

ERIE COUNTY LEGISLATURE
MEETING NO. 4
FEBRUARY 15, 2018

The Legislature was called to order by Chair Savage.

All members present.

An Invocation was held, led by Ms. Miller-Williams, who offered a prayer.

The Pledge of Allegiance was led by Mr. Bruke.

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 3 from 2018. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. HARDWICK presented a proclamation Honoring Gayle Syposs Upon Her Retirement from the City of Tonawanda Clerk's Office and for Her Dedicated Commitment to the City of Tonawanda and the County of Erie.

Item 6 – MR. LORIGO presented a proclamation Congratulating Paul Clark for Being Named West Seneca Chamber of Commerce's 2018 Citizen of the Year.

Item 7 – MR. LORIGO presented a proclamation Recognizing Al-Ross Screen Printing and Embroidery as West Seneca Chamber of Commerce's 2018 Business of the Year.

Item 8 – MR. LORIGO presented a proclamation Recognizing West Seneca Youth Theatre as West Seneca Chamber of Commerce's 2018 Community Service Organization of the Year.

Item 9 – MR. LORIGO presented a proclamation Recognizing Shell Fab & Design as West Seneca Chamber of Commerce's 2018 Chamber Member of the Year.

Item 10 – MR. LORIGO presented a proclamation Congratulating Wendy Piasecki for Being Named West Seneca Chamber of Commerce's 2018 Educator of the Year.

Item 11 – MR. RATH presented a proclamation Celebrating the Ninety-Fifth Birthday of Former NYS Senator Walter J. Floss, Jr.

Item 12 – MS. BASKIN presented a proclamation Honoring the Erie County Legislature's 2nd District, February 2018 Citizen of the Month.

MS. BASKIN moved for consideration of the above eight items. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the above eight items by adding one for CHAIR SAVAGE and one for MS. DIXON, and also by including Et Al Sponsorship. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved for approval of the above ten items as amended. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 13 – CHAIR SAVAGE directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 14 – CHAIR SAVAGE directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – MS. BASKIN moved to take Local Law No. 5 (Print #2) 2017 off the table. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE

LOCAL LAW NO. ____-2017

LOCAL LAW INTRO NO. 5-2-2017

Erie County Conversion Therapy Ban
Sponsored by: Legislator Patrick B. Burke

The purpose of this law is to ensure the physical and psychological well-being of minors. There is significant evidence that reparative or conversion therapy can cause serious psychological harm to minors who have been exposed to sexual orientation or gender identity change efforts. The practice is opposed by nearly all leading health agencies including: American Academy of Child Adolescent Psychiatry, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, American School Counselor Association, American School Health Association, National Association of Social Workers, World Health Organization and the World Psychiatric Association.

Section 2: Definitions

- A. "Conversion therapy" means any formal treatment that aims to change sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual.
- B. "Minor" means any person less than eighteen (18) years of age.
- C. "Reparative therapy" has the same meaning as conversion therapy.
- D. "Sexual Orientation or Gender Identity Change Efforts" means conversion therapy, reparative therapy, or any other practice that seeks to change an individual's sexual orientation or gender identity. "Sexual Orientation or Gender Identity Change Efforts" do not include psychotherapies that provide acceptance, support, and understanding for clients. And in addition do not prohibit clergy from pastoral counseling, teaching, or relaying of their religion's doctrine.
- E. "Formal Treatment" is defined as a continued effort through a program or through many sessions or meetings to change a minor's sexual identity or orientation.

Section 3: Prohibition

The administering sexual orientation or gender identity change efforts, conversion therapy, or reparative therapy upon a minor within the geographic boundaries of the County of Erie is prohibited.

Section 4: Penalties

Any person who knowingly violates the provisions of this local law shall be guilty of an unspecified misdemeanor punishable by a fine of up to \$1000 and or up to one year in prison.

Section 5: Effective Date

This local law shall be effective upon filing with the Secretary of State.

Section 6: Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or

circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or its application to the person, individual, corporation, firm, partnership, entity, or circumstances directly involved in the controversy in which such judgment or order shall be rendered.

MS. BASKIN moved to approve Local Law No. 5 (Print #2) 2017. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 16 – CHAIR SAVAGE directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR SAVAGE directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 19 – CHAIR SAVAGE directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR SAVAGE directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 21 – CHAIR SAVAGE directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 22 – CHAIR SAVAGE directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 24 – CHAIR SAVAGE directed that Local Law No. 21 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 25 – CHAIR SAVAGE directed that Local Law No. 22 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR SAVAGE directed that Local Law No. 23 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 27 – CHAIR SAVAGE directed that Local Law No. 1 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR SAVAGE directed that Local Law No. 1 (Print #2) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

February 8, 2018	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 3E-6 (2018)
COUNTY EXECUTIVE

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the Federal Department of Housing and Urban Development; and

WHEREAS, the Erie County Community Development Block Grant Consortium and HOME Consortium approved the 2018 Action Plan at their session held on January 25, 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2018 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs having estimated dollar amounts as indicated.

- | | |
|--|-------------|
| 1. Erie County Consortium Community Development Program: | \$2,733,034 |
| 2. Emergency Solutions Program: | \$219,286 |
| 3. HOME Investment Partnership Program: | \$624,718 |
| 4. Town of Hamburg Community Development Program: | \$360,000 |

and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with Federal HOME Investment Partnership funds; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the Federal

Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.

(6-0)

2. COMM. 3E-15 (2018)
COUNTY EXECUTIVE

WHEREAS, a highway rehabilitation and slide stabilization project for Tonawanda Creek Road in the Towns of Pendleton and Lockport in Niagara County and the Town of Clarence in Erie County (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, and calls for the apportionment of the costs of such project to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the lead agency for the Project is Niagara County; and

WHEREAS, Niagara County is party to a Local Project Agreement (LPA) with NYSDOT for the Project for Preliminary Engineering Phases I-IV and ROW Incidentals; and

WHEREAS, the Project includes remediation of the June 2014 slide on Tonawanda Creek Road (CR 559) in the Town of Clarence; and

WHEREAS, Erie County desires to advance and participate in the Project; and

WHEREAS, the non-federal portion of Project funds required by the LPA are being provided by the State of New York therefore requiring no contribution of funds from either Niagara or Erie Counties; and

WHEREAS, an inter-municipal agreement between Niagara County and Erie County is necessary for Erie County's participation in the Project; and

WHEREAS, additional Legislative authorization will be needed should the cost of the Project phases noted exceed the available federal and non-federal funding requiring funding participation from Erie County for the Tonawanda Creek Road (CR 559) site in the Town of Clarence.

