

**ERIE COUNTY LEGISLATURE  
MEETING NO. 19  
OCTOBER 18, 2018**

The Legislature was called to order by Chair Savage.

All members present.

An Invocation was held, led by Mr. Hardwick, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Brusio.

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 18 from 2018. MR. BRUSIO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. RATH presented a proclamation Honoring John Faller on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 6 – MR. RATH presented a proclamation Honoring Joe “Baby Joe” Mesi on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 7 – MR. RATH presented a proclamation Honoring Louise, Estelle and Mary Weigel on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 8 – MR. RATH presented a proclamation Honoring Werner “Babe” Birrer on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 9 – MR. RATH presented a proclamation Honoring Bill Bradshaw on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 10 – MR. RATH presented a proclamation Honoring Jeff Yeates on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 11 – MR. RATH presented a proclamation Honoring Jimmy and Rickey Williams on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 12 – MR. RATH presented a proclamation Honoring James “Chick” Hewson on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 13 – MR. RATH presented a proclamation Honoring Barry Smith on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 14 – MR. RATH presented a proclamation Honoring Gina Castelli on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 15 – MR. RATH presented a proclamation Honoring Lonnie Nielsen on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 16 – MR. RATH presented a proclamation Honoring Marv Hubbard on being inducted into the 2018 class of the Greater Buffalo Sports Hall of Fame.

Item 17 – MR. RATH presented a proclamation Honoring Martin Wachadlo on receiving the Owen B. Augspurger Award from the Buffalo History Museum.

Item 18 – MR. RATH presented a proclamation Honoring the Niagara Frontier Council for the Social Studies on receiving the Daniel B. Niederlander Award from the Buffalo History Museum.

Item 19 – MR. RATH presented a proclamation Honoring Jonathan White on receiving the Red Jacket Award from the Buffalo History Museum.

Item 20 – MR. RATH presented a proclamation Honoring Holly Augspurger Donaldson on receiving the Red Jacket Award from the Buffalo History Museum.

Item 21 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging BlueCross BlueShield of WNY for Receiving the Community Service Award from the Amherst Chamber of Commerce.

Item 22 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging Wendel for Receiving the Innovation Award from the Amherst Chamber of Commerce.

Item 23 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging ACV Auctions for receiving the Entrepreneur Award from the Amherst Chamber of Commerce.

Item 24 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging David Schutte and the Schutte Hospitality Group for receiving the Hospitality Award from the Amherst Chamber of Commerce.

Item 25 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging Allegra C. Jaros for receiving the Woman of Distinction Award from the Amherst Chamber of Commerce.

Item 26 – MR. LOUGHRAN & MR. RATH presented a proclamation Acknowledging Northtown Automotive Companies on being named the Business of the Year from the Amherst Chamber of Commerce.

Item 27 – MS. DIXON presented a proclamation Honoring October Citizen of the Month.

Item 28 – MR. MILLS, MR. LORIGO, MR. RATH, MR. HARDWICK, & MS. DIXON presented a proclamation Recognizing the Polish American Congress of WNY & Celebrating 100 Years of Poland's Independence 1918-2018.

Item 29 – MR. RATH presented a proclamation Congratulating Ryan Gaske & the Clarence High School Football Team & Recognizing the Entire Team for their Sportsmanship & Team Spirit.

MS. BASKIN moved for consideration of the above twenty-five items. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the above twenty-five items by including Et Al Sponsorship. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved for approval of the above twenty-five items as amended. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 30 – CHAIR SAVAGE directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 31 – CHAIR SAVAGE directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 32 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 33 – CHAIR SAVAGE directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 34 – CHAIR SAVAGE directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 35 – CHAIR SAVAGE directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 36 – CHAIR SAVAGE directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 37 – CHAIR SAVAGE directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 38 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 39 – CHAIR SAVAGE directed that Local Law No. 23 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 40 – CHAIR SAVAGE directed that Local Law No. 2 (Print #1) 2018 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 41 – CHAIR SAVAGE directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 42 – CHAIR SAVAGE directed that Local Law No. 6 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 43 – CHAIR SAVAGE directed that Local Law No. 7 (Print #1) 2018 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 44 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2018 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 45 – CHAIR SAVAGE directed that Local Law No. 9 (Print #1) 2018 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 46 – MR. BRUSO presented the following report, moved to separate item Number 3, and approve the balance of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195

|                  |  |
|------------------|--|
| October 11, 2018 | ENERGY & ENVIRONMENT<br>COMMITTEE<br>REPORT NO. 14 |
|------------------|--|

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-8 (2018)  
LOUGHRAN: “Letter to Chair of Energy & Environment Committee Regarding Attendance of the Commissioners of the ECWA at the Next Scheduled Meeting”  
(Chair’s Ruling)
  - b. COMM. 17D-2 (2018)  
COUNTY ATTORNEY: “Amicus Curiae Brief for the County of Erie - United States of America v. Tonawanda Coke Corporation”  
(Chair’s Ruling)

- c. COMM. 18E-11 (2018)  
COUNTY EXECUTIVE: “ECSD No. 8 - Engineer Term Contract Agreement”  
(Chair’s Ruling)
- d. COMM. 18D-4 (2018)  
DEPARTMENT OF ENVIRONMENT & PLANNING: “SEQR - Solicitation for Lead Agency Status - Unlisted Action”  
(Chair’s Ruling)
- e. COMM. 18D-5 (2018)  
DEPARTMENT OF ENVIRONMENT & PLANNING: “SEQR - Negative Declaration Notice of Determination of Non-Significance”  
(Chair’s Ruling)
- 2. COMM. 18E-8 (2018)  
COUNTY EXECUTIVE  
WHEREAS, the Division of Sewerage Management has determined that a number of capital projects have been completed and need to be closed; and

WHEREAS, these projects are in Erie County Sewer District Nos. 2, 3, 4, 5, and 6; and

WHEREAS, some of these projects have available funds that need to be applied to the related debt service accounts or to the original source of funds; and

WHEREAS, some of these projects have balances that need to be funded with capital reserves for final accounting and close out; and

WHEREAS, the transfer of funds necessary to facilitate these actions will not impact the approved 2018 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to wholly close the following capital projects:

| Fund               | Project | SD # | Project Name            | Return to Capital Reserve | Return to Operating | Apply to Debt Service | Needs Capital Reserve | Initial Bond Issuance | Initial Payment |
|--------------------|---------|------|-------------------------|---------------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------|
| 430                | C.00013 | 2    | New Disinfect           |                           |                     |                       | \$141,188.12          | Dec-05                |                 |
| 430                | C.00028 | 2    | Inc & Imp               |                           |                     |                       | \$304.62              | Nov-94                |                 |
| 430                | c.00003 | 3    | Elma Pump St            |                           |                     |                       | \$32,343.32           | Aug-04                |                 |
| 430                | C.00014 | 3    | Ext & Recon             |                           |                     | \$5.11                |                       | Aug-04                |                 |
| 430                | C.00018 | 3    | Inc & Imp               |                           |                     | \$2,017.53            |                       | Nov-94                |                 |
| 430                | C.00066 | 3    | Boston State Rd Ext     |                           |                     | \$22,522.90           |                       | May-10                |                 |
| 430                | C.00073 | 3    | South Bflo PS           |                           | \$799.99            |                       |                       |                       | Jul-10          |
| 430                | C.11302 | 3    | STP Heat Exc            | \$1,057.63                |                     |                       |                       |                       | Sep-11          |
| 430                | C.00030 | 4    | Inc & Imp               |                           |                     | \$232,680.81          |                       | Dec-03                |                 |
| 430                | C.00070 | 4    | ESCD 1 & 4 Merger study | \$502.84                  |                     |                       |                       |                       | Oct-07          |
| 430                | C.00056 | 5    | Inc & Imp               |                           |                     |                       | \$21,937.26           | Dec-05                |                 |
| 430                | C.00068 | 5    | Amherst Merger Study    | \$138.19                  |                     |                       |                       |                       | Jul-07          |
| 430                | C.00037 | 6    | Inc & Imp               |                           |                     | \$3,576.37            |                       | Dec-03                |                 |
| <b>Grand Total</b> |         |      |                         | <b>\$1,698.66</b>         | <b>\$799.99</b>     | <b>\$260,802.72</b>   | <b>\$195,773.32</b>   |                       |                 |

and be it further

RESOLVED, that \$141,188.12 be transferred from Erie County Sewer District (ECSD) No. 2 Capital Reserve Account C.00008 to Capital Account C.00013, and that \$304.62 be transferred from Capital Reserve Account C.00008 to Capital Account C.00028; and be it further

RESOLVED, that \$32,343.32 be transferred from ECSD No. 3 Capital Reserve Account C.00007 to Capital Account C.00003, and that \$1,057.00, and any additional interest earned be transferred from Capital Account C.11302 to Capital Reserve C.00007; and be it further

RESOLVED, that \$502.84 be transferred from ECSD No. 4 Capital Account C.00070 to Capital Reserve Account C.00034; and be it further

RESOLVED, that \$21,937.26 be transferred from ECSD No. 5 Capital Reserve Account C.00005 to Capital Account C.00056, and that \$138.19 be transferred from Capital Account C.00068 to Capital Reserve Account C.00005; and be it further

RESOLVED, that \$5.11 be transferred from ECSD No. 3 Capital Account C.00014 to Capital Debt Service C.00014 and that \$22,522.90 be transferred from Capital Account C.00066 to Capital Debt Service C.00066, and that \$2,017.53 be transferred from Capital Account C.00018 to Capital Debt Service C.00018; and be it further

RESOLVED, that \$799.99 be transferred from ECSD No. 3 Capital Account C.00073 to Fund Center 183, Fund 220, Account 486010; and be it further

RESOLVED, that \$232,680.81 be transferred from ECSD No. 4 Capital Account C.00030 to Capital Debt Service C.00030; and be it further

RESOLVED, that \$3,576.37 be transferred from ECSD No. 6 Capital Account C.00037 to Capital Debt Service C.00037; and be it further

RESOLVED, that amounts transferred into Capital Debt Service accounts be applied to future debt payments in 2019 or later; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller's Office to make any and all budgetary and financial entries required to implement this resolution, including any adjustments needed to account for interest earned in any of the project accounts; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this Resolution to the County Executive, the Erie County Comptroller, and the Director of Budget and Management; and two (2) certified copies be sent to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

(4-0) Legislators Baskin & Burke not present for vote.

3. COMM. 18E-9 (2018)  
COUNTY EXECUTIVE

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly a resolution of this County Legislature dated September 20, 2018, an increase and improvement of facilities of Erie County Sewer District No. 5 (the District") has been approved at a total estimated maximum cost of \$1,000,000 (the "Projects"); now therefore be it

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 Projects, consisting of improvements to the sanitary sewers, manholes, and other collection system assets, improvements to the Transit Valley and Bryant and Stratton Pumping Stations, and preparation of a capacity analysis to evaluate current flows and future service requirements; all as more fully described in the report and estimate of cost approved by the Board of Managers of the District on April 9, 2018 and filed with the County Legislature pursuant to Section 268 of the County Law. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,000,000 and said amount is hereby appropriated therefor pursuant to the duly adopted 2018 Capital Budget for the County. The plan of financing includes the issuance of \$1,000,000 aggregate principal amount of bonds of the County to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in the District, all in accordance with their respective proportionate shares of equalized assessed value in the District.

Section 2. Bonds of the County in the principal amount of \$1,000,000, or so much thereof as may be necessary, 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 appropriation.



Section 3. The period of probable usefulness for the specific objects or purposes for which said \$1,000,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. 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 said improvements, 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 6. 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 7. 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 8. 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 9. This Resolution shall take effect immediately upon approval by the County Executive.

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 summary, "Amherst Bee" and in the "Challenger", the official newspapers of said County, and in the "Clarence Bee", 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.

(4-0) Legislators Baskin & Burke not present for vote.

4. COMM. 18E-10 (2018)  
COUNTY EXECUTIVE

WHEREAS, the Division of Sewerage Management identified that additional funds may be needed to pay for water usage charges in Erie County Sewer District (ECSD) Nos. 2 and 3 for the remainder of the 2018 fiscal year; and

WHEREAS, the Division of Sewerage Management analyzed the budget and expenses and determined that a surplus will exist in ECSD No. 2 account 506200 – Maintenance & Repair; and

WHEREAS, the Division of Sewerage Management analyzed the budget and expenses and determined that a surplus will exist in ECSD No. 3 account 505600 – Auto, Truck, & Heavy Equipment Supplies; and

WHEREAS, a transfer of funds from accounts with surplus funds will allow ECSD No. 2 and 3 to maintain daily operations with no net impact on the 2018 budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of ECSD No. 2:

DIVISION OF SEWERAGE MANAGEMENT  
ERIE COUNTY DISTRICT NO. 2  
FUND CENTER – 18210

INCREASE:

AMOUNT:

515000 Utility Charges

\$10,000

Total

\$10,000

| <u>DECREASE:</u>            | <u>AMOUNT</u>   |
|-----------------------------|-----------------|
| 506200 Maintenance & Repair | <u>\$10,000</u> |
| Total                       | <u>\$10,000</u> |

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of ECSD No. 3:

DIVISION OF SEWERAGE MANAGEMENT  
ERIE COUNTY DISTRICT NO. 3  
FUND CENTER – 18310

| <u>INCREASE:</u>       | <u>AMOUNT:</u>  |
|------------------------|-----------------|
| 515000 Utility Charges | <u>\$15,000</u> |
| Total                  | <u>\$15,000</u> |

| <u>DECREASE:</u>                               | <u>AMOUNT</u>   |
|--|-----------------|
| 505600 Auto, Truck, & Heavy Equipment Supplies | <u>\$15,000</u> |
| Total  | <u>\$15,000</u> |

and be it further

RESOLVED, that the County Comptroller and/or Director of Budget and Management is hereby authorized to make any required budgetary adjustments to implement the actions and appropriations in this resolution; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the Erie County Comptroller, and the Director of Budget and Management; and two (2) certified copies be sent to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

(4-0) Legislators Baskin & Burke not present for vote.

5. COMM. 18E-14 (2018)  
COUNTY EXECUTIVE

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and

WHEREAS, notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2018 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 6:00 p.m., local time, on November 8, 2018 for the purpose of meeting to hear and consider any objections which may be made to the 2018 Sewer District Assessment Rolls (2019 Levy) for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 29, 2018; and be it further

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

(5-0) Legislator Baskin not present for vote.

6. COMM. 18E-15 (2018)  
COUNTY EXECUTIVE

WHEREAS, transfers are made on a monthly basis from Erie County Sewer District (ECSD) operating funds to debt service accounts to cover respective debt principal and interest payments; and

WHEREAS, the funds in the debt service accounts can only be utilized to make debt principal and interest payments; and

WHEREAS, excess funds were accumulated in these debt service accounts by certain transfers of operating funds that exceeded the total of debt principal and interest payments, balances that were carried over from the previous County accounting software SFG, and interest earned on these balances; and

WHEREAS, the debt service account balances in accounts C.00017, C.00020, and C.00023 exceed the outstanding debt balances of the respective accounts; and

WHEREAS, the capital project accounts for C.00017, C.00020, and C.00023 have been closed, and no future borrowings will be done in these accounts; and

WHEREAS, other debt service accounts in the respective district have outstanding future debt; and

WHEREAS, the Erie County Division of Sewerage Management is requesting a transfer of these funds to other debt service accounts within the respective ECSD; and

WHEREAS, the transfer of said funds will not impact the approved 2018 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that \$100,000.00 be transferred to C.00029 from C.00017 (ECSD No. 5); and be it further

RESOLVED, that \$103,841.99 be transferred to C.00035 from C.00017 (ECSD No.5); and be it further

RESOLVED, that \$68,383.78 be transferred to C.00012 from C.00020 (ECSD No. 3); and be it further

RESOLVED, that \$40,674.17 be transferred to C.00012 from C.00023 (ECSD No. 3); and be it further

RESOLVED, the Erie County Comptroller and Director of Budget and Management be authorized to establish all budgeting accounts necessary to facilitate these transfers; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this Resolution to the County Executive, the Erie County Comptroller, and the Director of Budget and Management; and two (2) certified copies be sent to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

(5-0) Legislator Baskin not present for vote.

7. COMM. 18E-16 (2018)  
COUNTY EXECUTIVE

WHEREAS, transfers are made on a monthly basis from Erie County Sewer District (ECSD) operating funds to debt service accounts to cover respective debt principal and interest payments; and

WHEREAS, the funds in the debt service accounts can only be utilized to make debt principal and interest payments; and

WHEREAS, excess funds were accumulated in these debt service accounts by certain transfers of operating funds that exceeded the total of debt principal and interest payments, balances that were carried over from the previous County accounting software SFG, and interest earned on these balances; and

WHEREAS, all debt payments funded by debt service accounts C.00019, C.00024, C.00026, C.00040, C.00043, C.00049, C.00052, C.00053, C.00054.1, C.00059, and C.00060 have been made; and

WHEREAS, the abovementioned debt service accounts have a total balance of \$29,580.69 as of August 31, 2018; and

WHEREAS, the Erie County Division of Sewerage Management is requesting a transfer of these funds to the appropriate capital reserve account in order to fund sewer district capital projects; and

WHEREAS, the transfer of said funds will not impact the approved 2018 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following funds transfers be made:

ECSD No. 1

|          |         |         |        |                               |                 |
|----------|---------|---------|--------|-------------------------------|-----------------|
| Debit:   |         |         |        |                               |                 |
| Fund 310 | 1730010 | C.00043 | 570000 | Interfund Transfers (Subsidy) | \$178.72        |
| Fund 310 | 1730010 | C.00049 | 570000 | Interfund Transfers (Subsidy) | 95.29           |
| Total    |         |         |        |                               | <u>\$274.01</u> |
| Credit:  |         |         |        |                               |                 |
| Fund 430 | 181     | C.00033 | 486000 | Interfund Revenue Subsidy     | <u>\$274.01</u> |
| Total    |         |         |        |                               | <u>\$274.01</u> |

ECSD No. 2

|          |         |         |        |                               |                 |
|----------|---------|---------|--------|-------------------------------|-----------------|
| Debit:   |         |         |        |                               |                 |
| Fund 310 | 1740010 | C.00024 | 570000 | Interfund Transfers (Subsidy) | \$ 2.22         |
| Fund 310 | 1740010 | C.00052 | 570000 | Interfund Transfers (Subsidy) | 347.25          |
| Fund 310 | 1740010 | C.00059 | 570000 | Interfund Transfers (Subsidy) | 14.00           |
| Total    |         |         |        |                               | <u>\$363.47</u> |
| Credit:  |         |         |        |                               |                 |
| Fund 430 | 182     | C.00008 | 486000 | Interfund Revenue Subsidy     | <u>\$363.47</u> |
| Total    |         |         |        |                               | <u>\$363.47</u> |

ECSD No. 3

|          |         |         |        |                               |                    |
|----------|---------|---------|--------|-------------------------------|--------------------|
| Debit:   |         |         |        |                               |                    |
| Fund 310 | 1750010 | C.00019 | 570000 | Interfund Transfers (Subsidy) | \$10,968.11        |
| Fund 310 | 1750010 | C.00060 | 570000 | Interfund Transfers (Subsidy) | 1.02               |
| Total    |         |         |        |                               | <u>\$10,969.13</u> |
| Credit:  |         |         |        |                               |                    |
| Fund 430 | 183     | C.00007 | 486000 | Interfund Revenue Subsidy     | <u>\$10,969.13</u> |
| Total    |         |         |        |                               | <u>\$10,969.13</u> |

ECSD No. 4

Debit:

|          |         |         |        |                               |                    |
|----------|---------|---------|--------|-------------------------------|--------------------|
| Fund 310 | 1730010 | C.00040 | 570000 | Interfund Transfers (Subsidy) | \$ 5.15            |
| Fund 310 | 1730010 | C.00053 | 570000 | Interfund Transfers (Subsidy) | <u>\$11,502.05</u> |
|          |         |         |        | Total                         | <u>\$11,507.20</u> |

Credit:

|          |     |         |        |                           |                    |
|----------|-----|---------|--------|---------------------------|--------------------|
| Fund 430 | 181 | C.00034 | 486000 | Interfund Revenue Subsidy | <u>\$11,507.20</u> |
|          |     |         |        | Total                     | <u>\$11,507.20</u> |

ECSD No. 5

Debit:

|          |         |         |        |                               |                   |
|----------|---------|---------|--------|-------------------------------|-------------------|
| Fund 310 | 1730010 | C.00026 | 570000 | Interfund Transfers (Subsidy) | <u>\$2,352.83</u> |
|          |         |         |        | Total                         | <u>\$2,352.83</u> |

Credit:

|          |     |         |        |                           |                   |
|----------|-----|---------|--------|---------------------------|-------------------|
| Fund 430 | 181 | C.00005 | 486000 | Interfund Revenue Subsidy | <u>\$2,352.83</u> |
|          |     |         |        | Total                     | <u>\$2,352.83</u> |

ECSD No. 6

Debit:

|          |         |           |        |                               |                   |
|----------|---------|-----------|--------|-------------------------------|-------------------|
| Fund 310 | 1760010 | C.00054.1 | 570000 | Interfund Transfers (Subsidy) | <u>\$4,114.05</u> |
|          |         |           |        | Total                         | <u>\$4,114.05</u> |

Credit:

|          |     |         |        |                           |                   |
|----------|-----|---------|--------|---------------------------|-------------------|
| Fund 430 | 186 | C.00006 | 486000 | Interfund Revenue Subsidy | <u>\$4,114.05</u> |
|          |     |         |        | Total                     | <u>\$4,114.05</u> |

and be it further

RESOLVED, that debt service accounts C.00019, C.00024, C.00026, C.00040, C.00043, C.00049, C.00052, C.00053, C.00054.1, C.00059. and C.00060 be closed; and be it further

RESOLVED, the Erie County Comptroller and Director of Budget and Management be authorized to establish all budgeting accounts necessary to facilitate these transfers and closeout the debt service accounts; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this Resolution to the County Executive, the Erie County Comptroller, and the Director of Budget and Management; and two (2) certified copies be sent to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

(5-0) Legislator Baskin not present for vote.

**JOHN BRUSO**  
**CHAIR**

MR. BRUSO moved to approve item Number 3. MR. LORIGO seconded.

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)

CARRIED UNANIMOUSLY.

Item 47 – MS. MILLER-WILLIAMS presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196

|                  |  |
|------------------|--|
| October 11, 2018 | FINANCE & MANAGEMENT<br>COMMITTEE<br>REPORT NO. 16 |
|------------------|--|

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 18E-3 (2018)  
COMPTROLLER: “Certificate of Determination Relative to the RAN”  
(Chair’s Ruling)
  - b. COMM. 18D-2 (2018)  
DEPUTY COMPTROLLER – AUDIT: “Letter to DISS Regarding Audit of Contract Payments for Period 1/1/18 - 8/31/18”  
(Chair’s Ruling)
  - c. COMM. 18D-3 (2018)  
DEPUTY COMPTROLLER - AUDIT: “Letter to Commissioner of Personnel Regarding Audit of Contract Payments for Period 1/1/18 - 8/31/18”  
(Chair’s Ruling)
2. COMM. 4D-1 (2018)  
REAL PROPERTY TAX SERVICES AS AMENDED  
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and



WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 218101 through 218111, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR 2018                      Petition No.                      218,101.00

   ASSESSOR                      Cancel                      \$1,309.13  
S-B-L 68.15-12-20    50 Westchester 142289 AMHERST

   Acct. No. 112                      \$0.00    County  
   Acct. No. 132                      \$1,309.13    Town/SpecialDist/School  
Charge To :                      142289 AMHERST                      \$1,309.13  
   Relevy School                      \$1,309.13    142201 AMHERST

CENTRAL

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

FISCAL YEAR 2018                      Petition No.                      218,102.00

   ASSESSOR                      Cancel                      \$618.63  
S-B-L 69.17-4-15    74 Evans St    142201 WILLIAMSVILLE

   Acct. No. 112                      \$0.00    County  
   Acct. No. 132                      \$618.63    Town/SpecialDist/School  
Charge To :                      142201 WILLIAMSVILLE                      \$618.63  
   Relevy School                      \$618.63    142203 WILLIAMSVILLE

CENT

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

FISCAL YEAR 2018                      Petition No.                      218,103.00

   ASSESSOR                      Cancel                      \$31,267.95  
S-B-L 124.02-1-5.11 2228 Old Union Rd 143089 CHEEKTOWAGA

   Acct. No. 112                      \$0.00    County  
   Acct. No. 132                      \$31,267.95    Town/SpecialDist/School  
Charge To :                      143089 CHEEKTOWAGA                      \$31,267.95  
   Relevy School                      \$31,267.95    143001 CHEEKTO.

CENTRAL

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

FISCAL YEAR 2018                      Petition No.                      218,104.00

   ASSESSOR                      Cancel                      \$251.81  
S-B-L 57.06-2-7                      5833 Forest Creek 143200 CLARENCE

   Acct. No. 112                      \$0.00      County  
   Acct. No. 132                      \$251.81    Town/SpecialDist/School  
Charge To :                      143200 CLARENCE                      \$251.81  
   Relevy School                      \$251.81    142203 WILLIAMSVILLE

CENT

RPTL 550(2): Incorrect assessment  
New tax bill to be issued.

FISCAL YEAR 2018                      Petition No.                      218,105.00

   ASSESSOR                      Cancel                      \$23.60  
S-B-L 350.00-3-10.522                      V/L Gowanda Zoar                      143689 COLLINS

   Acct. No. 112                      \$0.00      County  
   Acct. No. 132                      \$23.60    Town/SpecialDist/School  
Charge To :                      143689 COLLINS                      \$23.60  
   Relevy School                      \$23.60    047201 GOWANDA

CENTRAL

RPTL 550(2): Duplicate parcel  
New tax bill to be issued.

FISCAL YEAR 2018                      Petition No.                      218,106.00

   ASSESSOR                      Refund                      \$684.47  
S-B-L 20.03-2-8                      11664 Rapids Rd145689 NEWSTEAD

   Acct. No. 112                      \$0.00      County  
   Acct. No. 132                      \$684.47    Town/SpecialDist/School  
   5201 Code RP520                      \$684.47  
Charge To :                      145689 NEWSTEAD                      \$0.00

RPTL 550(2): Applied exemption removal charge in error  
Refund to be issued to Susan Emel.

FISCAL YEAR 2018                      Petition No.                      218,107.00

ASSESSOR Cancel \$1,884.25  
S-B-L 21.00-1-12 8228 Cedar St 145689 NEWSTEAD

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,884.25 Town/SpecialDist/School  
Charge To : 145689 NEWSTEAD \$1,884.25  
Relevy School \$1,884.25 145601 AKRON CENTRAL

RPTL 550(3): Improvement erroneously added  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 218,108.00

ASSESSOR Cancel \$830.49  
S-B-L 66.44-2-2 483 Loretta St 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$830.49 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$830.49  
Relevy School \$830.49 146401 KEN-TON UNION

FREE

RPTL 550(2): Failed to reduce assessment  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 218,109.00

ASSESSOR Cancel \$418.00  
S-B-L 54.21-3-30 933 Woodstock Av 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$418.00 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$418.00  
Relevy School \$418.00 142207 SWEET HOME

CENTRAL

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

FISCAL YEAR 2017 Petition No. 218,110.00

ASSESSOR Refund \$409.64  
S-B-L 54.21-3-30 933 Woodstock Av 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$409.64 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$409.64

Relevy School \$409.64 142207 SWEET HOME  
CENTRAL

RPTL 550(2): Failed to apply Basic STAR exemption  
Refund to be issued to Edna Jones c/o Lynn Lozina.

FISCAL YEAR 2016 Petition No. 218,111.00

ASSESSOR Refund \$443.63  
S-B-L 54.21-3-30 933 Woodstock Av 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$443.63 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$443.63  
Relevy School \$443.63 142207 SWEET HOME

CENTRAL

RPTL 550(2): Failed to apply Basic STAR exemption  
Refund to be issued to Edna Jones c/o Lynn Lozina

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real  
Property Tax Services.  
(6-0)

**BARBARA MILLER-WILLIAMS  
CHAIR**

Item 48 – MR. BRUSO presented the following report and moved for immediate  
consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 197

|                  |   |
|------------------|---|
| October 11, 2018 | HEALTH & HUMAN SERVICES<br>COMMITTEE<br>REPORT NO. 13 |
|------------------|---|

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

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 10-4 (2018)

BRUSO: “Studying the Potential use of the Buffalo Psychiatric Center for Drug Addiction Treatment and Counseling”  
(Chair’s ruling)

- b. COMM. 17E-9 (2018)  
MILLS: “Letter to Commissioner of Health Department Regarding EC Septic System Inspection Policy”  
(Chair’s ruling)
- c. COMM. 17D-1 (2018)  
SPECIAL ASSISTANT TO THE COMMISSIONER OF SOCIAL SERVICES: “CPS Statistical Report - August 2018”  
(Chair’s ruling)
- d. COMM. 17D-3 (2018)  
COMMISSIONERS OF MENTAL HEALTH & HEALTH: “Update on 2017 Opioid Epidemic Funding”  
(Chair’s ruling)
- e. COMM. 18D-1 (2018)  
COMMISSIONER OF EC DEPARTMENT OF HEALTH: “Response to Legislator Mills Regarding EC Septic System Inspection Policy”  
(Chair’s ruling)

**JOHN BRUSO  
CHAIR**

Item 49 – MR. BURKE presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198

|                  |  |
|------------------|--|
| October 11, 2018 | ECONOMIC DEVELOPMENT<br>COMMITTEE<br>REPORT NO. 14 |
|------------------|--|

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

- 1. COMM. 18E-7 (2018)  
COUNTY EXECUTIVE  
WHEREAS, the Town of Amherst (“Town”) intends to design and construct pedestrian and bicycle safety improvements on a County owned roadway, Casey Road (CR 295); and

WHEREAS, said improvements shall be designed and constructed in compliance with the Americans with Disabilities ACT and with Federal and town funds; and

WHEREAS, the Town shall be responsible for any and all maintenance aspects related to the pedestrian and bicycle safety improvements; and

WHEREAS, an Agreement between the Town and the County will be necessary to allow the Town to proceed with the design and construction of the pedestrian and bicycle safety improvements, along with future maintenance of these improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an agreement between the County of Erie and the Town of Amherst, allowing the Town to design, construct, and maintain the pedestrian and bicycle safety improvements located in Town of Amherst along Casey Road (CR 295); and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of the resolution to the County Executive, the County Attorney, and the Department of Public Works.  
(6-0)

2. COMM. 18E-18 (2018)  
COUNTY EXECUTIVE

WHEREAS, the Bridge Painting and Repairs (3 bridges in the Towns of Aurora, Marilla, and the Village of Hamburg) PIN 5762.02 (the "Project") was approved by this body on July 26, 2018 via Comm. 14E-33 in the amount of \$1,155,000; and

WHEREAS, the County of Erie is in receipt of the Locally Administered Federal Aid Project NYSDOT Agreement which includes additional federal and state revenue; and

WHEREAS, the Department of Public Works requests authorization to direct the Division of Budget and Management to adjust the Project budget in accordance with the agreement, for a total Project cost not to exceed the maximum project allowance of \$1,155,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Department of Public Works to submit Project budget adjustments for federal and state revenues, for a total contract amount not to exceed \$1,155,000 to the Division of Budget and Management in accordance with the agreement received from the New York State Department of Transportation (NYSDOT) for this Federal Aid Project and Comm 14E-33 of July 26, 2018 in Project B.16010 – Federal Aid Bridge Project Preservation Construction, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Division of Highways, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

3. COMM. 18E-19 (2018)  
COUNTY EXECUTIVE

WHEREAS, the Bridge Deck Sealing PIN 5762.03, (the “Project”) is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds, and a 20% local share; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Project by making a commitment for the Federal and non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Project, it will be necessary for the County to execute an Agreement with the New York State Department of Transportation (NYSDOT) in the total amount of \$300,000 of which \$60,000 is the required local share, for the construction and construction inspection phase of the Project; and

WHEREAS, an additional \$10,000 in local share is available, for a construction contingency, from bond proceeds in Project B.16010 – Federal Aid Bridge Project Preservation Construction, Fund 420, Funds Center 123; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency, for a total project allowance not to exceed \$310,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of Federal and non-Federal shares of the cost of construction and construction inspection phases of the Project or portions thereof; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an Agreement with New York State Department of Transportation (NYSDOT) for this Federal Aid Project in the total amount of \$300,000 of which \$60,000 is the required local share; and be it further

RESOLVED, that the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, enter into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency for a total project cost not to exceed \$310,000; and be it further

RESOLVED, that the estimated total sum of the Construction, Construction Inspection Phase, and contingency for the Project, in an amount not to exceed \$310,000 is hereby appropriated

from Project B.16010 – Federal Aid Bridge Project Preservation Construction, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the Project budget with the anticipated federal revenue in accordance with the NYSDOT agreement; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's construction and construction inspection phases exceeds the amount appropriated, \$310,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that should additional federal or state revenue be made available to the Project, the Office of Budget and Management adjust the Project budget accordingly; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal aid and State aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the NYSDOT; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copies of this Resolution to the Department of Public Works, Division of Highways, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.  
(6-0)

**PATRICK B. BURKE**  
**CHAIR**

Item 50 – MS. BASKIN presented the following report and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199



|                  |  |
|------------------|--|
| October 11, 2018 | PUBLIC SAFETY COMMITTEE<br>REPORT NO. 13 |
|------------------|--|

ALL MEMBERS PRESENT.

1. COMM. 18E-12 (2018)  
COUNTY EXECUTIVE

WHEREAS, the Department of Central Police Services is in the process of modifying multiple systems which are utilized by law enforcement agencies throughout Erie County; and

WHEREAS, Central Police Services needs to make the required changes in order to implement New York State Raise the Age Law; and

WHEREAS, Globalquest Solutions Inc., has both knowledge and experience to make the required modifications to Central Police Services IT programs; and

WHEREAS, New York State has a program for reimbursement of extra costs assumed by county government for changes associated with the Raise the Age Law.

NOW, THEREFORE, BE IT

RESOLVED, that a budget increase in fund 110 Cost Center 16500 of \$9,408 be made into Revenue Account #407625 State Aid – Raise the Age (RTA) and Appropriation Account #516020 Professional Service Contracts & Fees for this new cost associated with the Raise the Age Law; and be it further

RESOLVED, that authorization is hereby provided to issue a purchase order to Globalquest Solutions Inc., a local WBE/New York State contract vendor, in the amount of \$9,408 to provide the professional technical staff for this project; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller, the Bureau of Purchase and the Department of Central Police Services, attention: Brian Speers.  
(5-0)

2. COMM. 18E-13 (2018)  
COUNTY EXECUTIVE

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) request authorization to enter into an agreement with Erie County Central Police Services to provide a Statewide Automated Biometric Identification System (SABIS) Regional Site; and

WHEREAS, DCJS has purchased equipment and software licenses to enhance the fingerprinting and palm printing processing capabilities at DCJS, law enforcement and criminal justices agencies throughout the State of New York. DCJS has an interest in providing for security

of the equipment, data and abiding by the contractual warranty conditions and software licenses by IDEMIA; and

WHEREAS, Erie County Central Police Services, a qualified criminal justice agency, was selected in 1990 as a Regional Latent Site for Statewide Automated Fingerprint Identification System (later changed from Fingerprint to Biometric). SABIS of Erie County will be utilizing equipment and software purchased by DCJS to perform latent fingerprints and palm prints for law enforcement agencies.

NOW, THEREFORE, BE IT

RESOLVED, that the authorization is hereby provided for the County Executive to enter into a continued agreement with DCJS; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Office of the Comptroller, and the Department of Central Police Services, attention: Brian Speers.  
(5-0)

**APRIL N.M. BASKIN  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 51 – CHAIR SAVAGE directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 19-1 from BURKE. Corrupt Officials Looking for Leniency after Indictment Need to be Stopped.

Item 52 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 200

RE: Urging the Governor to Include  
Funding for the Town of Evans'  
Sturgeon Point Marina Project in  
the 2019 NYS Budget  
(INTRO. 19-2)

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

WHEREAS, the Sturgeon Point Marina, in the Town of Evans, is the only full service marina located along the 40-mile stretch of Lake Erie shoreline, between the cities of Dunkirk and Buffalo and is categorized as a “Safe Harbor” for distressed boaters; and

WHEREAS, the U.S. Army Corps of Engineers determined in 2016 that the Sturgeon Point Marina west breakwater is deteriorating and in need of repairs to prevent failure; and

WHEREAS, the Sturgeon Point Marina is currently used by the U.S. Border Patrol, U.S. Coast Guard, the New York State Department of Environmental Conservation, and the Erie County Sheriff Marine Patrols to provide border security and public safety; and

WHEREAS, the Sturgeon Point Marina provides access to Town of Evans first responders who require launch access from the marina twelve months out of the year; and

WHEREAS, the Town of Evans is spending approximately \$50,000 annually to dredge sediment caused by the significant deterioration of the west breakwater; and

WHEREAS, the Consolidated Funding Application has been approved by the Western New York Economic Development Council and sent to the Governor for consideration in the 2019 budget.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports the Governor’s priority listing for the Town of Evans CFA Grant for the Town of Evans Sturgeon Point Marina Project; and be it further

RESOLVED, that this honorable body hereby urges the Governor to include CFA Grant priority funds for the Town of Evans Sturgeon Point Marina Project in the 2019 New York State budget; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo, the Western New York delegation to the NYS Senate and Assembly, the Western New York Regional Economic Development Council, the Evans Town Board, the Sturgeon Point Marina Advisory Board, and any other party deemed necessary and proper.

Item 53 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

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

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

CARRIED.

RESOLUTION NO. 201

RE: Requesting the Chair of the EC  
Legislature Remove  
Commissioner Schad from His  
Appointment as Commissioner  
of the ECWA  
(INTRO. 19-3)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS LOUGHRAN & LORIGO**

WHEREAS, the Erie County Water Authority (ECWA) is a state created authority that has a three member board of commissioners appointed by the Erie County Legislature; and

WHEREAS, the ECWA Commissioner are responsible for hiring management to run the day-to-day operations of the Water Authority as well as providing for borrowing on behalf of the authority; and

WHEREAS, the ECWA provides water and services to many residents in Erie County as well as residents in neighboring counties; and

WHEREAS, Commissioner Schad is the only sitting member of the ECWA Board of Commissioners to have been censured by the New York State office responsible for review of public authorities and it was the Authorities Budget Office recommendation that the Commissioner be removed from his position; and

WHEREAS, despite differing legal opinions of minority counsel, the Authorities Budget Office, and the in-house counsel for the Water Authority, the Chair of the Legislature is the only entity with authority to remove a sitting water authority commissioner; and

WHEREAS, members of this body have attempted to remove Commissioner Schad from his post as water authority commissioner several times; and

WHEREAS, each resolution introduced that would remove Commissioner Schad was immediately sent to committee without discussion at the ruling of the chair and openly supported by members of this body on the basis that the County Attorney is of the opinion that only the Chair may remove a sitting Commissioner; and

WHEREAS, all prerequisites for the removal of a Water Authority Commissioner, as prescribed in New York State law, have been met and Commissioner Schad has been provided with an opportunity to defend himself; and

WHEREAS, this body has already unanimously approved a resolution urging Commissioner Schad to step down, which he has not responded to; and

WHEREAS, it is an insult to this body that he has not vacated his post and the inability of this body to agree who has the authority to remove a commissioner has led to the Commissioner remaining on the authority and a disservice to the residents of Erie County; and

WHEREAS, it is the Chair of the Legislature who must ensure the actions of the Legislature are respected and take action to remove the Commissioner; and

WHEREAS, this request is being made not because the sponsors no longer feel it is the Legislature's authority to remove Commissioner Schad, it is and we still do. However, it must also be recognized that the Legislature is split over which opinion to follow, our counsel or the County Attorney. It is the belief of this body that if the Chairman is to proceed and remove Commissioner Schad a court may determine the validity of his action. If the Chairman does nothing and this body is still divided over which opinion is correct then the Water Authority will continue to operate behind the guidance and leadership of an individual whom this body, at the suggestion of the director of the State Authorities Budget Office, unanimously asked to resign.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby calls on the Chair of the Erie County Legislature to remove Commissioner Schad, the last remaining member of the Erie County Water Authority to be censured by New York State's Authorities Budget Office; and be it further

RESOLVED, that certified copies of this resolution be sent to the Board of the Erie County Water Authority, the County Attorney, the state Authorities Budget Office, and any party deemed necessary and proper.

Item 54 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202

RE: Urging the Governor to Sign the  
"Rural & Agricultural Jobs Act"  
(INTRO. 19-4)

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

WHEREAS, many rural areas across Western New York have struggled sustaining business for decades with the excessive tax and regulatory burdens placed on small businesses by New York State. It is important for many communities in Western New York, including many locations in Erie County, that the state continue to explore new ways to aid and promote economic development and job creation; and

WHEREAS, according to the U.S. Census Bureau, between 2012 and 2016 60% of New York's rural communities saw more businesses close than open; and

WHEREAS, additional census figures show that between 2010 and 2017, 42 counties in New York lost population, with a stagnant job market and high taxes being the primary reasons for the population movement; and

WHEREAS, the Rural and Agricultural Jobs Act will create a \$100 million fund backed by private investors to support small businesses involved in the manufacturing, processing, or marketing of agricultural products, aquatic products and farm supplies; and

WHEREAS, investors in the fund would be incentivized to invest by tax credits for their participation, and fund would focus on providing small rural and agricultural businesses access to capital; and

WHEREAS, many residents in Erie County would benefit from such a program as it would allow for the development of rural and agricultural businesses that would otherwise not be eligible for federal agricultural loans due to their size, or for traditional commercial loans due to their agricultural nature; and

WHEREAS, the program includes reporting requirements to ensure that taxpayers know the exact benefits of their investment; and

WHEREAS, advocates for the bill, including Unshackle Upstate and the Business Council of New York, have voiced their support and have recommended the Governor sign the legislation; and

WHEREAS, the "Rural and Agricultural Jobs Act" (Senate Bill 4727/Assembly Bill 4772) was passed in June by both the Senate and Assembly and needs executive action to become law.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body hereby urges Governor Cuomo to sign the "Rural and Agricultural Act" as soon as possible so businesses across the state may benefit; and be it further

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

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 55 – MS. BASKIN moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 18E-17 (2018). MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

RE: Authorization to Enter into Contract  
with Trillium Health, Inc.  
(COMM. 18E-17, 2018)

WHEREAS, The Veterans Health Care Act of 1992 created Section 340B of the Public Health Service Act, which classifies certain health care clinics, including the Department of Health, as eligible to purchase outpatient prescription drugs for their patients at favorable discounts from drug manufacturers who enter into Pharmaceutical Pricing Agreements with the United States Department of Health and Human Services ("DHHS"); and

WHEREAS, Trillium Health, Inc. is duly licensed as a pharmacy in the State of New York;  
and

WHEREAS, the Department of Health and Trillium Health Inc. mutually acknowledge that their intention in entering this agreement is solely to facilitate the Department of Health's participation in the 340B drug purchasing program, without having to establish and operate its own pharmacy; and

WHEREAS, the purpose of this resolution is to authorize the County Executive to enter into a contract with Trillium Health Inc. beginning August 1, 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amend as necessary with Trillium Health Inc.; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9<sup>th</sup> Floor, Rath Building.

MS. BASKIN moved to amend the item. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Delete the first Resolve clause in its entirety and Replace with the following:

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amend as necessary with non-material amendments to that contract with Trillium Health Inc.; and be it further

RESOLVED; that the length of this contract shall begin on October 15, 2018 and expire on October 14, 2020; and be it further

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

CARRIED UNANIMOUSLY.

Item 56 – MR. LORIGO moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of INTRO. 18-2 (2018). MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 204

RE: A Resolution Amending the Erie County  
Legislature's Rules of Order  
(INTRO. 18-2, 2018)

WHEREAS, transparency and ease of access to information are cornerstones of a successful democracy; and

WHEREAS, the legislature receives numerous requests from the administration for new positions; and

WHEREAS, new positions are some of the most significant costs to county government and are one of the largest burdens on county taxpayers; and

WHEREAS, the public should have access to more information for the resolutions passed by this honorable body that can have lasting financial implications; and

WHEREAS, pursuant to Rule 5.09 of the Legislative Rules of Order new material to be included in the 2018 Rules of Order shall be underlined and material to be deleted shall be bracketed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature's Rules of Order be amended as follows:

#### 2.34 SAMPLE RESOLUTION AND ACCOMPANYING MEMORANDA:

The Clerk of the Legislature shall not place any request, for legislative action, which is filed by a county elected official, other than a county legislator, or by a nonelected county official, on the agenda for a regular or special legislative session, unless such request includes a sample resolution and an accompanying memorandum, which presents and includes:

- A SUMMARY OF RECOMMENDED ACTION
- FISCAL IMPLICATIONS OF PROPOSAL
  - If the proposal is creating new, or extending existing, county personnel, include the:
    - Annualized salary required of the position(s)
    - Pro-rated salary required for the remainder of the current fiscal year
    - Funding source(s) to be utilized to cover the costs. If the proposed funding source is a grant, include:
      - Grant source (federal, state, charitable, etc.)
      - Grant duration
      - Grant funding remaining after creation of the new position(s)
      - A contingency plan should the existing grant be discontinued
- REASONS FOR RECOMMENDATION
- BACKGROUND OF PROPOSAL
  - If the proposal creates a new position, or extends an existing position, include an:
    - Affirmation as to whether the duties required of the position are required by law or contract
    - Affirmation as to whether the position is managerial confidential or Competitive Civil Service
- CONSEQUENCES OF NEGATIVE ACTION
- STEPS FOLLOWING APPROVAL OF MEASURE



RESOLVED, that certified copies of this resolution be sent to every county level elected official in Erie County, the head of every department in Erie County Government, and any other party deemed necessary and proper; and be it further

RESOLVED, that the attached sample memorandum in Appendix A shall be included by the Clerk of the Legislature with every certified copy of this resolution.

**Appendix A:**

**MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature

**From:**

**Re:** Position Add/Delete

**Date:**

---

**SUMMARY**

**FISCAL IMPLICATIONS**

**Annualized Salary**

\_\_\_\_\_

**Salary for Balance of Year**

\_\_\_\_\_

**Funding Source**

\_\_\_\_\_

If Grant funded:

Grant Source:

\_\_\_\_\_

Grant Duration:

\_\_\_\_\_

Remaining Grant Funding:

\_\_\_\_\_

Alternative Source of Funding if  
Grant is not renewed:

\_\_\_\_\_

**REASONS FOR RECOMMENDATION**

**BACKGROUND INFORMATION**

Duties required of the position required by Law or Contract:

\_\_\_\_\_

Position Classification:

\_\_\_\_\_

**CONSEQUENCES OF NEGATIVE ACTION**

**STEPS FOLLOWING APPROVAL**

MR. LORIGO moved to approve the resolution. MR. RATH seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 57 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-17 from SAVAGE Re: Letter to Budget Director Concerning 2018 Budget Documents for 2019 Budget Process

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

Item 58 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-18 from SAVAGE Re: Letter to Clerk of Legislature Concerning 2019 Budget – Additional Member of Finance and Management/Budget Committee

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

Item 59 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-19 from the SHERIFF Re: Access Agreement with Big Fish Entertainment LLC

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 60 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 19-5 from BURKE, BRUSO & SAVAGE Re: Fairness and Safety for Wendt Corporation Employees

MS. BASKIN moved to approve the resolution. MR. BURKE seconded. MR. RATH objected.

CHAIR SAVAGE directed that the resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR RATH**

Item 61 – (COMM. 19E-1) Letter to Public Works Commissioner Regarding Current Condition of Shisler Rd.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM LEGISLATOR LORIGO**

Item 62 – (COMM. 19E-2) Constituent Input Regarding the Convention Center

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 63 – (COMM. 19E-3) 2019 Tentative EC Budget

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

**FROM THE COMPTROLLER**

Item 64 – (COMM. 19E-4) Review of 2019 Revenue Projections

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 65 – (COMM. 19E-5) Acceptance of Grant Award - "Comprehensive Addiction & Recovery Act"

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 66 – (COMM. 19E-6) Authorization to Contract with Train for Change, Inc.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 67 – (COMM. 19E-7) Indigent Legal Services Grant Amendment

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 68 – (COMM. 19E-8) DASNY Grant for Times Beach Nature Preserve Capital Improvements

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 69 – (COMM. 19E-9) Amendment to Existing Agreement Between SUNY Erie & Nuventive, LLC

Item 70 – (COMM. 19E-10) Approval of Deaf Access Services Contract with SUNY Erie

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 71 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 205

RE: Acceptance of a Comprehensive Opioid Abuse Site-Based (COMM. 19E-11)

WHEREAS, the County of Erie has emerged as a leader in the fight against opioid substance use disorder; and

WHEREAS, on behalf of the County of Erie, the Probation Department responded to a federal request for proposals for a Comprehensive Opioid Site-Based grant to address opioid use disorder among probationers; and

WHEREAS, the United States Department of Justice has awarded the county \$854,233 to implement a response directed at probationers with opioid use disorder; and

WHEREAS, the Probation Department has partnered with Martin Floss PhD, Hilbert College as a sub recipient for the purpose of preparing the funding application and to serve as evaluator of the program as required by the request for proposal.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept an award from the United States Department of Justice in the amount of \$854,233 and enter into contracts and amendments to these contracts to pertaining to this award; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts and amendments to these contracts with award sub recipient Martin Floss, PhD, Chair Criminal Justice Administration Program, Hilbert College, 5200 South Park Avenue, Hamburg, New York, 14075 who will design, implement and deliver the required program evaluation per federal authorized funding levels; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code regarding professional services contracts because the contractor was named at application as requested by the grantor; and be it further

RESOLVED, that the following Probation grant budgets be established:

Erie County Probation Department  
Fund 281 – Business Area 126  
Opioid Response Initiative (126ORI1819)  
October 1, 2018 to September 30, 2019

Revenue

Account 414000 Federal Aid \$228,906

Appropriations

Account 500000 Full Time Staff \$96,294

Account 501000 Overtime 5,441

Account 502000 Fringe Benefits 76,224

Account 505000 Office Supplies 100

Account 505800 Medical & Health Supplies 1,573

Account 510100 Out of Area Travel 2,854

Account 510000 Mileage 1,585

Account 516020 Pro Serv Contracts & Fees 35,664

Account 561410 Lab and Technical Equipment 1,800

Account 980000 ID DISS Services 7,371

Total Appropriations \$228,906

Erie County Probation Department  
Fund 281 – Business Area 126  
Opioid Response Initiative (126ORI1920)  
October 1, 2019 to September 30, 2020

Revenue

|  |                  |
|--|------------------|
| Account 414000 Federal Aid               | <u>\$307,149</u> |
| Appropriations                           |                  |
| Account 500000 Full Time Staff           | \$138,238        |
| Account 501000 Overtime                  | 5,787            |
| Account 502000 Fringe Benefits           | 111,121          |
| Account 505000 Office Supplies           | 50               |
| Account 505800 Medical & Health Supplies | 1,573            |
| Account 510100 Out of Area Travel;       | 2,854            |
| Account 510000 Mileage                   | 1,962            |
| Account 516020 Pro Serv Contracts & Fees | 35,664           |
| Account 980000 ID DISS Services          | <u>9,900</u>     |
| Total Appropriations                     | <u>\$307,149</u> |

Erie County Probation Department  
Fund 281 – Business Area 126  
Opioid Response Initiative (126ORI2021)  
October 1, 2020 to September 30, 2021

|  |                  |
|--|------------------|
| Revenue                                  |                  |
| Account 414000 Federal Aid               | <u>\$318,178</u> |
| Appropriations                           |                  |
| Account 500000 Full Time Staff           | \$143,939        |
| Account 501000 Overtime                  | 5,973            |
| Account 502000 Fringe Benefits           | 116,263          |
| Account 505000 Office Supplies           | 50               |
| Account 505800 Medical & Health Supplies | 1,573            |
| Account 510100 Out of Area Travel        | 2,854            |
| Account 510000 Mileage                   | 1,962            |
| Account 516020 Pro Serv Contracts & Fees | 35,664           |
| Account 980000 ID DISS Services          | <u>9,900</u>     |
| Total Appropriations                     | <u>\$318,178</u> |

and be it further

RESOLVED, that a Probation Officer, JG-11 and two Peer Navigators JG-3 are created within the Probation Department-Business Area 126 on B100's #10821 and #10811 respectively; 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 Federal approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the: County Executive's Office, Division of Budget and Management, County Comptroller, County Attorney, Personnel Department and the Probation Department c/o Christina Schrader Room 112, 1 Niagara Plaza.

Item 72 – (COMM. 19E-12) NYS Office of Mental Health Workforce COLA Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE COMPTROLLER**

Item 73 – (COMM. 19E-13) 2018 Revenue Anticipation Note Notification

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE SHERIFF**

Item 74 – (COMM. 19E-14) Authorization to Accept 2018-2021 Human Trafficking Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 75 – (COMM. 19E-15) Award of Construction Contract for Replacement of Heise Rd. Bridge Over Ransom Creek

Item 76 – (COMM. 19E-16) Federal-Aid Project - Pavement Rehabilitation/Resurfacing for Abbott Rd., McKinley Pkwy. & Armor Duells Rd. in Towns of Hamburg & Orchard Park

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

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DEPARTMENT OF LAW**

Item 77– (COMM. 19D-1) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 78 – (COMM. 19D-2) Budget Monitoring Report for Period Ending August 2018

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF SENIOR SERVICES

Item 79 – (COMM. 19D-3) Public Comment Invitation - 2019 Programs & Services for Older Adults in Erie County

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE MINORITY & WOMEN BUSINESS ENTERPRISES UTILIZATION ADVISORY BOARD

Item 80 – (COMM. 19M-1) Minutes for Meeting Held May 21, 2018

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

FROM THE NYSDEC

Item 81 – (COMM. 19M-2) Public Comment Invitation - Brownfield Cleanup Program Application for Site on Doat St., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EDEN TOWN CLERK

Item 82 – (COMM. 19M-3) Resolution of Eden Town Board - Notifying EC of Defects on County Highways in Eden

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EC CITIZENS SALARY REVIEW COMMISSION

Item 83 – (COMM. 19M-4) 2018 Citizens Salary Review Commission Final Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYSDEC

Item 84 – (COMM. 19M-5) Public Comment Invitation - Brownfield Cleanup Program Application for Site on River Rd., Town of Tonawanda

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.



**FROM THE BUFFALO & EC PUBLIC LIBRARY**  
**BOARD OF TRUSTEES**

Item 85 – (COMM. 19M-6) Proposed Agenda for Meeting to be Held October 18, 2018

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE ASSIGNED COUNSEL PROGRAM**

Item 86 – (COMM. 19M-7) Quarterly Report for the 3rd Quarter of 2018

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**ANNOUNCEMENTS**

Item 87 – Clerk of Legislature announced that the schedule for committee meetings to be held on Thursday, October 24, 2018, has been distributed.

Item 88 – Chair Savage announced that the proposed dates and times for departmental hearings for the tentative 2019 Erie County budget, as well as the date for the public hearing on the budget, have been circulated to members of the Legislature for their consideration.

**MEMORIAL RESOLUTIONS**

Item 89 – Legislator Brusco requested that when the Legislature adjourns, it do so in memory of John Cransdale, Patricia Dickman and Liam Angelo Cervellera.

Item 90 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Judge James B. Kane, Jr.

Item 91 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Elizabeth Dantzler and Jonnie C. Story.

Item 92 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Patrick Henry Hoak and Karlene Daniel.

Item 93 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Pat Joyce.

Item 94 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Thomas Finn.

**ADJOURNMENT**

Item 95 - 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, November 1, 2018 at 2:00 p.m. Eastern Standard Time. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE declared the Legislature adjourned until Thursday, November 1, 2018 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER**  
**CLERK OF THE LEGISLATURE**