

ERIE COUNTY LEGISLATURE
MEETING NO. 16
SEPTEMBER 6, 2018

The Legislature was called to order by Chair Savage.

All members present.

An Invocation was held, led by Ms. Dixon, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Miller-Williams.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. BASKIN moved for the approval of the minutes for Meeting Number 15 from 2018. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MILLS presented a proclamation Honoring Ryan Anthony Clark on Achieving the Rank of Eagle Scout.

Item 6 – MR. MILLS presented a proclamation Honoring Kasey Rainer Farnum on Achieving the Rank of Eagle Scout.

Item 7 – MR. MILLS presented a proclamation Honoring Alexander Thaddeus Jankowski on Achieving the Rank of Eagle Scout.

Item 8 – MS. MILLER-WILLIAMS presented a proclamation Recognizing the Victorian High Tea & Guest Speaker Dr. Cassandra Dobson.

Item 9 – CHAIR SAVAGE, MS. BASKIN, MS. MILLER-WILLIAMS, MR. LORIGO, MR. HARDWICK, MR. LOUGHRAN, MR. RATH, MR. BURKE, MR. BRUSO, MS. DIXON & MR. MILLS presented a proclamation Recognizing "Tribute Day 2018" for the Erie County Retired Seniors Volunteer Program.

Item 10 – MR. RATH, CHAIR SAVAGE, MS. BASKIN, MR. LORIGO, MS. DIXON, MR. HARDWICK, MR. MILLS, MR. BRUSO, MR. BURKE, MR. LOUGHRAN & MS. MILLER-WILLIAMS presented a proclamation Honoring Patrick Kaler Upon Being Named Tourism Executive of the Year & Elected as Chair of the U.S. Travel Association's Destinations Council.

Item 11 – MR. BRUSO presented a proclamation Recognizing Community & Civic Activist Frank Maddock as Erie County Legislature Citizen of the Month for August 2018.

Item 12 – MR. LORIGO, MS. DIXON, MR. HARDWICK, MR. MILLS, MR. RATH, CHAIR SAVAGE, MS. BASKIN & MR. LOUGHRAN presented a proclamation Recognizing & Honoring the Junior League of Buffalo.

Item 13 – MR. LORIGO, MS. DIXON, MR. HARDWICK, MR. MILLS, MR. RATH, CHAIR SAVAGE & MR. BRUSO presented a proclamation Proclaiming September 16-22, 2018 as Sheriffs Week in Erie County.

MS. BASKIN moved to separate the miscellaneous resolution concerning Sheriffs Week and moved for consideration of the remaining miscellaneous resolutions. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the eight items by including Et Al Sponsorship. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved for approval of the eight items as amended. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for consideration of the miscellaneous resolution concerning Sheriffs Week. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the item. MR. RATH seconded. MS. BASKIN voted in the negative

CARRIED. (10-1)

LOCAL LAWS

Item 14 – CHAIR SAVAGE directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

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

GRANTED.

Item 16 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 17 – CHAIR SAVAGE directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 18 – CHAIR SAVAGE directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 19 – CHAIR SAVAGE directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR SAVAGE directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 21 – CHAIR SAVAGE directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR SAVAGE directed that Local Law No. 23 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 24 – CHAIR SAVAGE directed that Local Law No. 2 (Print #1) 2018 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 25 – CHAIR SAVAGE directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR SAVAGE directed that Local Law No. 6 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 – CHAIR SAVAGE directed that Local Law No. 7 (Print #1) 2018 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

Item 28 – CHAIR SAVAGE directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 16-1 from BASKIN. Supporting State Legislation Concerning the Use of Segregated Confinement & Alternative Confinement Options.

Item 29 – CHAIR SAVAGE directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 16-2 from BASKIN. Opposing the Use of Restraint Devices on Non-Violent Children in Family Court.

Item 30 – MS. BASKIN presented the following resolution and moved for immediate consideration. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 172

RE: Urging the US District Court, the
US Environmental Protection

Agency, and the NYSDEC to
Take Action to Protect the Health
& Welfare of County Residents
from Tonawanda Coke
(INTRO. 16-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS HARDWICK & SAVAGE**

WHEREAS, Tonawanda Coke operates a facility on River Road in the Town of Tonawanda that has been cited by the New York State Department of Environmental Conservation (NYSDEC) for polluting the air and adversely affecting the quality of life county residents; and

WHEREAS, Tonawanda Coke has previously been found guilty in Federal Court of criminal violations of the Clean Air Act and Resource Conservation and Recovery Act; and

WHEREAS, NYSDEC has issued a cease and desist order to Tonawanda Coke resulting from 176 recent alleged violations against the facility; and

WHEREAS, according to the Buffalo News, "Federal probation officials contend the company's emissions are a threat to 'human health and the environment' and violate the company's pledge not to commit any other federal, state or local crimes."

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body urges the U.S. District Court, the U.S. Environmental Protection Agency, and the New York State Department of Environmental Conservation to require Tonawanda Coke to submit an emergency shutdown plan, including details of how the company intends to capture any future illegal emissions; and be it further

RESOLVED, that this Honorable Body supports dedicating a portion of any future fines against Tonawanda Coke for health monitoring of individuals, including past, current and temporary employees, exposed to pollution emanating from the facility; and be it further

RESOLVED, that in the event of a plant shutdown, this Honorable Body supports requiring Tonawanda Coke to fund the retraining of employees; and be it further

RESOLVED, that in the event of a plant shutdown, this Honorable Body supports requiring Tonawanda Coke to fund site cleanup and remediation; and be it further

RESOLVED, that certified copies of this resolution be sent to the United States District Court for the Western District of New York, the United States Environmental Protection Agency, the New York State Department of Environmental Conservation, and any other parties deemed necessary and proper.

MS. BASKIN moved to amend the resolution by including MS. DIXON, MR. MILLS, MR. RATH, MS. BASKIN, MR. BRUSO, MR. BURKE, MR. LOUGHRAN and MS. MILLER-WILLIAMS as co-sponsors. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to approve the resolution as amended. MR. BURKE seconded.

MR. LORIGO moved to separate the first resolve clause and approve the balance of the resolution as amended.

CHAIR SAVAGE directed that a roll-call vote be taken.

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

CHAIR SAVAGE moved the previous question (approval of the first resolve clause) and directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. MILLS, MR. RATH, MS. BASKIN, MR. BRUSO, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS and CHAIR SAVAGE. NOES: MR. LORIGO. (AYES: 10; NOES: 1)

CARRIED.

Item 31 – CHAIR SAVAGE directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. LOUGHRAN seconded.

CHAIR SAVAGE directed that a roll-call vote be taken.

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

FAILED.

INTRO. 16-4 from LOUGHRAN & LORIGO. Second Resolution Terminating Appointment of ECWA Commissioner Jerome Schad.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 32 – MS. BASKIN moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 15E-4 (2018). MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 173

RE: ECMC – Medical Examiners Building –
2018 Roof Recoating
(COMM. 15E-4, 2018)

WHEREAS, the existing roof system at ECMC Medical Examiners Building has exceeded its useful life, and areas of wet insulation must be replaced and roof restoration coating is warranted to keep the building weather tight; and

WHEREAS, the Erie County Department of Public Works received bids for the ECMC – Medical Examiners Building 2018 Roof Recoating project on July 3rd, 2018; and

WHEREAS, the lowest responsible bidder for the ECMC –Medical Examiners Building 2018 Roof Recoating project is Grove Roofing; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the ECMC - Medical Examiners Building-2018-Roof Recoating project for an amount not to exceed as follows:

General Construction Work

<u>Grove Roofing</u>	<u>Base Bid:</u>	<u>\$ 165,290</u>
Total Award of Construction Contract:		\$ 165,290

and be it further

RESOLVED, that the sum of \$25,000 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from Fund 410, Funds Center 122, as follows:

A.12004 – 2012 Countywide Roof & Waterproofing	<u>\$ 190,290</u>
Total Payment Not To Exceed:	\$ 190,290

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.

MS. BASKIN moved to approve the item. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 33 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 16E-34 from the COUNTY EXECUTIVE Re: PILOT Agreement with the Jefferson Ave. Apartments Project, City of Buffalo – Affordable Housing Development

MS. BASKIN moved to send the item to the FINANCE & MANAGEMENT COMMITTEE. MR. BURKE seconded. CHAIR SAVAGE abstained.

CARRIED. (10-0-1)

Item 34 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 16E-35 from the COUNTY EXECUTIVE Re: Authorization to Accept Unified Court System Reimbursement for Court Cleaning & Minor Repair

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 35 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 16E-36 from SAVAGE Re: 9/6/18 Abstention on Vote Concerning PILOT Agreement with the Jefferson Avenue Apartments Project, City of Buffalo - Affordable Housing Development

Received, filed and printed.

September 6, 2018

Robert M. Graber
Clerk of the Legislature
92 Franklin St., Fourth Floor
Buffalo, NY 14202

RE: 9/6/18 Abstention on Vote Concerning PILOT Agreement with the Jefferson Avenue Apartments Project, City of Buffalo - Affordable Housing Development

Dear Mr. Graber:

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order and Section 5b of Erie County Local Law No. 2 - 2018, my abstention to the vote concerning the above was to avoid any possible conflict of interest.

Thank you.

Sincerely yours,

Peter J. Savage, III
Chair, Erie County Legislature

Cc: Erie County Attorney Michael Siragusa

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR BASKIN

Item 36 – (COMM. 16E-1) Invitation to NYS Commission of Correction to Attend Meeting of the Public Safety Committee

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 37 – (COMM. 16E-2) Interim Financial Report for the Six Month Period Ending June 30, 2018

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 38 – (COMM. 16E-3) SUNY ECC Audited Financial Statements & Management Letter for Fiscal Year Ended August 31, 2017

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE SHERIFF

Item 39 – (COMM. 16E-4) Tactical Team Targeted Grant for FY17

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR BASKIN

Item 40 – (COMM. 16E-5) Letter Regarding Use of Leg Cuffs on Secure Youth Detainees in the Family Court Building

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR BRUSO

Item 41 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded. MR. BRUSO abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 174

RE: Lease Agreement for Legislative
Office Space
(COMM. 16E-6)

RESOLVED, the Erie County Executive is hereby authorized to sign a Six Month Lease Agreement with Anthony J. Batog for Legislative office space for John Brusio, located at 5135 Transit Road, Depew, NY 14043, for a monthly rate of \$875.

FROM THE SHERIFF

Item 42 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 175

RE: Seized Assets Fund Transfer –
Undercover Narcotics Vehicles
(COMM. 16E-7)

WHEREAS, the Erie County Sheriff's office Narcotics Unit is a major piece in fighting the opiate and illicit drug epidemic enveloping every community of Erie County; and

WHEREAS, the Narcotics Unit proves to be very successful in investigating and arresting narcotic dealers who are selling heroin, fentanyl, cocaine, crack and other illicit drugs to people in Western New York; and

WHEREAS, all the drug-related arrests stem from detailed and exhaustive investigations that include countless hours of surveillance; and

WHEREAS, undercover vehicles are vital to a successful investigation; and

WHEREAS, the moment a vehicle has been identified as an undercover police vehicle, the investigation and the Deputy's life are in jeopardy; and

WHEREAS, recently, the Sheriff's Office has developed intelligence that current undercover vehicles have been identified on social media sites with threats made to Deputies; and

WHEREAS, the Erie County Sheriff's Office and the Division of Purchasing will work to find local vendors to find acceptable and reliable vehicles for the Narcotics Unit; and

WHEREAS, the Erie County Sheriff's Office and the Division of Purchasing will determine whether trading the vehicles or sell vehicles at auction will prove to be the most beneficial to the County of Erie; and

WHEREAS, the Seized Asset Forfeiture Account balance as of August 2, 2018, is \$275,252.36; and

WHEREAS, the funds transferred from the Seized Assets Forfeiture Account for Narcotic Unit surveillance and operation vehicles are a U.S. Department of Justice authorized expenditure.

NOW, THEREFORE, BE IT

RESOLVED, that up to \$100,000.00 in available balances in the Asset Forfeiture Trust Fund 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>REVENUE</u>		<u>DECREASE</u>
421550	Forfeiture Crime Proceeds	<u>\$ 100,000.00</u>

<u>APPROPRIATION</u>		<u>INCREASE</u>
561440	Motor Vehicles	<u>\$ 100,000.00</u>
	Total Revenue	<u>\$ 100,000.00</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, the Erie County Legislature hereby waives the bidding procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of

purchasing Narcotics Unit surveillance and operations vehicles and securing the services of local car dealerships to provide dealer services associated with purchasing vehicles; and be it further

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

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funding either remain in or returned to 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 purchase of replacement Narcotics Unit vehicles; and be it further

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

Item 43 – (COMM. 16E-8) Seized Assets Fund Transfer - Trailer

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR LORIGO

Item 44 – (COMM. 16E-9) Letter to Chair of Health & Human Services Committee Regarding the Child Advocacy Center

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR BASKIN

Item 45 – (COMM. 16E-10) Letter to District Attorney Concerning the Investigation of the Death of India Cummings & Public Safety Initiatives

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 46 – (COMM. 16E-11) RFP for External Quality Review - Placeholder

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 47 – (COMM. 16E-12) Appointment to the Citizens Salary Review Commission

Received, filed and printed.

August 28, 2018

Hon. Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: Appointment to the Citizens Salary Review Commission

Dear Clerk Graber:

Pursuant to Article 22-A, Section 01 of the Erie County Charter, I hereby appoint:

Mr. Donald O. Allen
232 Sycamore Street
Buffalo, New York 14204

To the Erie County Citizens Salary Review Commission, effective today. This appointment shall be for a period of three years.

Sincerely,

STEFAN I. MYCHAJLIW
Erie County Comptroller

FROM LEGISLATOR LORIGO

Item 48 – MR. LORIGO presented the following communication and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RE: Minority Caucus Appointment to the
Citizens Salary Review Commission
(COMM. 16E-13)

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

CARRIED UNANIMOUSLY.

Insert the following:

Pursuant to Section 22-A-01 of the Erie County Charter, we, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate Mr. Louis Panzica, of 801 Exchange Street, Buffalo, New York 14210, to act as the Minority Caucus representative to the 2018 Citizens Salary Review Commission for a full term.

Kevin R. Hardwick – 4th District

Edward A. Rath III – 6th District

Lynne M. Dixon – 9th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

CHAIR SAVAGE directed that the communication be received, filed and printed.

August 29, 2018

Mr. Robert Graber, Clerk
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

Dear Clerk Graber,

As you are aware, §22-A-01 of the Erie County Charter requires that the Minority Caucus of the Erie County Legislature appoint one person to the Citizens Salary Review Commission.

The minority caucus elects to appoint Mr. Louis Panzica, 801 Exchange Street, Buffalo, New York 14210, to the Citizens Salary Review Commission for a full term.

Please place this letter on the agenda for next session so that it may be amended to include the full petition. A signed copy of the petition appointing Mr. Panzica will be presented to the full Legislature at the next session

I appreciate your attention in the matter.

Sincerely,

Joseph C. Lorigo
Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 49 – (COMM. 16E-14) Authorization to Accept Grant Funding for the Fiscal Year 2017 - Hazmat Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 50 – (COMM. 16E-15) SUNY ECC City Campus Ellicott St. Building Skylight Reconstruction & Roof Repairs

Item 51 – (COMM. 16E-16) SUNY ECC STEM Building - Acceptance of NYSERDA Incentive Award

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

Item 52 – (COMM. 16E-17) Lake Erie Watershed Protection Alliance - Coordinator Position Upgrade

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 53 – (COMM. 16E-18) PILOT Agreement for the Niagara Square Apartments Projects, City of Buffalo - Affordable Housing Development

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 54 – (COMM. 16E-19) Medical Emergency Radio System Coordinator Job Upgrades - ECDOH

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 55 – (COMM. 16E-20) Authorization to Submit NYSDEC "Trees for Tribs" Grant Application & Tree Planting at Isle View Park

Item 56 – (COMM. 16E-21) EC Department of Environment & Planning US EPA Great Lakes Restoration Initiative Grant for 3-Year Wildlife Survey

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

Item 57 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 176

RE: Acceptance of Funding for Enhanced
Release Under Supervision
(COMM. 16E-22)

WHEREAS, the Erie County Department of Mental Health has secured funding from the New York State Office of Mental Health for the purpose of expanding the Release Under Supervision (RUS) Program to include an Intensive Supervision and supportive services component; and

WHEREAS, a Probation Officer will need to be assigned to supervise program participants; and

WHEREAS, the Probation Department will accept funding via the Department of Mental Health to reimburse for the cost of a Probation Officer; and

WHEREAS, the Department of Mental Health and the Probation Department, will be working collaboratively to identify offenders who can safely be released from the Erie County Holding Center and Jail under the auspices of this program.

NOW, THEREFORE, BE IT

RESOLVED, that a Probation Officer, JG-11 is created within the Probation Department as shown in B100 #10641; and be it further

RESOLVED, that the following budgetary accounts are established by the Division of Budget and Management as follows:

Erie County Probation Department, Fund 110 – Cost Center 12610
September 15, 2018 – December 31, 2018

Appropriations		Increase
500000	Full Time Salaries	\$ 15,844
502000	Fringe Benefits	8,992
912600	ID Probation Services	<u>(24,836)</u>
	Total	\$ 0

Erie County Department of Mental Health, Fund 110 – Cost Center 12420
September 15, 2018 – December 31, 2018

Revenues		Increase
406810	State Aid Forensic Mental Health	\$ 24,836
Appropriations		
912600	ID Probation Services	\$ 24,836

Erie County Probation Department, Fund 110 – Cost Center 12610
January 1, 2019 – September 30, 2019

Appropriations		Increase
500000	Full Time Salaries	\$ 47,866
502000	Fringe Benefits	27,167
912600	ID Probation Services	<u>(75,033)</u>
	Total	\$ 0

Erie County Department of Mental Health, Fund 110 – Cost Center 12420
January 1, 2019 – September 30, 2019

Revenues		Increase
406810	State Aid Forensic Mental Health	\$ 75,033
Appropriations		

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

FROM THE COUNTY CLERK

Item 67 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 177

RE: Replenishment of E-Z Pass Tags
(COMM. 16E-32)

WHEREAS, the Erie County Clerk’s Office has been an agent in the sale of E-Z Pass Tags to the public since 2012; and

WHEREAS, the Erie County Clerk purchases E-Z Pass Tags at a unit price of \$21 and is authorized to sell tags to the public at \$25, with Erie County retaining \$4 per tag sold; and

WHEREAS, the Grand Island Toll booths have been removed and replaced with a cashless system. It is now more convenient for those using the bridges to have an E-Z Pass Tag; and

WHEREAS, the sale of E-Z Pass Tags has been met with positive response from the residents that visit the County Clerk’s Auto Bureau locations and the Clerk’s Registrar Office; and

WHEREAS, in order to meet the demand it is necessary to purchase an additional 350 tags from the New York State Thruway Authority; and

WHEREAS, no additional resources are necessary to offer E-Z Pass Tags for sale; and

WHEREAS, the County Clerk’s 2018 budget needs to be adjusted to allow for the unanticipated increase in the sale of these tags.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby authorize the following budgetary adjustment to be made by the Director of Budget and Management in the 2018 Budget:

Erie County Clerk, Business Area 113
Fund 110 - Fund Center – 11310 – Registrar Division

	<u>Increase</u>
<u>Revenue</u>	
415185 E-Z Pass Tag Sales	\$7350.00
<u>Expense</u>	
507000 E-Z Pass Supplies	\$7350.00

and be it further

RESOLVED, that the certified copies of this resolution be delivered to the Director of Budget and Management, the County Comptroller and the County Clerk.

FROM LEGISLATOR MILLER-WILLIAMS

Item 68 – (COMM. 16E-33) Communications Regarding Sherman L. Walker Community Center at 608 William St.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE SPECIAL ASSISTANT
TO THE COMMISSIONER OF SOCIAL SERVICES

Item 69 – (COMM. 16D-1) CPS Statistical Report - July 2018

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR
OF BUDGET & MANAGEMENT

Item 70 – (COMM. 16D-2) Budget Monitoring Report for Period Ending June 2018

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMMISSIONER
OF CENTRAL POLICE SERVICES

Item 71 – (COMM. 16D-3) Letter to Chair of Public Safety Committee Regarding Forensic Laboratory

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DIRECTOR
OF BUDGET & MANAGEMENT

Item 72 – (COMM. 16D-4) Letter to Comptroller Concerning Potential County Revenue from Unclaimed Funds

Item 73 – (COMM. 16D-5) Budget Monitoring Report for Period Ending July 2018

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

**FROM THE NYS DEPARTMENT
OF TAXATION & FINANCE**

Item 74 – (COMM. 16M-1) List of Certified State Equalization Rates

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM MICHAEL B. RISMAN,
HODGSON RUSS LLP**

Item 75 – (COMM. 16M-2) Consent to Donation of Gethsemane Cemetery

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS DEC

Item 76 – (COMM. 16M-3) Public Notice Fact Sheet - Tecumseh Phase III-9

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 77 – (COMM. 16M-4) 17A & Capital Expenditure Reports for First Quarter of Fiscal
Year

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM VISIT BUFFALO NIAGARA

Item 78 – (COMM. 16M-5) Second Quarter Reports for Period Ending June 30, 2018

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS AGRICULTURE & MARKETS

Item 79 – (COMM. 16M-6) Notice to Initiate Agricultural District Review

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 80 – (COMM. 16M-7) Letter to Chair of Legislature Concerning Buffalo BOE
Contract for 2018-19 School Year

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS DEC

Item 81 – (COMM. 16M-8) Public Notice Fact Sheet - 188 West Utica St.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EC BOARD OF HEALTH

Item 82 – (COMM. 16M-9) Minutes of Meeting Held on May 1, 2018

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE PUBLIC ACCOUNTABILITY INITIATIVE

Item 83 – (COMM. 16M-10) Report on NYS Property Tax Exemption Program 485-a

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SECRETARY, ECWA

Item 84 – (COMM. 16M-11) Minutes of the Governance Committee Meeting held on August 16, 2018

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CHAIR,
NYS COMMISSION OF CORRECTION

Item 85 – (COMM. 16M-12) Letter to the Chair of the Public Safety Committee Regarding Invitation to Attend Committee Meeting

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM FAIR APPORTIONMENT
OF INFRASTRUCTURE REVENUE

Item 86 – (COMM. 16M-13) Chair's Message & Update on FAIR Committee

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM SENATOR KENNEDY

Item 87 – (COMM. 16M-14) Letter to Commissioner, NYS Commission of Correction, Concerning EC Holding Center & Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ASSEMBLYMAN RYAN

Item 88 – (COMM. 16M-15) Letter to Commissioner, NYS Commission of Correction

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ASSEMBLYWOMAN PEOPLES-STOKES

Item 89 – (COMM. 16M-16) Letter to Commissioner, NYS Commission of Correction

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM SENATOR KENNEDY

Item 90 – (COMM. 16M-17) Letter to Commissioner, NYS Commission of Correction,
Concerning FOIL Request

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE CITY OF BUFFALO,
DEPARTMENT OF ASSESSMENT & TAXATION

Item 91 – (COMM. 16M-18) 2019 Transit Mall Service Charge Roll

Received and filed.

ANNOUNCEMENTS

Item 92 – Clerk of Legislature announced that the schedule for committee meetings to be held on Thursday, September 13, 2018, has been distributed.

Item 93 – Legislator Lorigo announced that on Thursday, September 13, 2018, the Health & Human Services will have the opportunity to hear from the Child Advocacy Center.

Item 94 – Legislator Miller-Williams expressed happy birthday wishes to Legislature staff member Shanna-Gay Spence, who works in Legislator Miller-Williams' district office.

MEMORIAL RESOLUTIONS

Item 95 – Legislator Brusco requested that when the Legislature adjourns, it do so in memory of David Male and James Brown.

Item 96 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of John Happy and Aretha Franklin.

Item 97 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of James D. Rebmann, Sr., Timothy P. Burke, Henry Bawmik, and Dominic S. Telesco.

Item 98 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Conor J. Long, Joseph J. “Joe the Barber” Kozak, Jr., Jeffrey Biehler, and Evelyn Chiacchia.

Item 99 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Paul A. Kloc and Conor J. Long.

Item 100 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Weston B. Hoddick, Jr., Alfred “Trey” Knight III, and Charles Modica.

Item 101 – Chair Savage requested that when the Legislature adjourns, it do so in memory of Anthony J. Colucci Jr.

Item 102 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Bruce Raymond Brandel.

ADJOURNMENT

Item 103 - At this time, there being no further business to transact, CHAIR SAVAGE announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, September 20, 2018 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE declared the Legislature adjourned until Thursday, September 20, 2018 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE