedings have been extremely successful - resulting in the collection of over \$60 million in revenue from payment of delinquent taxes;

WHEREAS, in addition to generating revenue that would otherwise not be collected by the County, the In Rem auction returns properties to the active tax roll;

WHEREAS, the cost to undertake the In Rem proceeding is approximately 7% of the revenue, thus equaling a return on investment of approximately 93%;

WHEREAS, pursuant to the Erie County Tax Act §11-12.0 as amended in 2009, an “in rem” fee of \$500 is levied upon each property subject to the In Rem proceeding. According to the New York State Legislature, the purpose of the “in rem” fee is to defray the reasonable attorney’s fees incurred in connection with the In Rem proceeding;

WHEREAS, on February 9, 2017 this Honorable Body adopted Comm. 3E-13 which directed that the County undertake to prosecute In Rem No. 165 in accordance with the In Rem provisions of the Erie County Tax Act;

WHEREAS, pursuant to the authority granted by the Honorable Body, In Rem 165 has been undertaken pursuant to a validly executed contract for legal services which provides that, upon the completion of various stages of the In Rem proceeding, payment for services is due and owing;

WHEREAS, to the extent possible the “In Rem” fee should be used to pay for legal fees incurred in undertaking the In Rem proceedings;

WHEREAS, there is currently due and owing \$407,663.60 in legal fees and there is currently over \$ 541,000 in the "In Rem" fee Trust account which can be used to provide a funding source to pay for those legal fees.

NOW, THEREFORE, BE IT

RESOLVED, that the In Rem fees be used as a funding source to pay the \$407,663.60 currently due and owing in legal fees, and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to make all necessary transfers and adjustments to effectuate the use of the "in rem" fee Trust balance as a funding source to pay legal fees incurred in association with In Rem 165.

Item 48 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 175

RE: Department of Senior Services –  
Establish AMP 2017-2018 Grant  
Funding  
(COMM. 14E-8)

WHEREAS, the New York State Office for the Aging (NYSOFA) has recently awarded the Department of Senior Services \$5,100 of Aging Mastery Program (AMP) grant funds for the period April 1, 2017 to March 31, 2018; and

WHEREAS, under Governor Cuomo's reforms to the state grant contracting process, new grants of \$10,000 or less will be administrated by NYSOFA as purchase orders; and

WHEREAS, the AMP funds will be utilized by the Department to purchase supplies for the purpose of implementing the Aging Mastery Program® for Older adults at the Town of Lancaster, Town of West Seneca and Salvation Army - Main Street, congregate dining sites; and

WHEREAS, the grant is 100% state funded and does not require a local share.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to accept the NYSOFA purchase order for the AMP funding for the period April 1, 2017 to March 31, 2018; and be it further

RESOLVED, that the budget for the 163AMP1718 grant, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
409000	State Aid	<u>\$5,100</u>
	TOTAL	<u>\$5,100</u>

APPROPRIATIONS		INITIAL BUDGET
Account	Description	
530000	Other Expenses	<u>\$5,100</u>
	TOTAL	<u>\$5,100</u>

and be it further

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

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

FROM THE SHERIFF

Item 49 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 176

RE: Accept Joint Law Enforcement  
Operations Funding from the FBI  
(COMM. 14E-9)

WHEREAS, the Federal Bureau of Investigation (FBI) has \$66,500.00 in funds to reimburse the Erie County Sheriff's Office for equipment to be used for joint law enforcement missions; and

WHEREAS, the Sheriff's Office works collaboratively with the FBI on many investigations, including drug interdiction, Safe Streets Task Force, Joint Terrorism Task Force investigations, and human trafficking activities; and

WHEREAS, this funding will allow the Erie County Sheriff's Office to purchase the same equipment used by the FBI, during investigations and operations, and will allow for greater communications and flow of information between the agencies; and

WHEREAS, the use of same or similar equipment will also increase officer safety during multi- agency operations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the Federal Bureau of Investigation to accept funding in the amount of \$66,500.00 to purchase joint operation equipment; and be it further

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

Erie County Sheriff's Office  
FBI Joint Law Enforcement Operations Funding

<u>REVENUE</u>	<u>Increase</u>
Account 414020 - Federal Aid misc.	<u>\$66,500.00</u>
TOTAL REVENUE	<u>\$66,500.00</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Account 561410 - Lab & Technical Equipment	<u>\$66,500.00</u>
TOTAL APPROPRIATIONS	<u>\$66,500.00</u>

; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; 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 for implementation.

