

ERIE COUNTY LEGISLATURE
MEETING NO. 7
APRIL 6, 2017

The Legislature was called to order by Chair Mills.

All members present, except Legislator Savage.

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

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 6 from 2017. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. HARDWICK presented a resolution Honoring Richard Oates for his Service and Dedication to the City of Tonawanda.

Item 6 – MS. MILLER-WILLIAMS presented a resolution Honoring the Life of George F. Johnson, Sr.

Item 7 – MS. MILLER-WILLIAMS presented a resolution Honoring the Dedication of the Organizers of the 11th Annual Dyngus Day Parade and Celebrating and Proclaiming April 17, 2017 as "Dyngus Day" in Erie County.

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

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above three items to include one miscellaneous resolution from MR. BURKE, and to include Et Al sponsorship. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 8 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 9 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

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 #1) 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.

COMMITTEE REPORTS

Item 19 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

March 30, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 6
----------------	---------------------------------------------------

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

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 6E-16 (2017)
DIXON: “Letter to Department of Health Commissioner Regarding Committee Discussion Concerning Sudden Infant Death Syndrome”
(6-0)

2. COMM. 6E-14 (2017)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Health’s Tuberculosis Control program is required by state law to provide tuberculosis monitoring and treatment to prevent the spread of this deadly and highly contagious disease; and

WHEREAS, one third of the world’s population is infected with tuberculosis; and

WHEREAS, nearly 500,000 people developed multi-drug resistant tuberculosis in 2015; and

WHEREAS, in order to observe and verifying that tuberculosis treatment is being properly administered Erie County Department of Health nurses visit patients’ homes; and

WHEREAS, the New York State Department of Health has requested the Erie County Department of Health become a certified Licensed Home Care Service Agency in relation to home visits of tuberculosis patients; and

WHEREAS, the New York State Department of Health is the oversight body for the Erie County Department of Health's clinical programs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Department of Health to apply for Licensed Home Care Service Agency Status; and

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the New York State Department of Health Division of Legal Services, Room 2462 Tower Building Empire State Plaza and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.
(6-0)

3. COMM. 6E-15 (2017)

COUNTY EXECUTIVE

WHEREAS, decreasing the rate of opioid addiction and opioid overdose deaths in Erie County is an important public health objective; and

WHEREAS, public awareness of the opioid epidemic and the related issues can be expanded through traditional marketing efforts; and

WHEREAS, individuals with opioid use disorder, their families, and the general public can benefit from increased awareness of treatment options; and

WHEREAS, evidence based strategies exist which have a demonstrable impact on decreasing the stigma of addiction and increasing access to care; and

WHEREAS, Lamar Advertising company is a sole source provider of billboard advertising services in high visibility locations in Erie County; and

WHEREAS, this grant in the amount of \$50,000 requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to receive a grant award from the New York State Department of Health in the amount of \$50,000 to be budgeted as follows:

“Opioid Overdose Prevention”
127OOP1617
12/1/16 -8/31/17

SAP REVENUE

BUDGET

479000	State Aid Revenues	<u>\$50,000</u>
	TOTAL	<u>\$50,000</u>
EXPENSES		
505000	Office Supplies	\$ 235
510000	Local Mileage Reimbursement	\$ 1,001
516020	Professional Svcs Contracts & Fees	\$23,980
561410	Lab & Technical Equipment	\$ 1,200
912700	ID Health Services	\$ 4,500
980000	ID DISS Services	<u>\$19,084</u>
	TOTAL	<u>\$50,000</u>

and be it further

RESOLVED, that the Erie County Department of Health is hereby authorized to enter into contract with Lamar Advertising Company for \$17,864.00 for a billboard campaign; and be it further

RESOLVED, that the Erie County Department of Health is hereby authorized to enter into contract with DGI Video for \$4,916 for a pre-film awareness campaign; and be it further

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

LYNNE M. DIXON
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 66

March 30, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
----------------	------------------------------------------------

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

1. COMM. 6E-9 (2017)
COUNTY EXECUTIVE

WHEREAS, last year construction contracts were authorized by your Honorable Body for the Various Highway Maintenance Facilities-2015-New Salt Storage Buildings project; and

WHEREAS, when the contractor started excavating for the foundations and contaminated soils were encountered which must be remediated per NYS-DEC regulations; and

WHEREAS, the Construction Contingency must be increased to fund additional work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the current construction contingency fund by \$10,000.00 to a total of \$207,418.00; and be it further

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

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved contractors on site to complete the additional work; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP Project A.15006-2015-DPW Environmental Regulatory Compliance (Countywide), Fund 410, Business Area 122, for a total amount not to exceed \$10,000.00; and be it further

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

JOSEPH C. LORIGO
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 67

March 30, 2017	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 4
----------------	------------------------------------------------

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-4 (2017)
MILLS, LORIGO & COMPTROLLER: "Letter to ECFSA Regarding ECMCC Bonding Resolutions"
(6-0)

- b. COMM. 5M-3 (2017)
EXECUTIVE DIRECTOR, EC FISCAL STABILITY AUTHORITY: “Letter Regarding Declaration of Need”
(6-0)
- c. COMM. 6E-13 (2017)
COMPTROLLER: “Audit Regarding Sheriff’s Office Bail Bond Payment and Collection Procedures for Period Jan. 1 - Nov. 30, 2016”
(6-0)
- d. COMM. 6M-6 (2017)
GREAT LAKES HEALTH SYSTEM: “Letter Regarding ECMCC Finances”
(6-0)

JOSEPH C. LORIGO
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 68

March 30, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 5
----------------	------------------------------------------------

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

- 1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 6E-12 (2017)
MILLS: “Letter to Chair of Energy & Environment Committee Regarding Interviews for Commissioner of the EC Water Authority”
(6-0)
- 2. COMM. 6E-10 (2017)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 6E-6 (2015), Hohl Industrial Services, Inc. was awarded Contract 54 STP-A, General, for work associated with the “Sludge Incinerator Emissions Upgrades” at the Southtowns Advanced Wastewater Treatment Facility; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 54 STP-A, General, in the final contract amount of \$534,224.14

which includes Change Order No. 3 (final), a decrease of \$6,130.86, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 54 STP-A, General, between the County of Erie and Hohl Industrial Services, Inc. (1770 Riverview Blvd., Tonawanda, NY 14150) is accepted in the final contract amount of \$534,224.14 which includes Change Order No. 3 (final), a decrease of \$6,130.86, and is allocated in Erie County Sewer District No. 3 Bond Account C.00012; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 54 STP-A, General, Hohl Industrial Services, Inc. for a total contract amount of \$534,224.14; and be it further

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

3. COMM. 6E-11 (2017)

COUNTY EXECUTIVE

WHEREAS, bids were taken for the Black Rock Canal Park Improvements – Phase III in the City of Buffalo on February 9, 2017, and the low bidder for construction was Union Concrete and Construction Corp. of 105 Center Road, West Seneca, New York at a low responsible bid of \$298,400; and

WHEREAS, the County has been embarking on a \$2.5 million multi-phased improvement project to Black Rock Canal Park; and

WHEREAS, the County wishes to start construction as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the lowest responsible bidder, for the Black Rock Canal Park Improvements Project Phase III construction project as follows:

Construction Work

Union Concrete and Construction Corp.	Base Bid:	\$263,600
	Alt Bids No. 1-6	\$34,800
	Total Contract not to Exceed	\$298,400

; and be it further

RESOLVED, that the County Executive be authorized to establish a construction contingency and execute change orders in an amount not to exceed \$45,000; and be it further

RESOLVED, that a total amount not to exceed \$343,400.00 be allocated from the 2015 capital project A.15081 – Improvements to the Black Rock Canal Park, fund 410, business area 162; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of Parks, Recreation and Forestry; the Director of the Division of Budget and Management; the Comptroller’s Office; and the County Attorney.
(6-0)

TED B. MORTON
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

March 30, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 6
----------------	-----------------------------------------

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

1. COMM. 1E-20 (2017)

SHERIFF AS AMENDED

WHEREAS, the Erie County Sheriff’s Office Aviation Unit plays a vital role in search and rescue missions throughout Western New York; and

WHEREAS, a key piece of equipment on Air-1 is the rescue hoist capable of lifting objects that weigh 300 pounds; and

WHEREAS, the rescue hoist is inoperable and needs extensive repairs; and

WHEREAS, without the necessary service and replacement parts, the rescue hoist would be inoperable therefore limiting the helicopter capabilities during rescues missions; and

WHEREAS, due to the damage sustained to the hoist and to warranty concerns, the Erie County Sheriff’s Office was unable to locate a vendor within North America with the expertise to service the equipment, therefore the Erie County Sheriff’s Office needs to ship the hoist to the overseas manufacturer, Goodrich Sensors & Integrated Systems S&SI SOA Division, and prepay shipping and handling, and service costs, international duty, and fees before repair work will commence; and

WHEREAS, for additional health and wellbeing of Deputies, the Erie County Sheriff’s Office plans to issue each Deputy assigned to the Police Services Division an Individual Patrol

Officer Kit which will control bleeding from penetrating and other traumatic injuries and aid in treating the wounds; and

WHEREAS, the kits contain trauma gloves, a Combat Application Tourniquet, combat gauze and hemostatic bandages, and emergency trauma dressings; and

WHEREAS, the Sheriff's office needs to certify or recertify Police Services Deputies for CPR as well as purchase CPR training books; and

WHEREAS, the Seized Asset Forfeiture Account balance as of March 27, 2017, is \$158,115.87; and

WHEREAS, the funds transferred from the Seized Assets Forfeiture Account for Air-1, trauma kits, and first aid training are U.S. Department of Justice authorized expenditures.