NOW, THEREFORE, BE IT

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

RESOLVED, that the County Executive be authorized to execute an inter-municipal agreement between County of Erie and Niagara County, subject to approval by the County Attorney, for participation in Design Phases I-IV and the ROW Incidentals Phase of the Project; and be it further

RESOLVED, that should the cost of the Project phases noted exceed the available federal and non-federal funding requiring funding participation from Erie County for the Tonawanda Creek Road (CR 559) site in the Town of Clarence additional legislative authorization will be sought for such participation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, 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. 3E-16 (2018)
COUNTY EXECUTIVE

WHEREAS, the Tonawanda Rails to Trails Extension Project PIN 5761.02 (the "Project") was approved by your Honorable Body via Comm. 11E-10 (June 11, 2015) and Comm. 2E-8 (February 9, 2017); and

WHEREAS, additional funding in the estimated amount of \$59,000 is required for an Amendment for completion of the Preliminary Engineering (Phases I-VI) and Right of Way phases of the project; and

WHEREAS, the County of Erie desires to execute an Amendment with the project consultant, C&S Companies, for the increase in cost of the Preliminary Engineering (Phases I-VI) and Right of Way phases of the Project; and

WHEREAS, the \$59,000 necessary for this Amendment is available from Fund 420, Funds Center 123, SAP Project No. B.14024 - 2014 Capital Road Overlay Program in the amount of \$12,000 and Fund 420, Funds Center 123, SAP Project No. B.16007- 2016 Federal Aid Projects ROW in the amount of \$47,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject amendment and increase in project funding; and be it further

RESOLVED, that the County Executive is hereby authorized to execute an Amendment to the County's current contract with project consultant C&S Companies in an amount not to exceed \$59,000; and be it further

RESOLVED, that the following authorized project funds from Fund 420, Funds Center 123, SAP Project No. B.14024. - 2014 Capital Road Overlay Program in the amount of \$12,000 and from Fund 420, Funds Center 123, SAP Project No. B.16007 - 2016 Federal Aid Projects ROW in the amount of \$47,000 be made available for this amendment; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County

Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(6-0)

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

WHEREAS, it is desired to allocate monies to purchase Right-of-Way (ROW) necessary for the rehabilitation of culvert 127-05 on Old Lakeshore Road in the Town of Hamburg for the “Project”; and

WHEREAS, it is desired to acquire the Right-of-Way (ROW) necessary for the rehabilitation of culvert 127-05 on Old Lakeshore Road in the Town of Hamburg for the “Project”; and

WHEREAS, to facilitate the construction of the Project it will be necessary for the County to acquire by easement and/or fee, such parcels as may become necessary for construction, including parcels that are portions of real property in the vicinity of the project as follows:

<u>PORTIONS OF TAX MAP SBL NUMBER</u>	<u>TOWNSHIP</u>
SBL 193.01-3-8	Hamburg
SBL 193.01-3-15.12	Hamburg
SBL 193.01-3-21	Hamburg

Such property necessary to be acquired by the County is herein referred to as the “Subject Properties”; and

WHEREAS, the acquisition of the portions of the Subject Properties is to be de minimis in nature so the public interest will not be prejudiced by the construction of the Project; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the sum of monies not to exceed the limit of \$10,000 be made available in SAP B.17006 2017 Capital Right of Way, Fund 420, BA123 for all costs of ROW acquisitions; and be it further

RESOLVED, that the Erie County Legislature hereby approves the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Properties for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including Urban Engineers of New York, Inc., are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including Urban Engineers of New York Inc., are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by easement and/or fee, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including Urban Engineers of New York Inc., are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring easement and/or fee interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, including Urban Engineers of New York, Inc., the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, 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 30 – MS. MILLER-WILLIAMS presented the following report and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

February 8, 2018

FINANCE & MANAGEMENT
COMMITTEE

	REPORT NO. 3
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ALL MEMBERS PRESENT
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3E-3 (2018)
LORIGO: "Letter to Finance & Management Committee Chair Requesting Discussion with the Director of Real Property Tax Services"
(Chair's ruling)
 - b. COMM. 3D-2 (2018)
DEPUTY COMPTROLLER: "Letter to Deputy Comptroller Concerning Audit of Control Activities Associated with the Bank Reconciliations"
(Chair's ruling)
2. COMM. 3D-6 (2017)
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 218018 through 218031, 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.	218,018.00
	ASSESSOR	Cancel	\$27.29
S-B-L	60.00-3-6./151	151 Quarry Hill Est 145689	NEWSTEAD
	Acct. No. 112	\$21.39	County
	Acct. No. 132	\$5.90	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$5.90

RPTL550(2): Failed to apply exemption
New tax bill to be issued

FISCAL YEAR	2017	Petition No.	218,019.00
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ASSESSOR Refund \$582.23
S-B-L 64.11-1-33..1 617 Colony Rd 144600 GRAND ISLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$582.23 Town/SpecialDist/School
Charge To : 144600 GRAND ISLAND \$582.23
Relevy School \$582.23 144601 GRND ISLN

CENTRAL

RPTL550(2): Incorrect assessd value
Refund to be issued to Robert and Celeste Radel

FISCAL YEAR 2018 Petition No. 218,020.00

ASSESSOR Cancel \$477.99
S-B-L 64.11-1-33.1 617 Colony Rd 144600 GRAND ISLAND

Acct. No. 112 \$156.68 County
Acct. No. 132 \$321.31 Town/SpecialDist/School
Charge To : 144600 GRAND ISLAND \$321.31

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

FISCAL YEAR 2018 Petition No. 218,021.00

ASSESSOR Cancel \$234.04
S-B-L 69.12-4-15./44 44 Stoneledge Ct 142289 AMHERST

Acct. No. 112 \$139.91 County
Acct. No. 132 \$94.13 Town/SpecialDist/School
Charge To : 142289 AMHERST \$94.13

RPTL550(2): Hardship granted for exemption
New tax bill to be issued

FISCAL YEAR 2018 Petition No. 218,022.00

ASSESSOR Cancel \$379.74
S-B-L 70.05-1-6./108 108 Harrogate Sq 142289 AMHERST

Acct. No. 112 \$227.00 County
Acct. No. 132 \$152.74 Town/SpecialDist/School
Charge To : 142289 AMHERST \$152.74

RPTL550(2): Failed to apply exemption
New tax bill to be issued

FISCAL YEAR 2018 Petition No. 218,023.00

 ASSESSOR Cancel \$200.00

S-B-L 10221-6-56 86 David Ave 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$200.00 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$200.00

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2018 Petition No. 218,024.00

 ASSESSOR Cancel \$1,496.35

S-B-L 125.09-19-45 v/l French Rd 143089 CHEEKTOWAGA

 Acct. No. 112 \$337.75 County

 Acct. No. 132 \$1,158.60 Town/SpecialDist/School

 30028 FIRE # 10 SOUTH LINE \$122.35

 30300 ERIE CO SEW DST 1 \$195.83

Charge To : 143089 CHEEKTOWAGA \$840.42

RPTL550(2): Duplicate entry
Delete entire parcel from the tax roll

FISCAL YEAR 2017 Petition No. 218,025.00

 ASSESSOR Refund \$1,123.90

S-B-L 125.09-19-45 v/l Franch Rd 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$1,123.90 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$1,123.90

Relevy School \$1,123.90146801 WEST SENECA CENT

RPTL550(2): Duplicate entry
Delete entire parcel from the tax roll
Refund to be issued to Marrano/Marc Equity Corp

FISCAL YEAR 2018 Petition No. 218,026.00

 ASSESSOR Cancel \$19,025.29

S-B-L 82.03-4-2 6700 Transit Rd 146089 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$19,025.29 Town/SpecialDist/School
Charge To : 146089 ORCHARD PARK \$19,025.29
RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 218,027.00

OWNER Refund \$460.00
S-B-L 151.79-2-9.1 3917 South Park Av 144801 BLASDELL

Acct. No. 112 \$0.00 County
Acct. No. 132 \$460.00 Town/SpecialDist/School
48177 ECSD3 Flat Usage Fee \$460.00
52703 ECSD#4 USER CHARGE \$0.00
Charge To : 144801 BLASDELL \$0.00

RPTL550(2): Incorrect special district charge
Refund to be issued to Jodie Bettcher

FISCAL YEAR 2018 Petition No. 218,028.00

OWNER Cancel \$460.00
S-B-L 151.79-2-9.1 3917 South Park Av 144801 BLASDELL

Acct. No. 112 County
Acct. No. 132 Town/SpecialDist/School
48177 ECSD3 Flat Usage Fee \$460.00
Charge To : 144801 BLASDELL

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2019 Petition No. 218,029.00

OWNER Cancel \$120.00
S-B-L 182.10-3-38.2 Cooper Ridge 144889 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$120.00 Town/SpecialDist/School
48116 ECSD 3 CH2 \$120.00
Charge To : 144889 HAMBURG \$0.00

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2018 Petition No. 218,030.00

OWNER	Refund	\$353.08	
S-B-L 151.08-3-21.1 106 Pellman Pl 140900 LACKAWANNA			
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$353.08	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$353.08	
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL550(2): Incorrect special district charge
Refund to be issued to Vanderbosch

FISCAL YEAR 2018 Petition No. 218,031.00

ASSESSOR	Cancel	\$68.06	
S-B-L 20.03-2-15 Sandhill Rd 145689 NEWSTEAD			
	Acct. No. 112	\$5.07	County
	Acct. No. 132	\$62.99	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$62.99

RPTL550(2): Parcel is wholly exempt
New tax bill to be issued

and be it further

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

3. COMM. 3E-8 (2018)
COUNTY EXECUTIVE

WHEREAS, the Real Property Tax Services Director has transmitted to this Legislature transcripts of tax delinquencies and tax delinquent real properties for foreclosure pursuant to the In Rem provisions of the Erie County Tax Act, which will be known as In Rem Action No. 166, and has furnished this Legislature with the necessary abstracts from the Real Property Tax Services records of such delinquencies.

NOW, THEREFORE, BE IT

RESOLVED, that the In Rem provisions of the Erie County Tax Act be applied to such real property and the delinquent taxes set forth in said transcripts, as determined by the Real Property Tax Services Director from the transcripts of properties upon which the County of Erie owns a tax sale certificate which has been due and unpaid for a period of at least two years; and be it further

RESOLVED, that the County Attorney or his designee conduct and consummate such foreclosure proceedings known as In Rem Action No.166 as directed by this Legislature and determined by the Real Property Tax Services Director; and be it further

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

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

(6-0)

BARBARA MILLER-WILLIAMS
CHAIR

Item 31 – MR. BRUSO presented the following report and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

February 8, 2018	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3E-10 (2018)
COUNTY EXECUTIVE: “Erie County Sewer District No. 3 – Engineer Term Contract Agreement
(Chair’s ruling)
 - b. COMM. 3D-1 (2018)
CLERK OF LEGISLATURE: “NYS Dept. of Environmental Conservation – Documents Received”
(Chair’s ruling)
 - c. COMM. 3M-1 (2018)
NYS AGRICULTURE & MARKETS: “Letter Concerning Agricultural District No. 12”
(Chair’s ruling)
2. COMM. 3E-5 (2018)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2017-2018 snowmobile season in the amount not to exceed \$178,906; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the individual snowmobile clubs of Erie County on club trails located outside County-owned lands as well as on trails located in Erie County Parks and Forestry lots.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$178,906 as pertains to snowmobile trail maintenance performed during the 2017-2018 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual snowmobile clubs of Erie County for a total amount not to exceed \$178,906 for the purpose of snowmobile trail maintenance on club trails during the 2017-2018 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$ 17,108
Eden Trail Blazers Inc.	\$ 10,075
Grand Island Snowmobile Club Inc.	\$ 5,525
Hamburg Snowmobile Club Inc.	\$ 20,384
Holland Sno-Rascals Inc.	\$ 26,598
Marilla Sno-Mob Inc.	\$ 14,066
Northern Erie SnoSeekers Inc.	\$ 19,825
Pioneer Sno-Surfers Inc.	\$ 13,234
Southern Tier Snowdrifters Inc.	\$ 20,319
WNY Snowmobile Club of Boston Inc.	\$ 31,772
	\$178,906

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated State Aid revenue in the Division of Parks, Fund 110, Funds Center 16410, Account 409010, in the amount of \$178,906, as well as an increase in appropriations in the amount of \$178,906, in the Division of Parks, Fund 110, Funds Center 16410, Account 516020, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.

(6-0)

3. COMM. 3E-7 (2018)
COUNTY EXECUTIVE

WHEREAS, Erie County on behalf of Erie County Sewer District No. 3 entered into an agreement with URS Corporation (now AECOM) on April 15, 2003 (Legislative Communication 4E-24) to provide design and construction phase services associated with the Rush Creek Interceptor project; and

WHEREAS, URS Corporation as part of the 2003 agreement provided General Engineering and Resident Engineer Services during construction of the Rush Creek Interceptor project; and

WHEREAS, construction of the Rush Creek Interceptor project is now complete; and

WHEREAS, Erie County on behalf of Erie County Sewer District No. 3 entered into an engineering services term agreement with AECOM (Legislative Communication 22E-4 (2016)); and

WHEREAS, AECOM was issued Work Orders under the term agreement to finalize design, and provide General Engineering and Resident Engineering during construction of the Boston Valley Pumping Station Improvements project (Contract BVPS#3); and

WHEREAS, the time of completion for the construction of Contract BVPS#3 was extended by six months via addendum during the bid process; and

WHEREAS, the original Work Orders issued to AECOM for General Engineering and Resident Engineering Services on Contract BVPS#3 did not take into account the extended construction schedule; and

WHEREAS, there are sufficient funds remaining under the 2003 agreement for AECOM to extend the same General Engineering and Resident Engineering Services for Contract BVPS#3; and

WHEREAS, the Department of Environment and Planning, Division of Sewerage Management recommends the approval of Change Order No. 6 to the April 15, 2003 URS Corporation agreement to modify the scope to extend the General Engineering and Resident Engineering Services for Contract BVPS#3.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 6 to the County of Erie/URS Corporation Agreement, dated April 15, 2013, be approved to allow for completion of this additional scope of services for Contract BVPS#3, with no modification to the overall cost; and be it further

RESOLVED, that the Department of Environment and Planning, Division of Sewerage Management is hereby authorized to execute and process the necessary Change Order; and be it further

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

(6-0)

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

WHEREAS, Erie County has played a crucial role in energy procurement and affordability issues throughout the region for decades and continues to lead and manage many initiatives that protect energy insecure households and drive energy savings for local government; and

WHEREAS, Erie County committed to coordinate, oversee, and support work towards the Western New York Regional Economic Development Council (WNY REDC) strategic goal of positioning the region as a global energy hub; and

WHEREAS, the Erie County Low Income Program for Sustainable Energy (ECLIPSE) Project will support New York State's ambitious energy and environmental economic development goals as outlined in the 2015 New York State Energy Plan; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Communities program provides grant assistance to municipalities to implement sustainability projects to encourage smart growth and reduce local environmental impacts; and

WHEREAS, NYSERDA strongly encouraged innovative projects to deliver community-wide clean energy services or sustainability projects to accelerate community-wide demand for clean energy with a focus on low-income residents; and

WHEREAS, Erie County coordinates a utility aggregation fund for the benefit of nearly two dozen municipalities and thousands of low-income residents across Erie County; and

WHEREAS, Buffalo State College through their past experience successfully managing and coordinating data collection and program evaluation efforts was identified in the NYSERDA approved work plan as a Sub-Awardee to Erie County to provide these professional services; and

WHEREAS, additional professional services will be contracted through competitive solicitation to perform technical and financial analysis of energy infrastructure and business models to achieve the Project's goals; and

WHEREAS, NYSERDA awarded Erie County a Cleaner Greener Communities grant of \$1,500,000 to complete a three-year Erie County Low Income Program for Sustainable Energy Project; and

WHEREAS, the required local match was committed and will be provided through indirect costs and in-kind staff time; and

WHEREAS, the following in-kind resources will be dedicated to the project for the full 3 year project period: Energy Development Director (25% of FTE); Coordinator – Pollution Prevention Program (10% of FTE); Deputy Commissioner – Environmental Compliance Services (5% of FTE); and

WHEREAS, several Department of Social Services Energy Assistance workers will provide in-kind resources during the final year of the project: Energy Crisis Assistance Worker #3 (6 FTE at 100%); 5 Energy Crisis Assistance Worker #2 (5 FTE at 100%), Energy Crisis Assistance Worker #2 (1 RPT at 100%), Energy Crisis Assistance Worker #2 (6 PT at 100%), and Energy Crisis Assistance Worker #2 (5 Seasonal at 100%); and

WHEREAS, the addition of this Erie County Low Income Program for Sustainable Energy Project necessitates the execution of a contract with NYSERDA and Buffalo State College; the adoption of a grant budget; the creation of a Senior Energy Development Specialist (JG-12) position and the creation of a Senior Administrative Assistant – Social Services (JG-09).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$1,500,000 from NYSERDA for the purpose of establishing the three-year ECLIPSE Project; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with Buffalo State College for a sub-award not to exceed \$222,000 from NYSERDA for the purpose of developing and managing a multi-level data collection and program evaluation plan during the grant period; and be it further

RESOLVED, that the grant budget and project period for the ECLIPSE Project grant is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

Erie County Low Income Program for Sustainable Energy
SAP Grant Account [#162ECLIPSE1820]
January 1, 2018 – March 31, 2021

REVENUE

Account	Description	Amount
409000	State Aid Revenue	\$1,500,000

TOTAL REVENUE \$1,500,000

APPROPRIATIONS

Account	Description	Amount
500000	Full Time Salaries	\$ 210,000
502000	Fringe Benefits	\$136,500
516020	Professional Services	\$826,000
561410	Lab Tech & Equipment	\$9,750
561420	Office Furniture & Fixtures	\$500

510100	Out of Area Travel	\$15,000
510000	Local Mileage Reimbursement	\$5,000
505000	Office Supplies	\$7,500
505400	Food & Kitchen Supplies	\$7,500
530000	Other Expenses	\$10,000
916400	ID Social Services	\$ 272,250
TOTAL APPROPRIATIONS		\$1,500,000

and be it further

RESOLVED, that the following position, which is 100% grant-funded, will be created in the Department of Environment and Planning into the newly created grant 162ECLIPSE1820 in Fund 281:

Senior Energy Development Specialist (JG-12)
B-100 # 10082, Budgeted Annual Salary: \$70,000

and be it further

RESOLVED, that the following position, which will be 100% reimbursed via ID billing from the newly created grant 162ECLIPSE1820, be created in the Department of Social Services in Fund 110 for 2018 and the duration of the grant commitment:

Administrative Assistant (JG-09)
B-100 # 9711, Budgeted Annual Salary: \$55,000

and be it further

RESOLVED, that the Operating Budget for the Department of Social Services be increased as follows:

Fund 110 – 2018 Budget
Department of Social Services- Funds Center 120

APPROPRIATIONS

Account	Description	Amount
500000	Full Time Salaries	\$55,000
502000	Fringe Benefits	\$ 35,750
916400	ID Social Services	(\$90,750)
TOTAL APPROPRIATIONS		\$0

and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Albert Dirschberger, Commissioner of the Department of Social Services; and William Geary, Commissioner of the Department of Public Works.

(6-0)

5. COMM. 3E-12 (2018)
COUNTY EXECUTIVE
RESOLUTION NO. _____

RESOLUTION DATED _____, 2018.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE
PURPOSE OF CONSIDERING A PROPOSED MODIFICATION OF
PLANS FOR THE IMPROVEMENT OF THE
FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 8
IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) _____, 2018.

(Adopted) _____, 2018

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 8 of the County of Erie, New York, has heretofore been established and a plan for improvement of facilities for such District has been authorized by the County Legislature of the County of Erie, New York on January 25, 2008; and

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, plans for extensions of such District have been authorized by such County Legislature on October 24, 2013 and April 27, 2017; and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for the improvement of the facilities of said District No. 8 which report and estimate of cost have been approved by the Board of Managers of said District No. 8 on December 5, 2017 and filed with the County Legislature pursuant to Section 253-b of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for improvement of the facilities of said District No. 8 in said County, consisting of upgrades to the filters, reactor tanks, piping, the physical plant, and energy improvements at the water resource recovery facility, collection system upgrades, and related engineering and administration costs, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, it is now desired to call a public hearing to consider said modification of plans for such improvements in accordance with the provisions of Section 254 of the County Law.

NOW, THEREFORE, BE IT

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

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of March, 2018, at 6 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal for modification of plans for such improvement of the facilities of Erie County Sewer District No. 8 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of March, 2018, at 6 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed modification of plans for improvement of the facilities of Erie County Sewer District No. 8 in said County.

The modification of plans for improvement of the facilities consists of upgrades to the filters, reactor tanks, piping, the physical plant, and energy improvements at the water resource recovery facility, collection system upgrades, and related engineering and administration costs, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer Agency, pursuant to a written report dated December 5, 2017.

Dated: Buffalo, New York,

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in the "East Aurora Bee", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the “*Amherst Bee*” and in the “*Challenger*”, official newspapers of said County, and in the “*East Aurora Bee*”, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

(6-0)

**JOHN BRUSO
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

February 8, 2018	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.
CHAIR SAVAGE PRESENT AS EX-OFFICO MEMBER.

1. RESOLVED, the following item is hereby received, filed and printed:
 - a. COMM. 3E-2 (2018)
COUNTY EXECUTIVE: “Reappointment to the Erie County Board of Health”
(Chair’s ruling)

January 17, 2018

Erie County Legislature
92 Franklin St.
4th Floor
Buffalo, New York 14202

RE: Reappointment to the Erie County Board of Health

Dear Honorable Members:

I, Mark C. Poloncarz, Erie County Executive, pursuant to Erie County Charter Section 503, do hereby reappoint the following individual to the Board of Health, for the term stated.

Dennis C. Galluzzo, R.Ph.
37 Wyeth Dr.
Getzville, New York 14068

Reappointment
December 31, 2023

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

2. COMM. 3E-1 (2018)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services Youth Services Division contracted with Trinity Services Group, Inc to provide meal preparation and food services for the residents of the secure detention facility in calendar years 2015, 2016 and 2017; and

WHEREAS, the Youth Services division wishes to continue with this vendor to provide meal preparation and food services at secure detention in 2018; and

WHEREAS, legislative approval is required because this contract was bid more than three years ago; and

WHEREAS, the Youth Services division 2018 approved budget has an available balance in their professional services account to provide nutritional meals, consistent with NYSED dietary guidelines for the secure detention facility residents.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract renewal with Trinity Services Group to continue providing meal preparation and food services at secure detention, funding being available in account 516020, professional services and contracts, of the Youth Services division; and be it further

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

(6-0)

3. COMM. 3E-4 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health's SPOA process is designed to identify, screen and assign Care Coordination and Wraparound Services to eligible high need/high risk children and youth with a serious emotional disturbance (SED) and/or behavioral disorder and their families; and

WHEREAS, the Erie County Department of Mental Health has been awarded \$89,100 by the New York State Office of Mental Health (OMH) as part of an effort to help support the enhanced

roles and responsibilities of the Local Government Unit (LGU) and Single Point of Access (SPOA) due to changes to the OMH Home- and Community-Based Services (HCBS) Waiver; and

WHEREAS, the New York State OMH has identified the Erie County Department of Mental Health as the recipient of this award to continue development of its Children’s SPOA community outreach; and

WHEREAS, the Erie County Department of Mental Health requires legislative approval to accept the State funds and to maintain a grant budget in Fund 281; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept New York State funds as part of an effort to help support the enhanced roles and responsibilities of the LGU and SPOA, and authorizes the Division of Budget and Management to maintain a grant-funded position as follows:

Erie County Department of Mental Health
Grant Fund 281, Fund Center 12420
January 1, 2018 – December 31, 2018
124SPOA2018

Revenue	Increase
Account 409000 - State Revenue	\$89,100
Appropriation	Increase
Account 500000 – Full Time Salaries	\$55,650
Account 502000 – Fringe Benefits	<u>\$33,450</u>
Total Appropriation	\$89,100

and be it further

RESOLVED, that authorization is hereby provided to transfer the currently budgeted position #51012974 existing in the Department of Mental Health 2017 SPOA grant into the 2018 SPOA grant once the 2017 grant has ended; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

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

(6-0)

**JOHN BRUSO
CHAIR**

Item 33 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

February 8, 2018	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 2M-1 (2018)
BUFFALO NIAGARA FILM COMMISSION: “Final Report for Buffalo Niagara Film Commission for 2017”
(6-0)
2. COMM. 3E-19 (2018)
COUNTY EXECUTIVE
WHEREAS, The SUNY Erie Board of Trustees approved the SUNY System Administration Participating Institution Agreement (PIA) License for Blackboard Learn Renewal at their January 25, 2018 Board Meeting; and

WHEREAS, SUNY System Administration and Blackboard are the approved vendor for the college’s Learning Management System (LMS) from now through December 21, 2020 with a total cost of \$283,843 spread over three years; and

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

WHEREAS, Blackboard will remain the LMS for the college’s distance learning program and a course shell will be created for all classes on all campuses to increase the persistence, retention, and graduation rates of SUNY Erie students; and

WHEREAS, Blackboard has been the college’s LMS since the Fall 2014 semester; and

WHEREAS, Maintaining a LMS allows the college to continue its distance education program, which makes up 15 percent of the college’s Full Time Equivalences (FTE’s); and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves awarding a contract to SUNY System Administration and Blackboard for the purpose of continuing the implementation of SUNY Erie's distance learning at a cost to the college not to exceed \$283,843 over the three years of the PIA; and be it further

RESOLVED, the SUNY Erie President is authorized to enter a contract with SUNY System Administration and Blackboard for the above-mentioned services; and be it further

RESOLVED, that copies of this resolution be forwarded to the Erie County Executive, the President of SUNY Erie, and the Chairman of the SUNY Erie Board of Trustees.
(5-0) Chair Savage not present for vote.

THOMAS A. LOUGHRAN
CHAIR

LEGISLATOR RESOLUTIONS

Item 34 – CHAIR SAVAGE directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 4-1 from LORIGO, DIXON, RATH & MILLS. Support for NYS Legislation to Require the State to Fully Fund the Cost of New Mandates Placed on Local Governments.

Item 35 – CHAIR SAVAGE directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 4-2 from LORIGO, MILLS, DIXON, HARDWICK & RATH. Opposition to Granting the Governor Authority to Suspend Budgeted Funds Mid-Year.

Item 36 – CHAIR SAVAGE directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 4-3 from LORIGO & MILLS. Request for Additional Information Relative to Settlements Entered Into by Erie County.

Item 37 – CHAIR SAVAGE directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 4-4 from LORIGO, RATH & MILLS. Opposition to the Provision of Free Tablets to Prisoners in NYS.

Item 38 – CHAIR SAVAGE directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 4-5 from BURKE. Supporting Bills S6027A and A9611 Amending NYS Transportation Law to Increase Accessible Busing Service Area for Disabled Passengers.

Item 39 – MS. BASKIN presented the following resolution and moved for immediate consideration. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

RE: Support for the NYS Historic
Tax Credit
(INTRO. 4-6)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS SAVAGE, BURKE, BRUSO & BASKIN**

WHEREAS, New York State, along with the federal government, has provided mechanisms for developers and property owners to utilize federal and state historic tax credits in order to help pay for the costs of rehabilitating eligible buildings that are deemed “historic”; and

WHEREAS, Governor Andrew M. Cuomo signed rehabilitation tax credit changes into law on March 28, 2013 that extend the program until December 31, 2019; and

WHEREAS, currently, state provisions mean that projects can take advantage of the state credits (as well as federal) in locales such as Western New York that have older building stock to upgrade and re-use such properties, including rehabilitating distressed and long-vacant or abandoned buildings in communities; and

WHEREAS, the credits have helped restore and renovate dozens of Buffalo buildings over the past 15 or so years and improve our community; and

WHEREAS, such credits have allowed projects to proceed which have helped drive a renaissance in our community would not have happened without the historic tax credits; and

WHEREAS, advocates have noted that rehabilitating historic buildings often takes years of planning and such projects need more certainty and clarity on the longevity of the tax credits so they can properly plan for historic projects and know when they can depend on the tax credit being available at the end of a project; and

WHEREAS, older historic buildings are so expensive to rehabilitate, and accordingly, the historic tax credits are a critical part of the stack of financing that are needed to get such projects accomplished; and

WHEREAS, recently, a bipartisan group of state legislators in Buffalo including Assemblyman Sean Ryan and Senators Christopher Jacobs and Timothy Kennedy recently asked the governor to include several provisions regarding the state Historic Tax Credits as part of the 30-day state budget amendments to the Executive Budget; and

WHEREAS, these measures include extending the Historic Tax Credit for five years beyond 2019, decoupling the federal and state Historic Tax Credit programs and a legislative fix to ensure tax credits for projects underway are not deferred for three years, and the refundable component for five years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby requests that New York State re-authorize the State Historic Tax Credit immediately, rather than waiting until the 2019 sunset date; and be it further

RESOLVED, that certified copies of this resolution be transmitted to Governor Andrew M. Cuomo, New York State Acting Commissioner of Taxation and Finance Nonie Manion and the Western New York State Legislature delegation.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 4E-21 from CHAIR SAVAGE Re: Appointment to the EC Agricultural and Farmland Protection Board

Received, filed and printed.

February 13, 2018

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

Re: Appointment to the Erie County Agricultural and Farmland Protection Board

Dear Clerk Graber:

Pursuant to my authority as Chair of the Erie County Legislature, and under Article 25-AA of the New York Agriculture and Markets Law, Section 302 which establishes the provisions for a county agricultural and farmland protection board, I hereby appoint Legislator John Brusio as a member of the Erie County Agricultural and Farmland Protection Board for a term coterminous with his term in the Erie County Legislature.

Thank you in advance for your assistance and courtesies.

Sincerely yours,

Peter J. Savage, III
Chair

Item 41 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4E-22 from BASKIN Re: Letter to Chair Savage Concerning NYS Commission of Correction Report on EC Holding Center and Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 42 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4D-8 from the COUNTY ATTORNEY Re: Opinion as to Form LL Intro. 5-2-2017

Received, filed and printed.

February 14, 2018

Hon. Peter J. Savage, III, Chairman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Opinion as to Form Local Law Intro No 5-2-2017

Dear Chairman Savage:

In accordance with the obligations of the Erie County Attorney set forth in subsection 3, Section 204 of Article 2 of the Erie County Charter, this legal opinion concerns Local Law Intro No. 5-2-2017, titled Erie County Conversion Therapy Ban, under consideration by the Erie County Legislature (“ECL”).

For the reasons more fully set forth below we believe that Local Law Intro No. 5-2-2017 is of proper form.

Standard

Subsection 3, Section 204 of Article 2 of the Erie County Charter provides:

[T]he County Attorney shall, no later than 14 days after such a public hearing or resolution, render to the Legislature an opinion as to whether the proposed local law or ordinance is of proper form, including but not limited to, [1] whether a proposed local law or ordinance is preempted by state or federal law; [2] whether proposed local law or ordinance is written in a grammatically sound manner as to achieve its intent; and [3] whether proposed local law or ordinance contains ambiguities which may frustrate its implementation and/or enforcement as intended.

We address these elements as follows.

I. Conversion Therapy Ban (Local Law No. 5-2-2017)

Local Law No. 5-2-2017 proposes a ban on the provision of therapeutic services designed to convert the sexual orientation or gender identity of a minor (referred to, collectively, as “Conversion Therapy”). For the reasons set forth below, it is our opinion that the law is constitutional; not

preempted by state or federal law; is written in a grammatically sound manner as to achieve its intent; and does not contain ambiguities that may frustrate its implementation and/or enforcement as intended.

a. Legislative Authority and Preemption

Constitutionality

Similar prohibitions have been unsuccessfully challenged on various constitutional grounds. *Welch v. Brown*, 834 F3d 1041 (9th Cir 2016), amended (2016), cert denied, 137 S Ct 2093 (2017) (state ban did not violate free exercise clause); *Pickup v. Brown*, 740 F3d 1208 (9th Cir 2014) cert. denied 134 S.Ct. 2871 (state ban did not violate freedom of expression, freedom of association, vagueness, overbreadth, the fundamental rights of parents); *King v. Christie*, 981 F Supp 2d 296 (DNJ 2013) affd sub nom. *King v. Governor of the State of New Jersey*, 767 F3d 216 (3d Cir 2014); US Const. Amend. 1.

State laws that effect or regulate the conduct within a mental health professional-patient relationship do not effect rights provided under the First Amendment’s Establishment Clause where there is no reasonable danger of enforcement outside of that relationship or related to speech within the relationship. *Welch*, supra 834 F3d 1041. Furthermore, prohibitions of conduct have “never been deemed an abridgement of freedom of speech . . . merely because the conduct was in part initiated, evidenced, or carried out by means of language.” See *National Association for the Advancement of Psychoanalysis v. California Board of Psychology*, 228 F.3d 1043 at 1053 (9th Cir. 2000) (ellipsis in original) (quoting *Giboney v. Empire Storage &Ice Co.*, 336 U.S. 490, 502 (1949)). For these reasons Conversion Therapy may be constitutionally regulated as conduct although the therapy is often verbal in nature. *Pickup* 740 F3d at 1226.

Similarly, a law banning Conversion Therapy by medical professionals does not violate the First Amendment’s Freedom of Association Clause because such a right does not encompass the therapist-client relationship. *Pickup*, 740 F3d 1208.

A law banning Conversion Therapy does not have the primary effect of inhibiting religion where the objective is to prevent harm and the practice is not exclusive to a specific religious group. *Id.* There is no violation of the First Amendment’s Free Exercise Clause where the objective of a law is to prevent harm and the primary effect of the law is not to inhibit religion. *Id.*

In the same way as the prohibitions addressed above, Local Law 5-2-2017 only criminalizes the conduct of a person administering conversion therapy. Further, religious freedom considerations are mitigated by Subsection D, of Section 2, which exempts “clergy from pastoral counseling, teaching, or relaying of their religion’s doctrine.”¹ We therefore conclude that Local Law 5-2-2017 is constitutional.

Authority

¹ Note: although this exception could be more clearly applied to Definitions A and C in Section 2 of the proposed law, it is clearly the intent of the drafters that the exception is universally applicable.

We conclude ECL has the authority to enact a law that seeks to prohibit Conversion Therapy because Article IX of the New York State Constitution vests all local governments, including County Legislatures, with the ability to enact local laws that protect the health, safety, and welfare of citizens. See N.Y. Const. Art. IX. Because Local Law No. 5-2-2017 is designed to protect the health, safety, and welfare of minors located within Erie County, the ECL would be acting within its power by enacting the law.

ECL's authority extends to the penalizing offending conduct as a misdemeanor. Municipal Home Rule Law §10(4)(b) provides local governments, such as the ECL, with the power to categorize a violation of local law as a misdemeanor.

For the foregoing reasons we believe a Conversion Therapy Ban, as appropriately limited to the provision of such services to minors and excluding religious counseling, is constitutional and not preempted by state or federal law.

Preemption

We conclude that the subject matter of this law is not preempted. Under New York state law, preemption can occur in two ways. First, express preemption occurs where the local law directly conflicts with a state statute, or where a state statute expressly states that local laws on a given subject matter are preempted. See *DJL Rest. Corp. v. City of New York*, 96 N.Y.2d 91, 95, 749 N.E.2d 186, 190 (2001) Second, even in the absence of direct conflict, implied preemption occurs where the local law relates to “a field for which the State Legislature has assumed full regulatory responsibility,” by expressing an intent to regulate that field. *Id.*

Here, on its face, the law does not prohibit conduct that state law expressly permits, and the state has not enacted legislation expressly preempting local regulation of Conversion Therapy. Further, based on our review of relevant statutes, the state has not enacted legislation that implicitly preempts local laws concerning conversion therapy, or the field of gender or sexual identity conversion therapy legislation.²

b. Written to accomplish its intent

The purpose of Local Law 5-2-2017 is “to ensure the physical and psychological well-being of minors.” To accomplish this end, Local Law 5-2-2017 states:

The administering sexual orientation or gender identity change efforts, conversion therapy, or reparative therapy upon a minor within the geographic boundaries of the County of Erie is prohibited.

We conclude that the grammar and usage embodied in Local Law 5-2-2017 is sufficient to achieve the intended prohibition.

c. Ambiguities

² It is also worth noting that New York City recently adopted a similar law on Dec. 31, 2017.

Local Law 5-2-2017 resolves potential ambiguities in its prohibition by defining terms contained within the prohibition. While every hypothetical circumstance or eventuality cannot be addressed in the scope of this opinion, we conclude that Local 5-2-2017 does not present any facial ambiguities that would frustrate implementation or enforcement of its prohibition because it is clear the exception relating to “clergy from pastoral counseling, teaching, or relaying of their religion’s doctrine” applies to Conversion Therapy, Reparative Therapy, and Sexual Orientation or Gender Identity Change Efforts.

II. Conclusion

We conclude that Local Law 5-2-2017 is sufficient as to form.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

Item 43 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4D-9 from the COUNTY ATTORNEY Re: Opinion as to Form LL Intro. 1-1-2018

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR RATH

Item 44 – (COMM. 4E-1) Letter Concerning Abstention on INTRO. 3-3 (2018)

Received, filed and printed.

February 1, 2018

Robert M. Graber
Clerk of the Legislature
Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

RE: Abstention on Vote Regarding Intro. 3-3 (2018) "Expressing Concern on the Trump Administration's Actions on Solar Cells and Panels"

Dear Clerk Graber,

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order and Section 5b of Erie County Local Law No. 10-1989, my abstention on the vote concerning the above was to avoid any possible conflict of interest.

Sincerely,

Edward A. Rath III
Erie County Legislator
District 6

FROM CHAIR SAVAGE

Item 45 – (COMM. 4E-2) Appointment of Open Meetings Advisor, Freedom of Information Law Officer and Freedom of Information Law Appeals Officer

Received, filed and printed.

February 2, 2018

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

Re: Appointment of Open Meetings Advisor, Freedom of Information Law Officer and Freedom of Information Law Appeals Officer

Dear Clerk Graber:

Pursuant to Section 1.01 of the Erie County Legislature's Rules of Order for 2018, I hereby designate the following persons to serve the below roles for 2018:

Open Meetings Advisor	Peter Savage
Freedom of Information Law Officer	Robert Graber
Freedom of Information Law Appeals Officer	Peter Savage

Thank you in advance for your courtesies.

Sincerely yours,

Peter J. Savage, III, Esq.
Chairman
Erie County Legislature

Item 46 – (COMM. 4E-3) Letter to Clerk of Legislature – Public Notice Concerning Position of Commissioner of the Erie County Water Authority

Item 47 – (COMM. 4E-4) Letter to Energy & Environment Committee Chair – Interviews for Position of Commissioner of the Erie County Water Authority

Item 48 – (COMM. 4E-5) Letter to Clerk of Legislature Concerning Letters of Interest and Resumes for Position of Commissioner of the Erie County Water Authority

Item 49 – (COMM. 4E-6) Letter to Democratic Party Caucus Regarding Position of Commissioner of the Erie County Water Authority

Item 50 – (COMM. 4E-7) Letter to Republican Party Caucus Regarding Position of Commissioner of the Erie County Water Authority

Item 51 – (COMM. 4E-8) Letter to Conservative Party Member Regarding Position of Commissioner of the Erie County Water Authority

Item 52 – (COMM. 4E-9) Letter to Independence Party Member Regarding Position of Commissioner of the Erie County Water Authority

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

FROM THE COUNTY EXECUTIVE

Item 53 – (COMM. 4E-10) Authorization to Accept Bequeathed Annuity Funds

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE

Item 54 – (COMM. 4E-11) Senior Civil Engineer Position - Variable Minimum

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 55 – (COMM. 4E-12) Climate Smart Communities Grant for Food Compost Facility at Erie County Correctional Facility

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 56 – (COMM. 4E-13) Software Support for Customized Child Protective Services Software

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE

Item 57 – (COMM. 4E-14) Personnel Change - Elma Meadows

Item 58 – (COMM. 4E-15) ECSDs - Partial Closures of Capital Reserve Funds

Item 59 – (COMM. 4E-16) ECSD No. 3 - Board of Managers Appointment

Item 60 – (COMM. 4E-17) ECSD No. 4 - Contract Close Out

Item 61 – (COMM. 4E-18) ECSD No. 5 - Partial Closure of Capital Reserve Funds

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

Item 62 – (COMM. 4E-19) Contract for Transportation Dispatching Software

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE

FROM THE DISTRICT ATTORNEY

Item 63 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

RE: District Attorney's Office - Personnel
Adjustment
(COMM. 4E-20)

WHEREAS, in order for the Erie County District Attorney to hire the best candidate to fill the most challenging positions within his office, it is important that they are compensated appropriately; and

WHEREAS, all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the Erie County Executive; and

WHEREAS, the Erie County District Attorney is prepared and desires to fill the Assistant District Attorney VI position at a variable minimum pending action from your honorable body; and

WHEREAS, Section 2507b of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds necessary to effectuate the above changes are available within the District Attorney's adopted appropriations for 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize a variable minimum step 2 for the position of Assistant District Attorney VI (position #51007708), in fund center 11400; and be it further

RESOLVED, that the Director of Budget and Management and the Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution effective February 26, 2018; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Commissioner of Personnel and the Director of Budget and Management.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM REAL PROPERTY TAX SERVICES

Item 64 – (COMM. 4D-1) Open Item in Finance & Management Committee - Correction of Errors/NYS Real Property Tax Law

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 65 – (COMM. 4D-2) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 66 – (COMM. 4D-3) Written Testimony Concerning Local Law Intro 5-2 (2017)

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 67 – (COMM. 4D-4) New York State Department of Environmental Conservation Documents Received

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 68 – (COMM. 4D-5) Public Notice/Media Advisory - Letters of Interest and Resumes for Position of Commissioner of the Erie County Water Authority

Received, filed and printed.

PUBLIC NOTICE / MEDIA ADVISORY

To: All Interested Parties

From: Robert M. Graber, Clerk of the Legislature

Subject: Letters of Interest and Resumes for Position of Commissioner
of the Erie County Water Authority

PLEASE TAKE NOTICE, that letters of interest and resumes from individuals interested in appointment or reappointment to the position of Commissioner of the Erie County Water Authority are being accepted by the Erie County Legislature.

Pursuant to Section 5.01 of the Erie County Legislature's 2018 Rules of Order: Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position.

Individuals interested in consideration for Commissioner should submit a letter of interest and resume to Legislature Chairman Peter J. Savage, III, c/o Robert M. Graber, Clerk of the Legislature, 92 Franklin Street, Fourth Floor, Buffalo, New York 14202 or via electronic mail to Robert.Grabber@erie.gov.

The deadline for receipt of all documents is no later than 5:00 pm on Monday, February 26, 2018.

FROM THE COUNTY ATTORNEY

Item 69 – (COMM. 4D-6) Transmittal of New Claim Against Erie County

Item 70 – (COMM. 4D-7) Transmittal of New Claim Against Erie County

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM HARRIS BEACH

Item 71 – (COMM. 4M-1) ECIDA Certificates of Appointment

Received and filed.

FROM THE BUFFALO NIAGARA CONVENTION CENTER

Item 72 – (COMM. 4M-2) Management Corporation Personnel Listing

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NFTA

Item 73 – (COMM. 4M-3) Board Minutes for Meeting Held 12/18/17

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 74 – (COMM. 4M-4) Financial Report for Years Ending 12/31/16 and 12/31/17

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE M/WBE UTILIZATION ADVISORY BOARD

Item 75 – (COMM. 4M-5) Minutes of Meeting Held 11/27/17

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

FROM VISIT BUFFALO NIAGARA

Item 76 – (COMM. 4M-6) 2018 Operating Budget & Business/Strategic Plan

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EC SOIL & WATER CONSERVATION DISTRICT

Item 77 – (COMM. 4M-7) 2018 Budget

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMMUNITY FOUNDATION
FOR GREATER BUFFALO

Item 78 – (COMM. 4M-8) Letter to Majority Leader Concerning Greater Buffalo Racial Equity Roundtable

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

FROM GRECO TRAPP, PLLC

Item 79 – (COMM. 4M-9) Written Testimony Concerning LL Intro 1-1 (2018)

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CAROL SPESER

Item 80 – (COMM. 4M-10) Remarks at Public Hearing Held on February 8, 2018

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CORNELL COOPERATIVE EXTENSION

Item 81 – (COMM. 4M-11) Budget Plan for 2018

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 82 – (COMM. 4M-12) Agenda for Board of Trustees Meeting to be Held 2/15/18, and Minutes of Meeting Held 1/18/18

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO NIAGARA CONVENTION CENTER

Item 83 – (COMM. 4M-13) Financial Information Concerning Erie County Budget Resolution #71

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 84 – Legislator Baskin thanked Erie County Legislature Citizen of the Month, Dr. Kushal K. Bhardwaj, and announced that a reception will occur immediately following the session.

Item 85 – Chair Savage announced the retirement of Ken Swanekamp from the Department of Environment and Planning, with a retirement celebration scheduled for February 23, 2018. Chair Savage also announced that the schedule of upcoming Legislative Committee meetings has been distributed.

MEMORIAL RESOLUTIONS

Item 86 – Legislator Brusco requested that when the Legislature adjourns, it do so in memory of the victims of the tragedy at the Marjory Stoneman Douglas High School in Parkland, Florida.

Item 87 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Kevin Donovan and Chris Stevenson.

ADJOURNMENT

Item 88 - 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, March 1, 2018 at 2:00 p.m. Eastern Standard Time. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

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

ROBERT M. GRABER
CLERK OF THE LEGISLATURE