FROM CHAIR MILLS

Item 50 – (COMM. 14E-10) Letter to Clerk of the Legislature Calling a Public Hearing Regarding LL Intro. 11-1 (2017)

Received, filed and printed.

July 20, 2017  
Karen M. McCarthy, Clerk  
Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear comment on Local Law Intro. 11-1 (2017) A Local Law of the County of Erie, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law Section 186-g.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 6:00 p.m. on Thursday, July 27, 2017 in the Erie County Legislature Chambers, located on the 4<sup>th</sup> floor of Old County Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,  
JOHN J. MILLS  
John J. Mills, Chair  
Erie County Legislature

FROM LEGISLATOR MILLER-WILLIAMS

Item 51 – (COMM. 14E-11) Letter of Absence from Legislative Session

Received, filed and printed.

July 12, 2017  
Hon. Karen McCarthy  
Clerk of the Legislature  
92 Franklin Steet, Fourth Floor  
Buffalo, NY 14202

Dear Clerk McCarthy:

Please be advised that due to a personal family obligation, I am unable to attend the Fourteenth Legislative Session. I apologize for my absence from the Session being held on Thursday, July 27, 2017 at 2:00 p.m.

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  
Barbara Miller-Williams  
Erie County Legislator  
District 1

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

FROM LEGISLATOR BURKE

Item 52 – (COMM. 14E-12) Letter to NYS Department of Environmental Conservation Commissioner Regarding Proposed County Ban on Consumer Use of Neonicotinoids

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE SHERIFF

Item 53 – (COMM. 14E-13) Chaplain Agreements

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE CLERK OF THE LEGISLATURE**

Item 54 – (COMM. 14D-1) Notice of Public Hearing Regarding LL Intro. 11-1 (2017)

Item 55 – (COMM. 14D-2) NYS DEC Documents Received

The above two items were received and filed.

**FROM THE DEPARTMENT OF LAW**

Item 56 – (COMM. 14D-3) Notice of Public Hearing Regarding LL Intro. 9-1 (2017)

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE NYS AGRICULTURE AND MARKETS**

Item 57 – (COMM. 14M-1) Certification of District Renewal Plan with Modifications for EC Southeast Agricultural District No. 15

Received and filed.

**FROM THE BUFFALO & EC PUBLIC LIBRARY**

Item 58 – (COMM. 14M-2) July 20, 2017 Board of Trustees Agenda

Received and filed.

**FROM THE EC BAR ASSOCIATION**

Item 59 – (COMM. 14M-3) Assigned Counsel Program - Financial Report, List of Attorneys on Panel & Board of Directors Meeting Minutes

Item 60 – (COMM. 14M-4) Assigned Counsel Program - Quarterly Report for 2nd Quarter of 2017

The above two items were received and filed.

FROM THE NFTA

Item 61 – (COMM. 14M-5) Annual 17A Report

Received and filed.

ANNOUNCEMENTS

Item 62 – CHAIR MILLS announced a public hearing regarding LL Intro. 1-1 (2017) A LL of the County of Erie, Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law Section 186-g is scheduled for July 27, 2017 at 6:00 p.m. in the Legislature Chambers.

Item 63 – CHAIR MILLS announced a public hearing regarding proposed increase and improvements of facilities of EC Sewer District No. 2 is scheduled for Aug. 24, 2017 at 6:00 p.m. in the Legislature Chambers.

Item 64 – CHAIR MILLS announced a public hearing regarding proposed increase and improvements of facilities of EC Sewer District No. 3 is scheduled for Aug. 24, 2017 at 6:30 p.m. in the Legislature Chambers.

Item 65 – CHAIR MILLS announced a tentative special legislative session is scheduled for Aug. 3, 2017 at 1:00 p.m, with a Majority Caucus Roundtable meeting to be held Aug. 3, 2017 at 11:00 a.m..

Item 66 – CHAIR MILLS announced the next regularly scheduled legislative session is Sept. 7, 2017.

MEMORIAL RESOLUTIONS

Item 67 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Philip R. Hadsell Jr, Peter M. Longo Jr and John W. Wibly Jr.

Item 68 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Moira J. Galante.

ADJOURNMENT

Item 69 - 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, September 7, 2017 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, September 7, 2017 at 2:00 p.m. Eastern Standard Time.

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