NOW, THEREFORE, BE IT

RESOLVED, that up to \$158,115.87 is available in the Asset Forfeiture Trust Fund account, and that \$32,147.00 is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE

Sheriff – SAFS Funded Program

<u>ACCOUNT #</u>		<u>DECREASE</u>
421550	Forfeiture Crime Proceeds	<u>\$ 32,147.00</u>

<u>ACCOUNT #</u>		<u>INCREASE</u>
506200	Repair and Maintenance	\$ 25,000.00
501200	Training & Education	\$ 5,447.00
505200	Clothing/First Aid Supplies	\$ 1,700.00
	Total Revenue	<u>\$ 32,147.00</u>

; and be it further

RESOLVED, that designated Seized Asset Fund expenditure meets the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that the Purchase Department is hereby authorized to issue the necessary purchase order prior to shipping and service and the Comptroller's Office is hereby authorized to process the payment to Goodrich Sensors & Integrated Systems S&SI SOA Division for an amount not to exceed \$25,000.00 prior to the shipment of the rescue hoist; and be it further

RESOLVED, due to the lack of qualified service companies within North America, the Erie County Legislature does hereby waive the procedures provided for in Section 19.08 of the Erie County Administrative Code for the purpose of securing the services of Goodrich Sensors &

Integrated Systems S&SI SOA Division to provide service for the Erie County Sheriff's Office rescue hoist; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate these transfers if there are 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 the Asset Forfeiture Trust Account; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make any payments necessary for the repair of the rescue hoist, Individual Patrol Officer Kits, and the CPR training and training books; and be it further

RESOLVED, the Legislature shall forward certified copies of this resolution to the Division of Budget and Management, Erie County Comptroller, the Division of Purchase and the Chief of Administration of the Sheriff office.

(6-0)

2. **COMM. 6E-17 (2017)**

COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$45,519 in federal assistance to continue the implementation of hardening critical infrastructure within Erie County preparing for emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$45,519 in federal resources to enhance the security at the Public Safety Campus by providing increased security measures to include cameras and communication equipment at the main door of the Public Safety Campus identifying individuals seeking entry into the building.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the NYS Department of Homeland Security to receive \$45,519 in grant funding for the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

RESOLVED, that these funds will be utilized to enhance the security of a critical infrastructure site within Erie County; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the grant fund 281, funds center 16700 as follows:

Erie County Department of Emergency Services
FY 2016 Critical Infrastructure Grant Program
April 1, 2017 – August 31, 2019
HS167CIGP1619

Revenue	Increase
Account 414000 Federal Aid	\$45,519
Appropriations	Increase
Account 561410 Equipment (Lab & Tech)	<u>\$45,519</u>
Total Appropriations	\$45,519

and be it further

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

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

3. COMM. 6E-18 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$139,000 in federal assistance to provide local stakeholders, that provide technical rescue services, the opportunity to strengthen their chemical, biological, radiological, nuclear and explosive (CBRNE) Preparedness and Response Capabilities which will ultimately enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$139,000 in federal resources to provide funding for training of personnel and the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, this is a regional grant and Erie County will purchase the necessary equipment and training for the five (5) local Fire Departments (Gowanda Fire Company, Orchard Park Fire Company, Hillcrest Fire Company, West Falls Fire Company and East Aurora Fire Department), the Erie County Sheriff's Office, the Niagara Frontier Search and Rescue Team and the Western New York ALERT Swift Water Rescue Team; and

WHEREAS, authorization is requested from the Erie County Legislature for the County Executive to enter into Memorandums of Understanding to give the purchased equipment from this grant to those agencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the NYS Department of Homeland Security to receive \$139,000 in grant funding to meet the goals and objectives under the Department of Homeland Security and Emergency Services; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the Department of Homeland Security and Emergency Services can enter into Memorandum of Understanding Agreements (MOU's) with the five (5) local Fire Departments (Gowanda Fire Company, Orchard Park Fire Company, Hillcrest Fire Company, West Falls Fire Company and East Aurora Fire Department), the Erie County Sheriff's Office, the Niagara Frontier Search & Rescue Team and the Western New York ALERT Swift Water Rescue Team for the local stakeholders purchase of equipment and training by Erie County; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the grant fund 281, funds center 16700 as follows:

Erie County Department of Homeland Security and Emergency Services
FY 2016 Technical Rescue Grant
April 1, 2017 – August 31, 2019
HS167TECHRESCUE1619

Revenue	Increase
Account 414000 Federal Aid	\$139,000
Appropriations	Increase
Account 501000 Overtime	\$1,000
Account 516020 Professional Contracts & Fees	\$6,500
Account 505200 Clothing Supplies	\$20,000
Account 561410 Lab & Technical Equipment	<u>\$111,500</u>
Total Appropriations	139,000

and be it further

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

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

(6-0)

4. COMM. 6E-19 (2017)

COUNTY EXECUTIVE

WHEREAS, it is the desire of Emergency Services to amend the Global Staffing Solutions contract who is providing integration of existing software systems with a new paging software program and new mapping software; and

WHEREAS, on April 28, 2016 this body approved Resolution COMM 7E-28 to hire Global Staffing Solutions at the cost not to exceed \$50,000; and

WHEREAS, due to unforeseen integration issues the project is now costlier than originally anticipated, therefore requiring the need to amend the existing contract by \$6,000 in order to best complete the project.

NOW, THEREFORE, BE IT

RESOLVED, that the contract with Global Staffing Solutions is hereby amended from \$50,000 to a total cost not to exceed \$56,000; and be it further

RESOLVED, that the funding for this contract is hereby authorized in grants HS167SHSP1518 and HS167PSAP1315, 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 Emergency Services c/o Melissa Calhoun, the Department of Central Police Services c/o Marlaine Hoffman, the County Comptroller, and the County Attorney.
(6-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 24 – MR. LORIGO presented the following resolution and moved for consideration.
MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 70

RE: Settlement of Fact-Finder's Report of
February 23, 2017
(INTRO. 7-1)

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

CARRIED UNANIMOUSLY.

Amend Intro. 7-1 (2017) to read as follows:

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS

LORIGO, MILLS, MORTON, DIXON, HARDWICK, RATH,
LOUGHRAN, BURKE, GRANT & MILLER-WILLIAMS

WHEREAS, the administration and the members of AFSCME Local 1095 have been unable to negotiate a contract for the year 2016 and it has been determined that their negotiations are at an impasse; and

WHEREAS, an independent Fact Finder made recommendations for resolving the impasse on February 23, 2017; and

WHEREAS, the recommendations of the Fact Finder were rejected by both parties and as required by law the report was submitted to the Erie County Legislature on March 23, 2017 and was included as part of the public hearing record on March 30, 2017; and

WHEREAS, the Erie County Legislature is required under applicable state law to hold a public hearing regarding the report of the Fact Finder and that public hearing was held on March 30, 2017; and

WHEREAS, the applicable state law requires the Erie County Legislature to “take such action it deems to be in the public interest, including in the interest of the public employees involved;” and

WHEREAS, AFSCME Local 1095 represents employees who work directly with Erie County, as well as those employed at Erie County Medical Center Corporation, the Erie County Home, Erie County Community College and the Buffalo and Erie County Public Library System; and

WHEREAS, the Erie County Medical Center Corporation has recently announced that the public benefit corporation has reported that its fiscal strength has never been better and has been able to commit to a 23 year financing plan for a new Emergency Room; and

WHEREAS, the Erie County Executive has recently stated before the Erie County Fiscal Stability Authority that the county will end 2016 with a \$3 million surplus; and

WHEREAS, the County Executive and the leadership of AFSCME Local 1095 have both expressed a desire to return to the collective bargaining table; and

WHEREAS, the Erie County Legislature has the ability and responsibility under applicable state law to resolve this impasse by establishing contract terms from January 1, 2016 to December 31, 2016; and

WHEREAS, this honorable body supports AFSCME 1095 and its members and hopes this resolution works to bring the Union and the County back to the negotiating table to agree on a mutually beneficial contract going forward.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature determines that it is appropriate to compensate current active AFSCME employees who were without a contract and employed in 2016 by imposing a onetime payment to them in the amount of \$1000.00 for full time employees and pro-rating payments for part time (PT) and regular part time (RPT) employees; and, be it further

RESOLVED, that full time employees shall include employees who worked 40 hours per week and 80 hours per pay period, without including overtime hours, between January 1, 2016 and December 31, 2016; and, be it further

RESOLVED, that Part Time and Regular Part time employees shall be compensated an amount to be determined by pro rating their average hours worked per week during the year against those worked by full time employees by enacting the following formula:

Average Hours Worked of PT Employee / 40 = Compensation Percentage of \$1000
Average Hours Worked RPT Employee/ 40 = Compensation Percentage of \$1000

Example: When averaging the amount of hours, not including overtime, that a part time employee worked, the Department of Personnel determined that the employee worked 19 hours. 19 hours divided by 40 full time hours equals 47.5%. Therefore, based on the employee's 19 hour work week average, the part time employee would be paid \$475 as part of this imposition.

The time frame for calculating the average hours worked for part time and regular part time employees shall also be January 1, 2016 through December 31, 2016; and, be it further

RESOLVED, that full time AFSCME employees who were not employed for the entire 2016 calendar year shall have their payment amount determined by using the same formula for calculating part time and regular part time employees, in which their average hours worked per week throughout the year will be calculated and their \$1000 payment will be pro-rated downward to adjust for the time they were not employed in the AFSCME bargaining unit; and, be it further

RESOLVED, that this imposition shall apply to current active members of AFSCME Local 1095 bargaining unit who were employed by the County, the Erie County Medical Center Corporation, Erie Community College and the Buffalo and Erie County Library System between January 1, 2016 and December 31, 2016; and, be it further

RESOLVED, that each entity employing members of the affected bargaining unit shall be responsible for the payment and calculation of the award to the person or persons eligible to receive such payment; and, be it further

RESOLVED, that the County, Erie Community College and Erie County Medical Center Corporation shall calculate the amount owed to each employee and deliver those calculations in a report to the Erie County Comptroller within 30 calendar days; and, be it further

RESOLVED, that payment to employees shall be made within 45 calendar days; and, be it further

RESOLVED, that the payment to employees shall NOT be reduced for any reason without the approval of the Erie County Legislature; and, be it further

RESOLVED, that the county share for the payments to be provided to the members of Local 1095 who were employed by Erie County shall be funded from the fund balance in accordance with the provisions of the Erie County Charter, Section 2605(d); and, be it further

RESOLVED, that this resolution settles AFSCME's contract and all financial disputes for the 2016 calendar year; and, be it further

RESOLVED, that the Erie County Legislature reserves the right to reconsider this resolution and declare it null and void at any time prior to payment being issued to employees if the County and AFSCME come to agreement and settle all contract disputes; and, be it further

RESOLVED, that the Clerk of the Erie County Legislature send certified copies of this resolution to the County Executive, the Comptroller of Erie County, the President of Erie County Community College, the Chief Executive Officer of the Erie County Medical Center Corporation, the Director of Buffalo and Erie County Public Library System, the Budget Director, the Commissioner of Personnel, and any other party deemed necessary and proper.

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

CHAIR MILLS directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

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

RESOLUTION NO. 71

RE: Appointment to EC Citizens' Budget
Review Commission
(INTRO. 7-2)

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

WHEREAS, the Erie County Legislature unanimously approved, and the County Executive signed, a local law introduction reinstating a Citizens' Budget Review Commission for the County; and

WHEREAS, the Commission shall assist and advise the Legislature in the oversight of the County's budget, and to monitor County finances, ensure the long-term fiscal stability of Erie County, prevent the concealment of County deficits, and to help provide the Legislature with enough time and information to respond to budgetary problems, according to their Charter mandate; and

WHEREAS, according to the provisions of Local Law No.2 of 2012, specifically Section 2618 (c) [Membership; Terms; Vacancies], specific categories of appointments shall be made on an annual basis, of members of the Commission; and

WHEREAS, following a general outreach to solicit interest among Erie County residents to serve on this important policy panel, the following membership category had interest.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Local Law No. 2 of 2012, the following individual is hereby appointed by this Honorable Body to serve as member of the Erie County Citizens' Budget Review Commission, for a term that will expire on December 31, 2017:

Appointee:
Joseph F. Winter, CPA
82 Howard Lane
Tonawanda, NY 14150

Membership Category:
Professional CPA

RESOLVED, that this Legislature declares that Mr. Winter possesses strong personal and professional credentials that add greatly to the Commission's important work; further ensuring fiscal stability of County government, adding additional checks and balances to the oversight of County finances, and increased budget monitoring and reporting; and, be it further

RESOLVED, that certified copies of this resolution be conveyed to the County Executive, Erie County Fiscal Stability Authority, Comptroller, County Attorney, Budget Director, the Erie County Citizens' Budget Review Commission appointees at the addresses listed above, and all other parties deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

RE: Permanent Placement of Chair of
Economic Development on ECIDA
Policy Committee
(INTRO. 7-3)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR LORIGO

WHEREAS, Erie County Industrial Development Agency (ECIDA) was created in 1970 by the New York State Legislature to promote and assist private sector industrial and business development within the borders of Erie County; and

WHEREAS, the ECIDA Policy Committee was established to propose policy guidelines and policy statements regarding the ECIDA and its mission; and

WHEREAS, membership of the Policy committee has historically included the Chair of the Erie County Economic Development Committee who is a permanent member of the ECIDA by state statute; and

WHEREAS, the people of the County of Erie, who are intended to be the beneficiaries of the ECIDA's actions, deserve to have their elected representatives take an active role in the determination of the direction of the policy of such an important agency; and

WHEREAS, this honorable body further finds that the ECIDA, while not a direct recipient of tax payer dollars, does have the authority to offer tax discounts and exemptions. This authority directly impacts the residents of Erie County and exists concurrently with the taxing authority of the Erie County Legislature; and

WHEREAS, this honorable body finds that allowing the Chair of the Economic Development committee to have a direct voice in setting the policy direction of the ECIDA is in the best interests of the residents of Erie County and also ensures that the entire Legislature remains informed of the policy decisions of such an important agency.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body urges the ECIDA to officially reserve one permanent voting seat on the ECIDA Policy Committee for the Chair of the Erie County Economic Development Committee Chairperson as has been the historical norm; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Chairwoman of the ECIDA Brenda McDuffie, the Chief Executive Officer Steve Weathers, and any other party deemed necessary and proper.

MR. LORIGO moved to amend the item to include MR. MILLS, MR. MORTON, MS. DIXON, MR. RATH, MR. HARDWICK & MS. GRANT as co-sponsors. MR. RATH seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 27 – MR. LORIGO presented the following resolution and moved for consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

RE: Support for FASNY HELP Tuition
Reimbursement Program
(INTRO. 7-4)

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

LOUGHRAN, GRANT & MILLER-WILLIAMS

WHEREAS, the Staffing for Adequate Fire and Emergency Response (SAFER) grant was created to provide funding directly to fire departments and volunteer firefighter organizations to help them increase and maintain the number of trained frontline firefighters available in the community; and

WHEREAS, with the assistance of SAFER grant the Firefighters Association of the State of New York (FASNY) has created the Higher Education Learning Plan, known as FASNY HELP, which provides tuition reimbursement to individuals attending community college for up to 80 credits; and

WHEREAS, FASNY HELP offers up to 100 percent tuition reimbursement, based on academic performance for all eligible student-volunteer firefighters so long as they are members in good standing in one of New York's volunteer fire companies during their school years and service payback period; and

WHEREAS, this program is a win-win, helping thousands of volunteers across New York State cover much of the expense of college while ensuring adequate levels of staffing for volunteer fire departments in our local communities; and

WHEREAS, for the past two years FEMA has not funded the program, forcing FASNY to fully fund HELP. Without FEMA funding, FASNY will not be able to continue offering tuition reimbursement to eligible volunteer firefighters potentially costing volunteer organizations their membership.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the FASNY HELP program and urges FEMA to include additional funding from the Department of Homeland Security's Staffing for Adequate Fire and Emergency Response grant to cover the continuation of this program for the 2017 school year; and, be it further

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

MR. LORIGO moved to amend the item to include MR. BURKE as co-sponsor. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 28 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

RESOLUTION NO. 74

RE: In Opposition to Congress and the FCC's
Overturning of Internet Provider Data
Collection Regulations
(INTRO. 7-5)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS BURKE, GRANT & LOUGHRAN

WHEREAS, under President Barack Obama, Congress and the FCC had implemented broadband provider privacy regulations that would require cable and phone companies to obtain consent before using and selling sensitive information about their users' browsing habits; and

WHEREAS, recently, the Senate voted 50-48 along party-lines to overturn this regulation, and President Trump is expected to sign the legislation; and

WHEREAS, the bill not only gives cable companies and wireless providers unrestricted access to data such as browsing history, shopping data, and user location, it would also prevent the Federal Communications Commission from ever again establishing similar consumer privacy protections; and

WHEREAS, with most Americans spending a great amount of the time on the internet, it is important for them to not be in fear or under suspicion that their internet provider is logging their activities and selling the data; and

WHEREAS, there is prior precedent for these type of regulations to have been imposed, with the FCC previously restricting what phone companies can do with call records and Congress prohibiting video stores from disclosing customers' movie rentals; and

WHEREAS, the bill's supporters say the commission's privacy rule was unfair because it only pertained to internet providers and not internet businesses such as Google and Facebook. While having regulations in place for those companies is important as well, this Honorable Body sees internet providers as the first and foremost guardians to citizens' information and means of connecting to the internet; and

WHEREAS, consumers are often in a position to limit the data given to other companies or choose not to participate with them, but they are always bound to their internet provider to get them on the internet, most importantly through their cell phone; and

WHEREAS, the rollback of important and necessary internet privacy protections unfortunately shows that the needs and interests of the telecommunications companies have taken precedent over consumers, and this Honorable Body express its disagreement with Congress and the FCC's deference to big business and stand beside consumers in regards to internet privacy and all other applicable matters.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body strongly oppose the reversal of landmark consumer privacy protections previously enacted by Barack Obama and desire for further legislation action be done to prevent the rollback from taking place; and be it further

RESOLVED, that this Body desire that the digital tracks of citizens remains their property, not the property of their telecommunications provider, and does not support the capitalization and selling of sensitive information by these companies; and be it further

RESOLVED, that this Body declare this privacy rollback a slippery slope by potentially allowing further breaches in already established privacy standards to be introduced, and find it necessary to act now to protect important consumer protections; and be it further

RESOLVED, that certified copies of this resolution be sent to President Donald Trump, Senator Chuck Schumer, Senator Kirstin Gillibrand, Representative Brian Higgins, Representative Chris Collins, and any other party deemed necessary and proper.

Item 29 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 7-6 from LEGISLATOR MILLER-WILLIAMS. In Support of Raise the Age Legislation in the New York Legislature.

Item 30 – MR. LOUGHRAN presented the following resolution and moved to amend the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RE: Professional Credentials for the Position
of Executive Director of the EC Water
Authority
(INTRO. 7-7)

Add the following text:

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

WHEREAS, the abundant supply of clean fresh water is one of the key natural resources upon which the future of Western New York rests, and

WHEREAS, threats to fresh water can be horrific (i.e. Flint Michigan) and warrant the assembly of the best possible management team to assure the future of this extraordinary resource, and

WHEREAS, in the process of hiring key managers, an appropriate and unambiguous statement of qualifications are in order, and

WHEREAS, the qualifications for the position of Executive Director of the Erie County Water Authority are expressed in a statement under the heading ACCEPTABLE EXPERIENCE AND TRAINING and reads: "Ten years of increasingly responsible and successful executive experience in the administration of a large scale municipal or private water production and distribution system and graduation from a college or university of recognized standing with major work in hydraulic engineering or business or public administration; or any equivalent combination of experience and training sufficient to indicate ability to do the work."

WHEREAS, the last 16 words of the above statement is the equivalent of a "loophole".

NOW, THEREFORE, BE IT

RESOLVED, that the last 16 words of the ACCEPTABLE EXPERIENCE AND TRAINING statement be stricken and the semicolon replaced with a period, and be it further

RESOLVED, that a certified copies of this resolution be sent to each of the Commissioners of The Erie County Water Authority.

CHAIR MILLS directed that the following item as amended be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 31 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 5E-24. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

RE: 2017 Consolidated Bond Resolution
(COMM. 5E-24, 2017)

BOND RESOLUTION DATED _____, 2017

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2017 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$49,409,809, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$10,733,068 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID AND \$845,713 OF LOCAL SOURCE REVENUES, AND AUTHORIZING THE ISSUANCE OF \$37,831,028 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED

THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) _____, 2017
(Adopted) _____, 2017

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2017 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2017 Capital Budget of the County, such Budget shall be deemed and is hereby amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column A-1 of the attached schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 2017 Capital Budget for the County. The plan of financing includes the expenditure of \$10,733,068 in State and Federal aid and \$845,713 local source revenue expected to be received, the issuance of \$37,831,028 aggregate principal amount of bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance the balance of said appropriations, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York and local source revenues are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued 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 the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said \$37,831,028 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column F of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County

pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

2017 Capital Budget Project Descriptions

2017 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS										
COLUMN #	A	B	C	D	E	F	G			
LINE NO.	SAP PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OF FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PERM. REFERENCE	CAPITAL BUDGET MADE REFERENCE	PROJECT DESCRIPTION
1		Restoration of New Era Student Center Improvement Allowance Year 3 (Grand Park) - DPW (Buildings and Grounds)	S	4,803,217	1,880,237	2,128,237	445,713	15 yrs. Par. 19 @	P-113	The County must provide annual capital maintenance and repairs to the County owned stadium facility pursuant to the terms of the Lease Agreement between the Erie County Stadium Corporation, the County and the Buffalo Bills. The State and Buffalo Bills will provide funds that will be combined with the County's bonded share as the fifth year of the Capital Improvement Allowance.
2		Ballou Gardens - Rehabilitation (Buildings and Grounds)	S	500,000	500,000	-	-	15 yrs. Par. 19 @	P-113	The County entered into an agreement with the Ballou Gardens Society in 2004 to provide capital funding to implement the Master Plan for the Ballou Gardens in 2017. The County will continue the inclusive by conducting miscellaneous improvements throughout the Ballou.
3		Ballou Region Convention Center Renovation (Buildings and Grounds)	S	1,200,000	1,200,000	-	-	15 yrs. Par. 12(a)(2)	P-113	This project will continue capital improvements to the Convention Center and may include, but not be limited to: replacing the ballroom structural ceiling with a sound system and lighting, remove and replace all restrooms on the first and second floor, upgrade and replace the main lobby of Franklin Street, and update the fire alarm system to bring speakers up to building code requirements, and miscellaneous items.
4		Code and Environmental Compliance (Courtyard) - DPW (Buildings and Grounds)	C	1,000,000	1,000,000	-	-	15 yrs. Par. 12(a)(2)	P-114	This project will include funding for the design and construction for building code compliance issues, testing and abatement of asbestos containing materials (ACM), testing and abatement of mold containing materials and other environmental code, and emergency or pressing concerns.
5		Roof Replacement and Exterior Waterproofing (Courtyard) - DPW (Buildings and Grounds)	C	600,000	610,000	-	-	15 yrs. Par. 12(a)(2)	P-114	This project will include but is not limited to: testing exterior components such as: spalling and inspecting doors, windows, skylights, roofing, caulking, waterproofing, masonry repair and repointing, and miscellaneous related work to the building exterior. This work will include design and construction.
6		Mechanical, Electrical, Plumbing and Miscellaneous Improvements (Courtyard) - DPW (Buildings and Grounds)	COMBO	1,000,000	1,000,000	-	-	10 yrs. Par. 90	P-114	This project will include renovations or replacement of various systems that need renovation/repairment. This may include, but are not limited to: installation of backup boilers at the Ferry Court Building, check tower building, York Department of Public Works, various domestic water pump replacements at the Rahn, Pennsylvania Building, and the County Jail, the new 500 kW natural gas generators, two new air handlers units that serve the 14-story residential tower at the High Building, a new air handler unit at the Fire Training Tower, boiler upgrades, furnace, relaxation gas valves, water control system, water return system, water and piping, new hot water tanks and piping, 15 tanks, new hot water system, water storage tank, pneumatic systems and controls, replacement of water pumps, other, and new emergency generator and fuel tanks at the Holiday Center, a new VFD at the Correctional Facility, fuel system and energy conservation measures for 124 West Eagle Street, upgrades to heating, ventilation and air conditioning systems at 608 William Street and the Small Business at Central Ridge Park, and replacement of backflow prevention devices at several facilities. Other items may include the renovation/abatement of lead system piping, the steam system, lighting and electrical power distribution systems, and emergency standby generators. This work includes design and construction.
7		Energy Conservation Implementation Initiative (Courtyard) - DPW (Buildings and Grounds)	COMBO	250,000	250,000	-	-	10 yrs. Par. 90	P-115	This project is a multi-year phased energy conservation and efficiency measure installation initiative at Erie County facilities that will include, but not be limited to: retro-commissioning of the existing HVAC and building automation systems, lighting improvement and lighting control installation, chiller water optimization, implementing demand control ventilation strategy, upgrading hot water controls, installation of more efficient heating and cooling equipment and other miscellaneous improvements. Consultants may be hired as necessary to conduct energy efficiency studies.
8		Preservation of Court Buildings and Facilities (Courtyard) - DPW (Buildings and Grounds)	C	100,000	600,000	-	-	15 yrs. Par. 12(a)(2)	P-115	This project will include improvements to various building components including, but are not limited to: exterior building envelope rehabilitation (roofs, masonry, doors and windows), interior upgrades (floors, walls, and ceilings), including stairs, and accessibility; and building systems rehabilitation (power, lighting, communication, energy conservation, plumbing, mechanical, backup generators); and miscellaneous items.
9		Restoration of County Highway Facilities (Courtyard) - DPW (Buildings and Grounds)	C	500,000	500,000	-	-	15 yrs. Par. 12(a)(2)	P-115	This project will include improvements to various highway building components including, but are not limited to: exterior building envelope rehabilitation (roofs, masonry, doors and windows), interior upgrades (floors, walls, and ceilings), including stairs, and accessibility; and building systems rehabilitation (power, lighting, communication, energy conservation, HVAC systems, vehicle exhaust systems, plumbing, mechanical, backup generators); and miscellaneous items for new or existing highway facilities. This work may include design and construction.

2017 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMMITMENTS										
COLUMN #	A	B	C	D	E	F	G			
LINE NO.	SAP PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU REFERENCE	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
10		Preservation of Roads Construction - Lake Avenue (Hamburg) - DPW/Highways	C	2,400,000	2,400,000	-	-	15 yrs. Par. 20	P 116	This program entails the reconstruction of Lake Avenue from Route 3 to South Park, and any other road as may be appropriate, located in the Town of Hamburg.
11		Preservation of Roads Construction - Goodrich Road (Concord) - DPW/Highways	C	2,500,000	2,500,000	-	-	15 yrs. Par. 20	P 116	This program entails the reconstruction or rehabilitation of Goodrich Road, and any other road as may be appropriate, in the Town of Chatham.
12		Preservation of Roads Design (Concord) - DPW/Highways	S	500,000	500,000	-	-	5 yrs. Par. 20	P 116	This program entails design work on various road projects as necessary to improve travel.
13		Highway Variable and Equipment Replacement (Countywide) - DPW/Highways	C	2,000,000	2,000,000	-	-	15 yrs. Par. 20	P 116	This project will continue to replace the larger Highways vehicle fleet including, but not limited to the purchase of dump trucks and pavers, high lift tractors, road sweepers and vector flush trucks.
14		Construction for Road Projects or Turn Back of Roads to Towns (Countywide) - DPW/Highways	C	750,000	750,000	-	-	15 yrs. Par. 20	P 116	This project involves the potential rehabilitation and then transfer of County roads to a local government. In the event such arrangements cannot be reached, the project will provide funds for any road rehabilitation or reconstruction project needed.
15		Capital Right of Way (Countywide) - DPW/Highways	C	100,000	100,000	-	-	30 yrs. Par. 21	P 116	This project involves funds necessary to acquire right of way or easement procurement for various bridge, culvert or dam repair, maintenance or preservation projects.
16		Federal Aid Projects Design - Portage Road Bridge (Eaton) - DPW/Highways	S	100,000	100,000	-	-	5 yrs. Par. 20/2nd	P 116	This project provides funds for design of the Federal aid funded replacement of Portage Road Bridge in the Town of Eaton and other Federally aid funded bridge replacement projects.
17		Federal Aid Projects Construction - Portage Road to Erie Connection (City of Tonawanda) - DPW/Highways	S	1,300,000	513,000	787,000	-	15 yrs. Par. 19(1)	P 117	This project includes funds to finance the County share of extending the trail from its current northern terminus to East Niagara Street and providing a connection to the Erie Canaway Trail as well as the downtown area of the City of Tonawanda. The Federal and non-County share of this project totals \$1,810,000.
18		Federal Aid Projects Construction - Mill Street Bridge (Concord) - DPW/Highways	S	1,500,000	150,000	1,350,000	-	20 yrs. Par. 10	P 117	This project includes funds to finance the County share of the cost of replacing this jointly-owned bridge. The Federal and Cattaraugus County share of the project totals \$1,350,000.
19		Federal Aid Projects Construction - Stony Road Bridge (Lancaster) - DPW/Highways	S	1,500,000	1,500,000	-	-	20 yrs. Par. 10	P 117	This project includes funds to replace the bridge over Elkoot Creek on Stony Road in Lancaster.
20		Federal Aid Projects Bridge Preservation Design (Countywide) - DPW/Highways	S	160,000	160,000	-	-	5 yrs. Par. 20/2nd	P 117	This project provides funds to finance the County share of various bridge projects which are eligible for State and Federal aid. This project will include design for bridge deck sealing and washing, bridge painting, joint replacement, and bridge bearings, abutment systems and vertical down on multiple bridges across the County.
21		Federal Aid Projects Bridge Preservation Construction (Countywide) - DPW/Highways	S	675,000	165,000	780,000	-	20 yrs. Par. 10	P 117	This project provides funds to finance the County share of various bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$780,000. This project will involve bridge deck sealing, bridge painting, and vertical down, bearings, abutments and joint replacement on multiple bridges across the County.
22		Countywide State Specialty Investigations (Countywide) - DPW/Highways	S	125,000	125,000	-	-	5 yrs. Par. 20/2nd	P 118	This project entails the investigation of known roadway embankment and slope failures at sites including, but not limited to: Holcomb Glenwood Road in the Town of Holland, Clark Street in the Town of Hamburg, Bassett Road in the Town of Chard Island, and East Holland Road in the Town of Holland.
23		Road State Design (Countywide) - DPW/Highways	S	250,000	250,000	-	-	5 yrs. Par. 20/2nd	P 118	This project is the design process for the eventual reconstruction of road side projects in Erie County and future investigation and design. Road sides to be included, but not limited to, are Burdick Road, and Mill Street.
24		Road State Right of Way (Countywide) - DPW/Highways	C	150,000	150,000	-	-	30 yrs. Par. 21	P 118	This project provides funds to acquire right of way necessary for the reconstruction of road sections of Erie County Roads. Road sides to be included, but not limited to, are Burdick Road, and Mill Street.
25		Road State Construction - Belvoir Road (Concord) - DPW/Highways	S	500,000	500,000	-	-	15 yrs. Par. 20	P 118	This project provides funds to reconstruct a portion of Belvoir Road in the Town of Concord. In the event reconstruction is not feasible, these funds will be allocated for other road side projects as necessary.
26		Preservation of Bridges and Culverts Construction - Rehabilitation of Flipped Bridges and Culverts (Countywide) - DPW/Highways	C	1,400,000	1,400,000	-	-	20 yrs. Par. 10	P 118	This project will fund the construction of repairs and/or rehabilitation of structures that have to be dismantled, based on Bridge Inspection Reports and Small Bridge Inspection Reports and/or Flipped

2017 CAPITAL BUDGET BOND RESOLUTION PROJECT COMPONENTS										
COLUMN #	A	B	C	D	E	F	G			
LINE NO	SAP PROJ NO	PROJECT DESCRIPTION (object or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	FPU reference	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
27		Preservation of Bridges and Culverts Construction - Mill Street Bridge Replacement (Cortland) - DPW/Highways	S	450,000	400,000	-	-	20 yrs. Par. 10	P 118	This project will fund the replacement of the bridge superstructure in its entirety, or others as may be necessary.
28		Preservation of Bridges and Culverts Construction - Repair and Rehabilitation of Large Culverts (Cortland) - DPW/Highways	C	750,000	750,000	-	-	20 yrs. Par. 10	P 118	This project will fund the construction of repairs, rehabilitation and/or maintenance of large culverts, based on large culvert or small bridge inspection reports, maintenance reports and/or flags.
29		Preservation of Bridges and Culverts Design - DPW/Highways	S	300,000	300,000	-	-	5 yrs. Par. 20	P 119	This is a capital design project for the replacement/reconstruction of Laydacker Road over Cassanova Creek in the Town of West Seneca.
30		Preservation of Bridges and Culverts Design - Non-Structural Culvert and Small Slope Riprap (Cortland) - DPW/Highways	S	250,000	250,000	-	-	3 yrs. Par. 20	P 119	This project will fund the design of repairs or reconstruction that have to be completed based on the bridge inspection Reports and/or Bridge Inspection Flags.
31		Preservation of Bridges and Culverts Design - Emergency as Directed Engineering Services (Cortland) - DPW/Highways	S	150,000	150,000	-	-	5 yrs. Par. 20	P 119	This project will fund the design of repairs or reconstruction that have to be completed based on the Bridge Inspection Reports and/or Bridge Inspection Flags or an emergency or immediate basis.
32		Preservation of Dam Design (Cortland) - DPW/Highways	S	250,000	250,000	-	-	5 yrs. Par. 20	P 119	This project is for the overall management of the County's dam assets and associated infrastructure. It will include but not be limited to assessing the local ecological board and cost effective strategies for long term maintenance of these assets. It also includes the work of the dam owners who may be required to perform and repair activities as indicated. Specific dams to be investigated are include but not be limited to the Dam Parks Commission Dam and the Miller Creek Dam.
33		Highway Safety Improvements (Cortland) - DPW/Highways	C	500,000	500,000	-	-	15 yrs. Par. 20	P 119	This project will fund recognized highway deficiencies and upgrading highway appointments at locations on the county-wide highway system that are determined to be hazardous, or are prone to higher incidence of accidents, through performance of a highway safety audit or study. The funds will be appropriated for the replacement of missing or deficient guardrail, highway vertical alignment corrections (re-construction) at locations of substandard sight distance, and grading of deep ditches and/or regrading stone embankments to satisfy slope criteria to eliminate the need for guardrail installation.
34		Highway Building Security (Cortland) - DPW/Highways	C	50,000	50,000	-	-	5 yrs. Par. 35	P 120	This project will fund the necessary work, including consultant services, to create a searchable database for all Public Works paper files (road and bridge files and drawings) and store them in an appropriate electronic database for easy access and use.
35		Highway Searchable Database (Cortland) - DPW/Highways	C	350,000	350,000	-	-	5 yrs. Par. 32	P 120	This project will fund the installation of new security measures in Highway maintenance districts, including, but not limited to, sweep access cards for bridges and the installation of security cameras and systems.
36		Replacement of Fleet Fuel Vehicles (Cortland) - DPW/Highways	C	120,000	120,000	-	-	3 yrs. Par. 77(1)(d)	P 120	This project will replace the older vehicles in the fleet with new fuel efficient vehicles for fleet and pool usage.
37		Purchase of Electric Vehicles and Charging Station (Cortland) - DPW/Highways	C	60,000	60,000	-	-	3 yrs. Par. 77(1)(d)	P 120	This project involves the purchase of two electric vehicles and a charging station.
38		Countywide Parks Improvements (Cortland) - Parks	C	800,000	800,000	-	-	15 yrs. Par. 10	P 120	The work of this project is in accordance with the recommendations of the Master Plan and will provide improvements to, but not necessarily limited to, electricity/utility, signage, shelter/building, gazebos, new picnic tables, new play structures and fall zone protection, natural areas, existing safety guidelines, demolition and removal of structures, the purchase of park equipment, paving of roads and pathways within the parks, delineation of park lands and boundaries and acquisition of property.
39		Shelter, Building and Common Station Replacement (Cortland) - Parks	C	350,000	350,000	-	-	15 yrs. Par. 10	P 121	This is an ongoing revitalization effort that includes trail improvements, environmental statement and refurbishment including, but not limited to, windows, doors, heating, siding and masonry work.
40		Roads, Pathways and Parking Lot Repair (Cortland) - Parks	C	375,000	375,000	-	-	15 yrs. Par. 20	P 121	This project will include the resurfacing and repaving of various roads, pathways and parking lots within the County park system.

2017 CAPITAL BUDGET BOARD RESOLUTION - PROJECT COMPONENTS									
COLUMN #	A	A-1	B	C	D	E	F	G	
LINE NO.	PROJECT DESCRIPTION (subject or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.01a reference	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
41	Procurement of Parks Vehicles and Equipment (Countywide) - Parks	COMBO	380,000	380,000	-	-	5 yrs Par 88	P 121	This includes the purchase of new parks vehicles and equipment.
42	Belleville Site Redevelopment (Archeryway) - Environment and Planning	COMBO	1,250,000	1,250,000	-	-	5 yrs Par 98	P 121	Funds will be utilized in a variety of uses not limited to the acquisition of property, design and construction of roads, sewers and water lines, utilities, pedestrian pathways, railroad track relocation and construction, site development, and other work at the former Belleville Steel site.
43	Barren Martin House Interior Restoration (Butts) - Environment and Planning	S	258,000	258,000	-	-	5 yrs Par 82(7)(9)	P 121	This project entails funding to complete the interior restoration of the Barren Martin House, the fifth and final major scope of work of a multi-year, multi-phase project to preserve the National Historic Landmark.
44	Albino History Museum Porch Restoration (Baker) - Environment and Planning	S	150,000	150,000	-	-	15 yrs Par 120(1)(2)	P 122	The County will execute a cultural restoration agreement to facilitate this project.
45	Medical Examiner Laboratory Automation Equipment Replacement (Countywide) - Health	S	188,000	188,000	-	-	5 yrs Par 32	P 122	This project involves the reconstruction of the park's east entryway being Major Lake, including but not limited to installation of a commercial heating system, existing sealant, leveling the floors and installation of handrails for safety and other miscellaneous work. The County will execute a cultural restoration or agreement to facilitate this project.
46	Medical Examiner Autopsy Cart Replacement (Countywide) - Health	C	25,000	25,000	-	-	5 yrs Par 32	P 122	This project involves the purchase of an instrument to add information capabilities in the Toxicology Laboratory.
47	Procurement of Laboratory Equipment and Testing Supplies - Public Health Laboratory (Butts) - Health	C	235,000	235,000	-	-	5 yrs Par 32	P 122	This project will purchase one gas chromatography/mass spectrometry (GC/MS) instrument for testing of environmental waters and drinking water and one Flame Atomic Absorption instrument with an ICP-OES instrument which uses remotely coupled plasma optical emission spectrometry to identify and quantify metals such as lead and mercury in drinking water and other water sources.
48	Medical Mail Parking Lot Expansion (Butts) - Health	S	50,000	50,000	-	-	15 yrs Par 25	P 122	This project will entail the purchase and development of a vacant property to the rear of the building and the design and construction of additional parking in order to expand the current parking lot.
49	Data Backup System Replacement (Countywide) - Information and Support Services	C	320,000	320,000	-	-	5 yrs Par 32	P 123	This project involves the upgrading and replacement of the County's data backup system, including new servers.
50	Server Replacement Project (Countywide) - Information and Support Services	C	225,000	225,000	-	-	5 yrs Par 32	P 123	This project involves the replacement of servers and the refresh of outdated and unsupported hardware.
51	Disaster Recovery System (Countywide and Out of County) - Information and Support Services	C	405,000	405,000	-	-	5 yrs Par 35	P 123	This project involves the replacement of County-owned vehicles for senior transportation. This includes but is not limited to, lighting and surveillance systems, noise abatement, carpet replacement and acoustic treatments, wash bay installation, station equipment replacement and maintenance, vehicle control systems, safety installation, vehicle safety equipment, seatbelt work, battery installation, body alterations, door control upgrades, cameras, locks and security devices, door access controls, and other miscellaneous projects.
52	Improvements to Holding Center and Conditional Facility (Countywide) - Sheriff (Buildings and grounds)	S	340,000	340,000	-	-	15 yrs Par 120(1)(2)	P 123	This project involves the ongoing replacement of County-owned vehicles for senior transportation. This includes but is not limited to, lighting and surveillance systems, noise abatement, carpet replacement and acoustic treatments, wash bay installation, station equipment replacement and maintenance, vehicle control systems, safety installation, vehicle safety equipment, seatbelt work, battery installation, body alterations, door control upgrades, cameras, locks and security devices, door access controls, and other miscellaneous projects.
53	Purchase of Management Units (Countywide) - Sheriff Services	C	72,000	72,000	-	-	3 yrs Par 27(1)(1)	P 123	This project will involve the purchase of new assets.
54	Purchase of Police Radio Equipment (Butts) - Protection	C	103,821	103,821	-	-	6 yrs Par 32	P 124	The Protection Department will purchase thirty eight (38) Motorola AP9400D 512 Channel two-way police radios.
55	Purchase of Office Equipment and Furniture (Butts) - Protection	COMBO	12,835	12,835	-	-	5 yrs Par 88	P 124	This project will fund the purchase of desks, chairs, file cabinets, and computers for the new offices and staff at the Department of Protection.
56	Mechanical, Electrical and Plumbing Improvements (Butts) - Buffalo and Erie County Public Library	S	325,000	325,000	-	-	15 yrs Par 120(1)(2)	P 124	This project will include renovations to various systems that need renovation/repair including but not limited to: main and branch electrical panels, primary valves and controls including domestic hot water system, heating/cooling/heating VAV floor public restrooms, 20000sq sqft abatement and other miscellaneous work as required. This work includes design and construction.

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

CARRIED UNANIMOUSLY.

Amendment to Comm. 5E-24 (2017)

Amend to the 2017 Consolidated Bond Resolution - Project Components list as Follows:

Delete Line number 55, Purchase of Office Equipment and Furniture (Buffalo).

Amend the total expected cost to read as \$49,397,174 with the Pay-as-You-Go grand total to read \$56,257,174 and the total amount of bonds to be authorized to read \$37,818,393.

Amend the resolution to read as follows with [bracketed] material to be deleted and new material underlined:

EXTRACT OF MINUTES
Meeting of the County Legislature of
the County of Erie, New York.
_____, 2017

* * *

A regular meeting of the County Legislature of the County of Erie, New York, was held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on _____, 2017, at _____ o'clock P.M. (Prevailing Time).

The following Legislators were present:

There were absent:

Also present: Karen M. McCarthy, Clerk of the Legislature

* * *

Legislator _____ offered the following resolution as amended and moved its adoption:

RESOLUTION NO. __-2017 AS AMENDED

BOND RESOLUTION DATED _____, 2017

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2017 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS [\$49,409,809] \$49,397,174, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$10,733,068 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID

AND \$845,713 OF LOCAL SOURCE REVENUES, AND AUTHORIZING THE ISSUANCE OF [\$37,831,028] \$37,818,393 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) _____, 2017

(Adopted) _____, 2017

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2017 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2017 Capital Budget of the County, such Budget shall be deemed and is hereby amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column A-1 of the attached schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 2017 Capital Budget for the County. The plan of financing includes the expenditure of \$10,733,068 in State and Federal aid and \$845,713 local source revenue expected to be received, the issuance of [\$37,831,028] \$37,818,393 aggregate principal amount of bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance the balance of said appropriations, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York and local source revenues are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued 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 the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said [\$37,831,028] \$37,818,393 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column F of the attached schedule.

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

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

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

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

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

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

* * *

The adoption of the foregoing resolution as amended was seconded by Legislator _____ and duly put to a vote on roll call, which resulted as follows:

AYES:
NOES:

THE RESOLUTION AS AMENDED WAS DECLARED ADOPTED.

* * *

Dated: Buffalo, New York,
_____, 2017

The foregoing Bond Resolution is hereby approved

County Executive

I, Karen M. McCarthy, HEREBY CERTIFY that the County Executive of Erie County approved a Bond Resolution of which the foregoing is a certified copy and returned the same for filing in the office of the Erie County Legislature.

_____, 2017.

Karen M. McCarthy
Clerk of the Erie County
Legislature

APPROVED AS TO CONTENT:

By _____
Erie County Comptroller

APPROVED AS TO FORM:

By _____
Erie County Attorney

Legislator _____ offered the following resolution and moved its adoption:

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

Section 1. The Clerk of the Erie County Legislature is hereby directed to publish the foregoing bond resolution, in full, in the _____, _____ and the _____ the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

CERTIFICATE

I, Karen M. McCarthy, Clerk of the Erie County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Erie County Legislature duly called and held on _____, 2017, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this ____ day of _____, 2017.

Karen M. McCarthy
Clerk of the Erie County
Legislature

(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED
WITH COPY OF RESOLUTION AFTER ADOPTION)

NOTICE

The resolution, a copy of which is published herewith, has been adopted by the County Legislature on the ____ day of _____, 2017 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

KAREN M. MCCARTHY
Clerk of the County Legislature

2017 Capital Budget Project Descriptions										
2017 Capital Budget Resolution - PROJECT COMPONENT										
COLUMN #	A	B	C	D	E	F	G	H	I	
LINE NO.	SAP PROJ NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BOND AUTHORIZED	STATE OR FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU REFERENCE	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
10		Preservation of Road Construction - Lake Avenue (Hamburg) - DPW/Highways	C	2,402,000	2,402,000	-	-	15 yrs Par. 20	P-118	This program entails the reconstruction of Lake Avenue from Route 5 to South Park, and any other road as may be appropriate, located in the Town of Hamburg.
11		Preservation of Road Construction - Goodrich Road (Conewago) - DPW/Highways	C	2,500,000	2,500,000	-	-	15 yrs Par. 20	P-118	This program entails design work on various road projects as necessary to improve travel.
12		Preservation of Road Design (Countywide) - DPW/Highways	S	800,000	500,000	-	-	5 yrs Par. 6(2)(2d)	P-118	The program entails design work on various road projects as necessary to improve travel.
13		Highway Vehicle and Equipment Replacement (Countywide) - DPW/Highways	C	2,000,000	2,000,000	-	-	15 yrs Par. 20	P-118	This project will continue to replace the larger highways vehicles fleet including, but not limited to the purchase of dump trucks and snow, right the trucks, road sweepers and vapor flash trucks.
14		Construction for Road Projects or Turn Back of Roads to Towns (Countywide) - DPW/Highways	C	750,000	750,000	-	-	15 yrs Par. 20	P-118	This project involves the potential rehabilitation and then transfer of County roads to a local government, in the event such arrangements cannot be reached, this project will provide funds for any road rehabilitation or reconstruction project needed.
15		Capital Right of Way (Countywide) - DPW/Highways	C	100,000	100,000	-	-	30 yrs Par. 21	P-118	This project involves funds necessary to acquire right of way or easement procurement for various bridge, sidewalk, utility and maintenance or preservation projects.
16		Federal Aid Projects Design - Portage Road Bridge (Oran) - DPW/Highways	S	100,000	100,000	-	-	5 yrs Par. 6(2)(2d)	P-118	The project includes funds for design of new bridge and timber replacement of Portage Road Bridge in the Town of Eastman and other projects.
17		Federal Aid Projects Construction - Townships Road to Road Extension (City of Tonawanda) - DPW/Highways	S	1,300,000	513,000	787,000	-	15 yrs Par. 18(c)	P-117	This project includes funds to reconstruct County share of the Portage Road as well as the downtown area of the City of Tonawanda. The Federal and non-County share of the project totals \$787,000.
18		Federal Aid Projects Construction - Mill Street Bridge over Chautauque Creek (Conewago) - DPW/Highways	S	1,500,000	190,000	1,350,000	-	20 yrs Par. 10	P-117	This project includes funds to finance the County share of the cost of replacing the privately-owned bridge. The Federal and Chautauque County share of this project totals \$1,350,000.
19		Federal Aid Projects Construction - Stony Road Bridge (Lancaster) - DPW/Highways	S	1,500,000	1,500,000	-	-	20 yrs Par. 10	P-117	This project includes funds to replace the bridge over Elkand Creek on Stony Road in Lancaster.
20		Federal Aid Projects Bridge Preservation Design (Countywide) - DPW/Highways	S	160,000	160,000	-	-	5 yrs Par. 6(2)(2d)	P-117	This project provides funds to finance the County share of various bridge projects which are eligible for State and Federal aid. This project will involve design for bridge deck sealing and painting, bridge painting, joint replacement, and bridge bearings, wiring systems and vertical drains on multiple bridges across the County.
21		Federal Aid Projects Bridge Preservation Construction (Countywide) - DPW/Highways	C	875,000	180,000	760,000	-	20 yrs Par. 10	P-117	This project provides funds to finance the County share of various bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$760,000. This project will involve bridge deck sealing, bridge painting, and vertical drains, bearings, abutments and joint replacement on multiple bridges across the County.
22		Countywide Slope Stability Investigations (Countywide) - DPW/Highways	S	125,000	125,000	-	-	5 yrs Par. 6(2)(2d)	P-118	This project entails the investigation of brown roadway embankment and slope failures at sites including, but not limited to Hazen-Clayton Road in the Town of Holland, Clark Street in the Town of Hamburg, Beaver Road in the Town of Grand Island, and East River Road in the Town of Holland.
23		Road Slopes Design (Countywide) - DPW/Highways	S	250,000	250,000	-	-	5 yrs Par. 6(2)(2d)	P-118	This project is the design phase for the eventual reconstruction of road slope projects in Erie County and future investigation and design. Road slides to be included, but not limited to, are Bardsley Road, and Mill Valley investigation and design.
24		Road Slopes Right of Way (Countywide) - DPW/Highways	C	190,000	150,000	-	-	30 yrs Par. 21	P-118	This project provides funds to acquire right of way necessary for the reconstruction of failed sections of Erie County Roads. Road slides to be included, but not limited to, are Bardsley Road, and Mill Valley reconstruction is not feasible, these funds will be allocated for other road slope projects as necessary.
25		Road Slopes Construction - Betscher Road (Conewago) - DPW/Highways	S	900,000	500,000	-	-	15 yrs Par. 20	P-118	This project provides funds to reconstruct a portion of Betscher Road in the Town of Concord. In the event reconstruction is not feasible, these funds will be allocated for other road slope projects as necessary.
26		Preservation of Bridges and Currents (Countywide) - DPW/Highways	C	1,400,000	1,400,000	-	-	20 yrs Par. 10	P-118	This project will fund the construction of repairs and/or rehabilitation of structures that have to be completed, based on Bridge Inspection Reports and Small Bridge Inspection Reports and/or Flights.

2017 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS
2017 Capital Budget Project Descriptions

COLUMN #	A	A-1	B	C	D	E	F	G	
LINE PROJ NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE OR FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	MFU 96C1138A INDEXES PAR. 10	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
27	Preservation of Bridges and Culverts Construction - Mill Street Bridge Replacement (Concrete) - DPW/Highways	S	400,000	400,000	-	-	5 yrs Par. 10	P-118	This project will fund the replacement of the bridge superstructure in its entirety, or others as may be necessary.
28	Preservation of Bridges and Culverts Construction - Repair and Rehabilitation of Large Culverts (Countywide) - DPW/Highways	C	750,000	750,000	-	-	20 yrs Par. 10	P-119	This project will fund the construction of repairs, rehabilitation and/or maintenance of large culverts, based on large current or small bridge inspection reports, maintenance reports and/or flags.
29	Preservation of Bridges and Culverts Design - Leporello Road Bridge (Vial Street) - DPW/Highways	S	300,000	300,000	-	-	5 yrs Par. 6(2)(d)	P-119	This is a design project for the replacement/rehabilitation of Leporello Road over Cazenovia Creek in the Town of West Seneca.
30	Preservation of Bridges and Culverts Design - Lehigh Valley (Countywide) - DPW/Highways	S	250,000	250,000	-	-	5 yrs Par. 6(2)(d)	P-119	This project will fund the design of repairs or reconstruction that have to be completed based on the Bridge Inspection Reports and/or Bridge Inspector Flags.
31	Preservation of Bridges and Culverts Design - Emergency as Directed (Countywide) - DPW/Highways	S	150,000	150,000	-	-	5 yrs Par. 6(2)(d)	P-119	This project will fund the design of repairs or reconstruction that have to be completed based on the Bridge Inspection Reports and/or Bridge Inspector Flags on an emergency or immediate basis.
32	Preservation of Dams Design (Countywide) - DPW/Highways	B	250,000	250,000	-	-	5 yrs Par. 6(2)(d)	P-119	This project is for the overall management of the County's dam assets and associated infrastructure. It will include but not be limited to assessing the most economically sound and cost effective strategies for long term management of those assets, the natural features with which they are associated and maintenance and repair activities as indicated. Specific dams to be investigated will include but not be limited to the Erie Park Commission Dam and the Malone Creek Dam.
33	Highway Safety Improvements (Countywide) - DPW/Highways	C	500,000	500,000	-	-	15 yrs Par. 20	P-119	This project will fund recognized highway deficiencies and upgrading highway appearances at locations on the county-wide highway system that are determined to be hazardous, or are prone to higher incidences of accidents, through installation of highway safety aids or study. The funds will be appropriated for the replacement of missing or deficient signage, the installation of safety-related alignment structures (re-construction) at locations of substandard sight distance, and along of roadway where there is a need for additional signage to satisfy scope criteria to eliminate the need for pedestrian relocation.
34	Highway Building Society (Countywide) - DPW/Highways	C	50,000	50,000	-	-	5 yrs Par. 34	P-120	This project will fund the necessary work, including consultant services, to create a searchable database for all Public Works paper files (road and bridge files and drawings) and store them in an appropriate electronic database for easy access and use.
35	Highway Shoulder Database (Countywide) - DPW/Highways	C	350,000	350,000	-	-	5 yrs Par. 32	P-120	This project will fund the installation of new security measures in Highway maintenance districts, including, but not limited to, single access cases for buildings and the installation of security cameras and systems.
36	Replacement of Road Post Vehicles (Countywide) - DPW/Highways	C	120,000	120,000	-	-	3 yrs Par. 77(1)(a)	P-120	This project will replace the older vehicles in the fleet with new light efficient vehicles for fuel and power usage.
37	Purchase of Electric Vehicles and Charging Station (Countywide) - DPW/Highways	C	80,000	80,000	-	-	3 yrs Par. 77(1)(h)	P-120	This project involves the purchase of two electric vehicles and a charging station.
38	Countywide Parks Improvements (Countywide) - Parks	C	850,000	800,000	-	-	15 yrs Par. 18(b)	P-120	The work of this project is in accordance with the recommendations of the Master Plan, and will provide improvements to, but not necessarily limited to, deteriorating/unusable, upgrades, abandoned/underutilized, new park facilities, new play structures and all other projects that enhance the quality of parks and recreation, demolition and removal of structures, the purchase of park equipment, surveying of roads and pathways within the parks, delineation of park lands and boundaries and acquisition of property.
39	Water, Building and Comfort Station Replacement (Countywide) - Parks	C	350,000	350,000	-	-	15 yrs Par. 19(b)	P-121	This is an ongoing rehabilitation effort that includes roof replacements, environmental abatement and replacement including, but not limited to, windows, doors, flooring, siding and masonry work.
40	Roads, Pavement and Parking Lot Repair (Countywide) - Parks	C	370,000	370,000	-	-	15 yrs Par. 20	P-121	This project will include the resurfacing and regrading of various roads, pathways and parking lots within the County Park system.
41	Procurement of Pests, Vehicles and Equipment (Countywide) - Parks	COMBO	300,000	300,000	-	-	5 yrs Par. 89	P-121	This includes the purchase of new park vehicles and equipment.

2017 Capital Budget Project Descriptions									
COLUMN #	A	A-1	B	C	D	E	F	G	
SAP PROJ NO.	PROJECT DESCRIPTION	SPECIFIC CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATUS OF FEDERAL AID EXPEDITED	LOCAL SOURCE REVENUE	PPU REFERENCE	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
42	Beethoven Steel Redevelopment (Lockerman) - Environment and Planning	COMBO	1,250,000	1,250,000	-	-	Sec 11.60a Par. 89	P-123	Projects will be utilized in a variety of uses not limited to the acquisition of property, design and construction of roads, sewers and water lines, utilities, pedestrian pathways, bicycle track, recreation and construction, 200 development, and other work at the former Beethoven Steel site.
43	Darwin Martin House Historic Restoration (Buffalo) - Environment and Planning	S	250,000	250,000	-	-	5 yrs. Par. 89(2)(a)	P-121	The project entails funding to complete the interior restoration of the Darwin Martin House, the fifth and final phase of a multi-year, multi-phase project to preserve the National Historic Landmark.
44	Buffalo History Museum Historic Restoration (Buffalo) - Environment and Planning	S	190,000	150,000	-	-	13 yrs. Par. 120(k)(2)	P-122	The County will execute a 13-year agreement of agreement to purchase the National Historic Landmark. The project entails funding to complete the interior restoration of the Buffalo History Museum, including but not limited to restoration of a commercial heating system, structure stabilizing, leveling the floors and installation of handrails for safety and other miscellaneous work. The County will execute a cultural statement or agreement to facilitate this project.
45	Medical Examiner Laboratory Automation Equipment Replacement (Countywide) - Health	S	185,000	180,000	-	-	5 yrs. Par. 32	P-122	The project involves the purchase of an instrument to add automation capabilities in the Toxicology Laboratory.
46	Medical Examiner Autopsy Cart Replacement (Countywide) - Health	C	25,000	25,000	-	-	5 yrs. Par. 32	P-122	This project involves the purchase of new autopsy carts.
47	Replacement of Laboratory Equipment and Technology Upgrade - Public Health Laboratory (Buffalo) - Health	C	215,000	235,000	-	-	5 yrs. Par. 32	P-122	This project will purchase one gas chromatography mass spectrometry (GC/MS) instrument for testing of environmental waters and drinking water and one Flame Atomic Absorption instrument with an ICP-CDS detector which uses inductively coupled plasma optical emission spectroscopy to identify and quantify metals such as lead and mercury in drinking water and other water sources.
48	Medical Mail Parking Lot Expansion (Buffalo) - Health	S	60,000	60,000	-	-	15 yrs. Par. 20	P-122	This project will entail the purchase and demolition of a vacant property to the rear of the building and the design and construction of additional parking in order to expand the current parking lot.
49	Data Backup System Replacement (Countywide) - Information and Support Services	C	320,000	320,000	-	-	5 yrs. Par. 32	P-123	This project involves the upgrading and replacement of the County's data backup system, including new servers.
50	Server Replacement Project (Countywide) - Information and Support Services	C	225,000	225,000	-	-	5 yrs. Par. 32	P-123	This project involves the replacement of servers and the rehost of outdated and unsupported hardware servers.
51	Disaster Recovery System (Countywide and Out of County) - Information and Support Services	C	400,000	400,000	-	-	5 yrs. Par. 32	P-123	This project involves the creation of a new secure data backup center located outside of Erie County.
52	Improvements to Heating Center and Connector Facility (Countywide) - Staff Buildings and Grounds	S	350,000	350,000	-	-	15 yrs. Par. 120(k)(2)	P-123	This project includes various renovation projects throughout the Division of Jail Management. This includes but is not limited to, lighting and surveillance upgrades, intake area renovations, carpet replacement and acoustic treatment, watch tower installation, kitchen equipment replacement and renovations, central control upgrades, amnesty installation, vehicle saltpart renovation, sealant work, lobby renovations, lobby alterations, door concrete upgrades, cameras, locks and security devices, door access controls, and other miscellaneous projects.
53	Purchase of Replacement Van (Countywide) - Senior Services	C	72,000	72,000	-	-	3 yrs. Par. 271(i)(1)	P-123	This project involves the ongoing replacement of County owned vehicles for senior transportation. This project will involve the purchase of new vans.
54	Purchase of Police Radio Equipment (Buffalo) - Probation	C	103,521	103,521	-	-	5 yrs. Par. 32	P-124	The Probation Department will purchase thirty eight (38) Motorola APX4000 512 channel two-way police radios.
55	Purchase of Office Equipment and Furniture (Buffalo) - Probation	COMBO	DELETED	DELETED	-	-	5 yrs. Par. 89	P-124	This project will fund the purchase of desks, chairs, the cabinets, and computers for the new offices and staff at the Department of Probation.
56	Mechanical, Electrical and Plumbing Improvements (Buffalo) - Buffalo and Erie County Public Library	S	325,000	325,000	-	-	15 yrs. Par. 120(k)(2)	P-124	This project will include renovations to various systems that need renovation/replace/upgrade but not system. Building systems requiring 15+ year public materials, asbestos abatement and other miscellaneous work as required. This work includes design and construction.
57	Certiva Library Auditorium Renovation and Accession Adjustment (Buffalo) - Buffalo and Erie County Public Library	S	600,000	600,000	-	-	15 yrs. Par. 120(k)(2)	P-124	This is a phased project that will include: acoustic ceiling, reconditioning and increase the capacity of the HVAC system using more energy efficient boilers, replace and upgrade light/electrical systems, update technology, replace lighting fixtures and painting, add acoustic treatment and related miscellaneous restoration items.

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

CHAIR MILLS directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

INTRO. 7-8 from LEGISLATORS BURKE, SAVAGE, GRANT & LOUGHRAN. Re: Prioritizing Funding for the Opioid Epidemic in Buffalo & Erie County

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 33 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7E-16 from the COUNTY EXECUTIVE. Re: PILOT Agreement for Pilgrim Village Associates III, LP - Condominium Unit A - 903 Ellicott St, City of Buffalo - Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 34 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7E-17 from the COUNTY EXECUTIVE. Re: PILOT Agreement for Pilgrim Village Development/Campus Square - Rehabilitation Parcel - 1100 Michigan Ave - Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 35 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7E-18 from the COUNTY EXECUTIVE. Re: Household Hazardous Waste Feasibility Study

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 36 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7E-19 from LEGISLATORS BURKE, GRANT, SAVAGE, LOUGHRAN. Re: Letter to Chair Mills Regarding Sheriff Appearing at Political Events in Uniform

Received and filed.

MR. LOUGHRAN moved to challenge the direction of the Chair to receive and file the item. MR. BURKE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS.
NOES: MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. ABSENT: MR. SAVAGE (AYES: 4; NOES: 6; ABSENT: 1)

FAILED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 37 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

RE: State Authorization for the Private Sale
of Bonds by Negotiated Agreement
(COMM. 7E-1)

HOME RULE REQUEST
ASSEMBLY

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2017; and

WHEREAS, Assembly Bill A04901 and Senate Bill S04308 (attached), now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2018;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A04901, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

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

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

HOME RULE REQUEST
SENATE

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2017; and

WHEREAS, Senate Bill S04308 and Assembly Bill A04901 (attached), now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2018;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S04308, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

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

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

4901

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. SCHIMMINGER, PEOPLES-STOKES, KEARNS -- Multi-Sponsored by -- M. of A. DiPIETRO -- read once and referred to the Committee on Local Governments

AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Section 54.50 of the local finance law, as amended by chap-
2 ter 85 of the laws of 2016, is amended to read as follows:
3 § 54.50 Costs of sales: county of Erie. To facilitate the marketing of
4 any issue of serial bonds or notes of the county of Erie issued on or
5 before June thirtieth, two thousand [~~seventeen~~] eighteen such county
6 may, notwithstanding any limitations on private sales of bonds provided
7 by law, and subject to approval by the state comptroller of the terms
8 and conditions of such sale:
9 a. arrange for the underwriting of its bonds or notes at private sale
10 through negotiated agreement, compensation for such underwriting to be
11 provided by negotiated fee or by sale of such bonds or notes to an
12 underwriter at a price less than the sum of par value of, and the
13 accrued interest on, such obligations; or
14 b. arrange for the private sale of its bonds or notes through negoti-
15 ated agreement, compensation for such sales to be provided by negotiated
16 fee, if required. The cost of such underwriting or private placement
17 shall be deemed a preliminary cost for purposes of section 11.00 of this
18 chapter.
19 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscoring) is new; matter in brackets [-] is old law to be omitted.

4308

2017-2018 Regular Sessions

IN SENATE

February 8, 2017

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 54.50 of the local finance law, as amended by chap-
2 ter 85 of the laws of 2016, is amended to read as follows:
3 § 54.50 Costs of sales; county of Erie. To facilitate the marketing of
4 any issue of serial bonds or notes of the county of Erie issued on or
5 before June thirtieth, two thousand (~~seventeen~~) eighteen such county
6 may, notwithstanding any limitations on private sales of bonds provided
7 by law, and subject to approval by the state comptroller of the terms
8 and conditions of such sale:
9 a. arrange for the underwriting of its bonds or notes at private sale
10 through negotiated agreement, compensation for such underwriting to be
11 provided by negotiated fee or by sale of such bonds or notes to an
12 underwriter at a price less than the sum of par value of, and the
13 accrued interest on, such obligations; or
14 b. arrange for the private sale of its bonds or notes through negoti-
15 ated agreement, compensation for such sales to be provided by negotiated
16 fees, if required. The cost of such underwriting or private placement
17 shall be deemed a preliminary cost for purposes of section 11.00 of this
18 chapter.
19 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

FROM CHAIR MILLS

Item 38 – MR. LORIGO moved for consideration of COMM. 7E-2. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. RATH presented a petition nominating Karl J. Simmeth Jr. to be appointed to the Erie County Water Authority. CHAIR MILLS nominated Karl J. Simmeth Jr. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

RE: Appointment of Commissioner of the
EC Water Authority
(COMM. 7E-2)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Karl J. Simmeth Jr., 6678 Meadowbrook Dr., Boston, NY 14025, to the Erie County Water Authority for a three (3) year term commencing April 28, 2017 and expiring April 27, 2020.

Item 39 – (COMM. 7E-3) Letter to Clerk of the Legislature Calling a Public Hearing Regarding Fact Finder's Report Concerning EC, AFSCME Council 66 & AFSCME Local 1095

Received, filed and printed.

March 23, 2017
Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear comment on Fact Finder's Report by Richard N. Chapman, Esq. PERB Case No. M205-27 regarding Erie County and AFSCME Council 66 and AFSCME Local 1095.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 6:00 p.m. on Thursday, March 30, 2017 in the Erie County Legislature Chambers, located on the 4th 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 SAVAGE

Item 40 – (COMM. 7E-4) Letter of Absence from Legislative Session

Received, filed and printed.

April 3, 2017
Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Dear Ms. McCarthy:

Please accept this letter as notice that I will not be able to attend the session of the Erie County Legislature, to be held on April 6, 2017, due to a prior out-of-town commitment on that date.

Kindly excuse my absence from this meeting.

Thank you.

PETER J. SAVAGE III
Peter J. Savage, III
Erie County Legislator – 3rd District

FROM LEGISLATOR LORIGO

Item 41 – (COMM. 7E-5) Letter to AFSCME Local 1095 President Regarding Committee Discussion Concerning Fact Finder's Report Concerning EC, AFSCME Council 66 & AFSCME Local 1095

Item 42 – (COMM. 7E-6) Letter to Department of Labor Commissioner Regarding Committee Discussion Concerning Fact Finder's Report Concerning EC, AFSCME Council 66 & AFSCME Local 1095

The above two items were received and filed.

FROM THE COUNTY EXECUTIVE

Item 43 – (COMM. 7E-7) Buffalo & EC Public Library - 2017 Auditorium Renovations - Phase 2

Item 44 – (COMM. 7E-8) Town of Newstead Agreement to Install and Maintain a Recreational Pathway Crossing on Cummings Rd (CR 263)

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

Item 45 – (COMM. 7E-9) EC Sewer District No. 3 - Boston Valley Pump Station Improvements - Opening Bids: BVPS #3-A General/Mechanical & BVPS #3-D Electrical

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 46 – (COMM. 7E-10) 2017 Capital Project Closing - Acceptance of Unbudgeted Revenues

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 47 – (COMM. 7E-11) Sales Tax Update - 2016 Closeout and Jan. 2017

Item 48 – (COMM. 7E-12) Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Dec. 2016., Jan. and Feb. 2017

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

FROM THE COUNTY EXECUTIVE

Item 49 – (COMM. 7E-13) Department of Mental Health - Authorization to Accept OMH Funding for Enhancement of Evidence-Based Systems of Care in Mental Health Forensic Clinics Division

Item 50 – (COMM. 7E-14) Department of Mental Health - Authorization to Accept Grant Funding and Amend Contracts Due to SAMHSA Sub Award for NYS ACHIEVE

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

Item 51 – (COMM. 7E-15) Department of Homeland Security & Emergency Services - Tower Usage License Agreement with US Customs & Border Protection

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 52 – (COMM. 7D-1) Notice of Public Hearing Regarding Fact Finder's Report Concerning EC, AFSCME Council 66 & AFSCME Local 1095

Received, filed and printed.

NOTICE OF PUBLIC HEARING/MEDIA ADVISORY

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held in the Chambers of the Legislature, located at Old County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 30th day of March, 2017, at 6:00 p.m., for the purpose of conducting a hearing to hear comment on the Fact Finder's Report by Richard N. Chapman, Esq. PERB Case No. M205-270 regarding Erie County and AFSCME Council 66 and AFSCME Local 1095.

The Fact Finder's Report can be viewed on the Legislature's website: http://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Friday_Uploads/2017/Session_6/Report.PDF

Individuals wishing to speak may sign up at karen.mccarthy@erie.gov. Remarks and presentations from all speakers will be limited to 3 minutes.

Dated: Buffalo, New York
March 23, 2017

By: Karen M. McCarthy
Clerk, County Legislature

Item 53 – (COMM. 7D-2) Applicant Submission for Appointment of Commissioner of the EC Water Authority

Item 54 – (COMM. 7D-3) NYS DEC Documents Received

The above two items were received and filed.

FROM THE DEPARTMENT OF LAW

Item 55 – (COMM. 7D-4) Notice of County Executive's Public Hearing Regarding LL Intro. 3-2 (2017)

Received and filed.

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 56 – (COMM. 7D-5) Comm. 12E-34 (2017) Compliance Report - for Period Ending Feb. 28, 2017 - CPS Caseloads

Received and filed.

FROM THE COMPTROLLER'S OFFICE

Item 57 – (COMM. 7D-6) Notice of Audit of Capital Projects Administered by the Department of Public Works for the Period Jan. 1, 2014-Dec. 31, 2016

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 58 – (COMM. 7D-7) Comments Received Regarding Fact Finder's Report Concerning EC, AFSCME Council 66 & AFSCME Local 1095

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEPARTMENT OF PUBLIC SERVICE

Item 59 – (COMM. 7M-1) Notice of Public Hearings Regarding March 2017 Windstorm Event and Resulting Power Outages

Received and filed.

FROM THE NFTA

Item 60 – (COMM. 7M-2) Feb. 23, 2017 Board Minutes

Received and filed.

FROM A STUDENT, CORLEARS SCHOOL

Item 61 – (COMM. 7M-3) Letter to Legislator Burke Regarding LL Intro. 5-1 (2017)

Item 62 – (COMM. 7M-4) Letter to Legislator Burke Regarding LL Intro. 5-1 (2017)

The above two items were received and filed.

FROM THE EC MEDICAL CENTER CORPORATION

Item 63 – (COMM. 7M-5) 2016 Annual Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO NIAGARA COALITION FOR OPEN GOVERNMENT

Item 64 – (COMM. 7M-6) Local Government Website Report Card

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE MWBE UTILIZATION ADVISORY BOARD

Item 65 – (COMM. 7M-7) Jan. 30, 2017 Meeting Minutes

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

ANNOUNCEMENTS

Item 66 – CHAIR MILLS announced the committee schedule for April 20, 2017 will be distributed.

Item 67 – CHAIR MILLS announced the next regularly scheduled legislative session is April 27, 2017.

MEMORIAL RESOLUTIONS

Item 68 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Daniel J. Adamczyk.

Item 69 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Sean Patrick Brennan and Scott R. Brown.

Item 70 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of George F. Johnson Sr.

Item 71 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Mary E. Choate and Jessica R. Kowalczyk.

Item 72 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Timothy P. Czuprynski.

Item 73 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of George F. Johnson Sr and Mary L. Stokes.

Item 74 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Daniel J. Adamczyk, Anne Burkhardt and Ronald L. Savage.

Item 75 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Adolph Bassanello, Evelyn Washburn and Barry F. Wood.

ADJOURNMENT

Item 76 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, April 27, 2017 at 2:00 p.m. Eastern Standard Time. MS. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, April 27, 2017 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE