

**ERIE COUNTY LEGISLATURE  
MEETING NO. 4  
FEBRUARY 21, 2019**

The Legislature was called to order by Chair Savage.

All members present.

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

The Pledge of Allegiance was led by Mr. Brusio.

Item 1 – MS. BASKIN moved to take the Rules of the Legislature for 2018 from the table.  
MR. RATH seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved for the approval of the Rules of the Legislature for 2019. MR.  
MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

**2019  
RULES OF ORDER  
ERIE COUNTY LEGISLATURE**

**SECTION 1.00: ORGANIZATION**

**1.01 CHAIR**

Annually, the members of the Erie County Legislature shall meet to organize no later than the 8th day of January in each calendar year. At such meeting, or at a recessed meeting, the Legislature shall select a member of the Legislature as the Chair by an affirmative vote of at least a majority of the entire membership of the Legislature. Upon his or her election, the Chair shall immediately assume all of the duties and responsibilities of the office.

The Chair shall possess the following powers and perform the following duties:

1. To preside over all meetings of the full Legislature; call the Legislature to order, direct a call of the roll, and, except in the absence of a quorum, proceed to business in a manner prescribed by these rules;
2. To preserve order and decorum;

3. To execute on behalf of the Legislature contracts and/or contract amendments and other documents authorized by the County Legislature and to execute all contracts necessary for the day-to-day operation and administration of the County Legislature without additional Legislative authorization;
4. To decide all questions of order, subject to appeal of the Legislature as hereinafter provided;
5. To recess meetings;
6. If the Legislature is ready to go into Committee of the Whole, to name a Chair to preside over such committee;
7. To name an open meetings advisor from among the legislators or legislative staff to advise the body on compliance with New York State Open Meetings and Freedom of Information laws and to name a Freedom of Information Law officer and a Freedom of Information Law Appeals Officer;
8. To order that a public hearing be held. Public Hearings shall be conducted a minimum of five (5) days before an item can be considered by the Legislature unless otherwise prescribed by law. Said hearings shall be held no earlier than 6:00 pm on weekdays. The Chair shall further ensure that notice of the time and date of each public hearing be posted on the Legislature's website not more than twenty-four (24) hours from the filing of the public notice.
9. To be a voting member ex-officio of all committees and to receive notice of all meetings thereof;
10. To serve as the Department Head of the Legislature, and to appoint and designate or terminate, within the budgetary appropriations, all officers and employees of the Legislature not required to be selected by other means under these Rules, or other State or County law;
11. To establish guidelines and criteria and approve the expenditure of funds in the budget of the Legislature for the printing and/or mailing of literature by members of the Legislature to their constituents within the appropriations therefore; provided, however, that no such literature shall be mailed at or delivered to any postal facility by such members during the period of forty five ( 45) days immediately prior to a date of a primary or general election in which such member is included or involved as a candidate, whether such election is a special, primary, or runoff election, and as provided for in section 5.07 of these rules;
12. To establish independent committees, boards, and commissions to report to the Chair and/or Legislature, and appoint or remove the members thereof;
13. To cancel public hearings for which the underlying item has been withdrawn;
14. Such other powers as may be set forth in more detail in these Rules or in state, federal, or local legislation.

**1.02 MAJORITY AND MINORITY LEADERS:**

Annually, the enrolled members of the two caucuses which shall have the greatest number of members seated in the Legislature shall elect a leader of their respective parties. A caucus shall be defined as a group of members or adherents of the same political party. The leader of the caucus whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other caucus shall be known as Minority Leader. The Minority Leader shall have the responsibility to appoint and designate or terminate, within budgetary appropriations, which shall be allocated approximately proportionally, based on the number of members in the Minority Caucus, all officers and employees of the Legislature Minority.

For the purpose of complying with the provisions of Section 200, subdivision 1 of the County Law, in the event that neither the members of one caucus nor the other constitute a majority of the members of the County Legislature, the Chair of the Legislature shall designate one caucus leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

### **1.03 ACTING CHAIR:**

In the absence of the Chair from any meeting of the Legislature, the designated Majority Leader shall become acting Chair with all the powers and duties of Chair for so long as the Chair is absent.

In the event of this occurrence, the Majority Leader shall not act in both capacities. The Majority Caucus shall designate an acting Majority Leader for so long as the Majority Leader is acting Chair.

## **SECTION 2.00: MEETINGS**

### **2.01 REGULAR SESSION:**

Regular sessions of the Legislature shall be held at least twice monthly, except in August, as designated by the Chair. The schedule of regular sessions shall be determined by the Chair who shall notify members of the Legislature concerning the same no later than January 1, of each year.

All regular sessions and all adjourned sessions shall be open for consideration of any matter, which in accordance with these rules, may be properly brought to the attention of the Legislature.

### **2.02 SPECIAL MEETINGS:**

Special meetings shall be held at the call of the Clerk of the Legislature upon direction of the Chair or upon filing with the Clerk of the Legislature of a written request signed by a majority of the members of the Legislature. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally, by facsimile transmission, by e-mail, by mail or by affixing to the door of the premises of the residential address upon each member by the Clerk of the Legislature at least forty-eight (48) hours before the date and time fixed for holding the meeting, or a member may waive the service of the notice for such meeting in writing. Only business specified in the notice thereof may be transacted at a special meeting.

Service by facsimile transmission, or e-mail of the Notice of Special Meeting, pursuant to this section, is authorized and constitutes service upon each member at a facsimile telephone number or County assigned e-mail address provided to the Clerk by the member of the Legislature for that purpose. A confirmation record produced by the Clerk's facsimile machine or computer and an affidavit of service by the Clerk of the Legislature, shall be *prima facie* evidence that the Notice of Special Meeting and transmitted documents were served consistent with the date, time and place appearing on the confirmation record. Facsimile transmission or e-mail of the Notice of Special Meeting may be transmitted at any time of the day or night, Monday through Friday, to the appropriate facsimile telephone number and will be deemed served upon receipt of the facsimile transmission, except that Notices of Special Meeting sent on a Friday shall be deemed duly served if the Clerk's confirmation record and affidavit demonstrate that facsimile transmissions or e-mails for all members of the Legislature were completed by 5 p.m. on that Friday. Nothing in this rule shall prohibit personal service of a Notice of Special Meeting on Friday after 5 p.m., or on a Saturday or a Sunday.

**2.03 QUORUM:**

A majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

**2.04 CHAIR TO SECURE A QUORUM:**

In the absence of a quorum during the sessions of the Legislature, the Chair may take such measures as provided by law and as the Chair may deem necessary to secure the presence of a quorum.

**2.05 ROLL CALL, MINUTES, ABSENCES:**

At any and every meeting of the Legislature, upon the members being called to order by the Chair, the roll of members shall be called by the Clerk, and the names of those absent shall be inserted in the Minutes. The Majority and Minority Leaders should note the absence of any of their members because of county business, established illness, death and/or bereavement in the family or of a close associate and such absence shall be carried in the Minutes as an excused absence. The Minutes of the preceding meeting, when available, shall then be presented for approval to the end that any corrections, alterations, or additions may be made. In all cases when an order, resolution or a motion shall be entered in the Minutes of the Legislature, the name of the member presenting or moving the same and seconding shall be entered.

**2.06 ORDER OF BUSINESS:**

The Order of Business of each session shall be:

1. Calling the roll of members by the Clerk;
2. Consideration of the Minutes of the preceding meeting(s);

3. Consideration and presentation of miscellaneous resolutions. Each legislator shall be entitled to four (4) annual presentations including “Citizen of the Month”, with no regular session having more than two (2) presentations. Selection of presentations shall be determined by the order in which requests are filed with the Clerk of the Legislature;
4. The consideration of Communications, Local Laws and Resolutions on the Table of the Legislature;
5. Reports of Standing Committees;
6. Reports of Special Committees;
7. Presentation of Resolutions;
8. Presentation of Resolutions and Communications to be Discharged from a Standing Committee or Special Committee;
9. Presentation of Resolutions and Communications which require a Suspension of the Rules for the purpose of considering the item or sending it to committee;
10. Presentation of Communications from Elected County Officials, County Departments, and the People and Other Agencies;
11. Unfinished Business;
12. Announcements from the Chair;
13. Announcement of Committee Meetings;
14. Presentation of Memorial Resolutions; and
15. Adjournment.

The Chair in his or her discretion may change the Order of Business at any session except as otherwise provided in Section 4.04.

**2.07 ORDER DURING SESSION:**

The Chair shall take the chair at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, all remarks must be addressed to the Chair and confined to the question before the Legislature. The Chair shall prevent personal reflections and confine members to the question under discussion.

The Chair shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

**2.08 APPEAL FROM THE CHAIR'S RULING:**

On every appeal, the Chair shall have the right to assign his/her reasons for such decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once.

The Chair shall put the question: "Shall the Ruling of the Chair be overturned?"

A motion to overrule a decision or ruling of the Chair shall require approval by a majority vote of the Legislature.

**2.09 PRIVILEGE OF THE FLOOR:**

No person shall be entitled to the privilege of the floor during the session of the Legislature, unless unanimous consent be given therefore.

**2.10 REFERRALS TO COMMITTEE:**

The Chair, at his or her discretion, may refer to the proper committee or shall table any petition, resolution, local law, amendment or other matter when presented, and may similarly refer to the County Attorney for attention any legal proceeding brought against the county. The Chair's decision to refer any item to committee or to the County Attorney or to table an item is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein. Once the appeal from the Chair's ruling has been decided however, and if the same has been a determination in favor of the Chair's referral or other action, the petition, resolution, local law, amendment or other matter cannot be discharged from such committee for reconsideration or other action at the same legislative session without the unanimous vote of the Legislature.

**2.11 MEMBER NOT TO SPEAK OR LEAVE HIS OR HER PLACE:**

While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his or her place. The Chair shall allow opportunity for debate before the roll is called.

**2.12 TIE VOTE:**

When the Legislature shall be equally divided on any question, including the Chair's vote, the question shall be deemed to have been lost.

**2.13 PRIORITY OF BUSINESS:**

All questions relative to priority of business shall be decided by the Chair without debate, except as otherwise provided in Section 4.03, and the Chair's decision shall be final.

**2.14 LIMITATION ON TIME OF SPEECH:**

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission by majority vote of the Legislature.

However, all members shall be given an opportunity to explain their vote during a recording of ayes and noes pursuant to Rule 2.18 of this section.

During any debate occurring on the floor of the Legislature the lead sponsor, or his or her designee, in debate may be directly addressed with questions specifically relating to the item in front of the Legislature. Direct questions shall count as one of the two opportunities to speak and the member asking questions will be afforded the entirety of their time. All questions must be confined to the limitations otherwise imposed in this Rule.

The response from the lead sponsor, or his or her designee, must be related to the question asked and may be reasonably limited at the discretion of the Chair of the Legislature. For the purposes of this Rule the lead sponsor shall be the member whose name is listed first on the item at debate. The lead sponsor's responses shall not count against his or her time allowances afforded under this section.

This rule does not apply to the vote explanation allowed pursuant to 2.18, no questions are allowed during that time.

**2.15 MAJORITY VOTE:**

A majority of the total vote of the entire membership of the Legislature shall be necessary to carry any question, proposition, resolution, motion, amendment or any other matter, except where it is otherwise provided herein or by statute that a two thirds vote or a unanimous vote is required. Local laws, resolutions or amendments introduced by any member(s) of the legislature and communications from elected officials requiring approval shall be approved or disapproved by a majority vote of the full legislature, except in such instances when items are removed from the agenda pursuant to Section 5.04.

**2.16 RECEIVE AND FILE/RECEIVE, FILE AND PRINT:**

The Chair, at his or her discretion, may receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter. The Chair's decision to receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

**2.17 RECORDING OF VOTE:**

Any member shall have the right to have his or her vote recorded and entered upon the minutes upon request, without explanation, and without requiring the ayes and noes to be called.

**2.18 RECORDING AYES AND NOES:**

On a roll call, the ayes and noes shall be taken without explanation on any question wherever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have respectively voted. The roll is called of the minority members first, in alphabetical order, followed immediately by the majority members, in alphabetical order. Each member, as his or her name is called, shall respond in the affirmative or in the negative, as the case may be. Every member is entitled one (1) additional minute to explain their vote. Each member, however, shall be allowed to pass on the first call of the roll. To verify the vote and to correct possible errors, and to allow such members as passed on the first call of the roll; the Clerk shall repeat the call of the roll once, and only once. The only exception to this procedure is if the member abstains from voting in accordance with Section 2.21 herein.

**2.19 BORROWING MONEY:**

The ayes and noes shall be taken on all resolutions or other proceedings involving the granting of authority to borrow money and such other resolutions and proceedings, as the statute requires.

**2.20 VOTE ON DISTINCT PROPOSITION:**

If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

**2.21 ABSTENTIONS:**

Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chair must cast his or her vote on the same. The only exception to this procedure is when a member abstains from voting in accordance with Section 5b of Erie County Local Law No. 2- 2018, constituting the Erie County Code of Ethics. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted upon.

**2.22 SPEAK WHEN RECOGNIZED BY CHAIR:**

No member wishing to speak shall proceed without standing and without having addressed the Chair from his or her place and until obtaining recognition by the Chair.

**2.23 SUSPENSION OF THE RULES BY UNANIMOUS CONSENT:**

These rules may at any time during the session be suspended by unanimous consent of all members of the Legislature present; however, the member making the application for such suspension must state the purpose for which the same is asked.

These rules may be suspended by a majority vote of the Legislature for the purpose of referring any item to committee provided that said item may not be discharged for action at the same meeting at which the suspension is granted. The unanimous consent of all members of the Legislature present



shall be required, however, to suspend the rules to permit action on an item at the same meeting at which such suspension is requested.

A member shall submit to the Chair of the Legislature, a written copy of the item which he or she proposes to suspend the rules for referring said item to committee or for permitting action on said item at least three (3) hours prior to the session at which the request for such suspension is considered, and the member making said application for such suspension shall state the purpose for which the same is asked.

**2.24 PRESENTATION OF MOTION:**

When a question shall be under consideration, no motion shall be received except as herein specified, which motion, termed subsidiary motions, shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature;
2. A call of the Legislature;
3. To move the previous question;
4. To lay on the table;
5. To postpone indefinitely;
6. To postpone to a certain day;
7. To go immediately into a Committee of the Whole on the pending subject;
8. To recess;
9. To commit to a Standing Committee;
10. To commit to a Special Committee; and
11. To amend.

**2.25 WITHDRAWAL OF RESOLUTION OR MOTION:**

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chair of the vote thereon or before an amendment to such resolution or motion has been adopted.

**2.26 MOTIONS NOT AMENDABLE OR DEBATABLE:**

All motions for an adjournment, for a recess, to move the previous question, or to lay on the table shall be neither amended nor debated. After the roll call on any question has begun, no member shall

speak on the question nor shall any motion be made until after the result is declared. While the Chair is putting any question, or while the roll is being called, no debate or discussion shall be in order. Any member desiring to explain his/her vote must do so before the start of the roll call, provided, before a roll call begins, all members shall have a right to avail themselves of the provisions of Section 2.22.

### **2.27 PREVIOUS QUESTIONS AND AMENDMENTS:**

The "Previous Question" shall be as follows:

1. "I move the previous question" applies only to the specific pending question being debated whether it be an amendment or any other issue. If an amendment is being debated, the "previous question" is called, and a vote taken on the amendment, then the next amendment, if there is one, or the resolution should be debated.
2. If a motion is approved for the "previous question" and is qualified as being called to end debate on the resolution and all amendments, then no further debate can be permitted. Such a motion can be qualified in any manner, i.e., to end debate only on amendment, or on all pending questions.

### **2.28 MOTIONS FOR RECONSIDERATION AND CHANGING ONE'S VOTE:**

A motion for reconsideration or a motion to change one's vote shall not be in order unless made on the same day, or at the next Legislative Session.

A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. A member has the right to change his or her vote up to the time the result is announced; after that a change of vote can be made only by permission of the Legislature, which can be given by general consent, or by adoption of a motion to change one's vote.

When a motion to reconsider or a motion to change one's vote has been defeated, it shall not again be submitted to the Legislature without unanimous consent.

### **2.29 MOTION TO RESCIND:**

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Legislature.

### **2.30 COMMITTEE OF THE WHOLE:**

The Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it, and in such case, the Chair may name a member to preside.

### **2.31 COMMITTEE OF THE WHOLE- NO QUORUM; ADJOURNMENT:**

If at any time within a Committee of the Whole it be ascertained that there is no quorum, the Chair of the Legislature or the Chair of the Committee of the Whole, if so named, shall immediately report

the fact to the Chair of the Legislature and the adjournment of the Committee of the Whole shall be in order.

**2.32 PRESENTATIONS TO BE IN WRITING:**

All petitions, resolutions, committee reports and amendments thereof, shall be in writing.

**2.33 TIME FOR PRESENTATION TO CLERK:**

Except as provided in Section 2.02, all petitions, resolutions, offers, or communication of whatever nature shall be submitted to the Clerk of the Legislature before 10:00 a.m., two (2) business days prior to a regular meeting date, for presentation by the Clerk of the Legislature at the next meeting. For the purpose of this rule, business day shall be defined in reference to Section 206 of the New York State County Law.

In the event that two business days before session is a recognized holiday or a recognized holiday occurs within two business days before a regular meeting date, the appropriate clock-in day will be the first business day of the week in which the regular meeting date is held.

An agenda of all matters before the Legislature shall be prepared by the Clerk of the Legislature, who shall determine the particular order of agenda items in keeping with Section 2.06.

**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

**2.35 SOLICITATIONS:**

No solicitation of funds for any purpose shall be permitted during any session of the Legislature.

**2.36 ALL POINTS OF ORDER NOT COVERED BY THESE RULES:**

On all points of order not governed by the rules of this Legislature, the most recent edition of Robert's Rules of Order shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of Order for the Legislature or by the most recent edition of Robert's Rules of Order, the Rules of the New York State Assembly shall be followed.

**SECTION 3.00: COMMITTEES**

**3.01 RULES SHALL APPLY TO COMMITTEE MEETINGS:**

The Rules of the Legislature, except Section 2.09, shall apply to all committee meetings.

**3.02 STANDING AND SPECIAL COMMITTEES:**

There shall be the following standing committees which shall consist of five members each (including a Chair, Vice-Chair and three members), except the Finance and Management/Budget Committee which shall consist of seven members (including a Chair, Vice-Chair and five members) for the purpose of considering and acting upon the County Executive's Annual Budget, and all matters relating thereto.

The members of each committee shall be appointed by the Chair of the Legislature within twenty (20) days, or as soon as possible, after his or her election or appointment and the list of the committees shall be filed with the Clerk of the Legislature and printed in the minutes of the Legislature.

**STANDING COMMITTEES**

Community Enrichment  
Economic Development  
Energy and Environment  
Finance and Management  
Government Affairs  
Health and Human Services  
Minority and Women Business Enterprise  
Public Safety

**SPECIAL COMMITTEES**

The Chair of the Legislature in his or her discretion may appoint such Special Committees, the number of members of which shall be as the Chair may determine.

**3.03 CHAIR EX-OFFICIO MEMBER OF ALL COMMITTEES:**

The Chair shall be a member Ex-officio of all committees with a vote thereon.

The Chair's presence at a meeting shall be counted in determining whether a quorum is present. Any vacancies occurring during the year on any Standing or Special Committee shall be filled by the Chair at his or her discretion.

**3.04 RECORDING PRESENCE OR ABSENCE OF COMMITTEE MEMBERS:**

The Chair of every Standing and Special Committee shall record and certify on a form provided by the Clerk of the Legislature the names of all members present and absent from all regularly called committee meetings. Said certificate shall be filed with the Clerk and shall be the official record of committee attendance.

**3.05(1) CONDUCT OF COMMITTEES:**

All committees appointed by the Chair shall act promptly on all matters referred to them. It shall be the duty of the members of said committees to familiarize themselves with the departments of county government and the work entrusted to each of such committees.

**3.05(2) MATTERS REFERRED TO DEPARTMENT HEADS:**

Any matter referred by a committee to a department head for report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

**3.05(3) REPORT ON ANY FINAL ACTION OF COMMITTEE:**

Any final action taken by a majority of the members of the committee shall be included in the committee's report of its meeting and the committee's action shall be subject to approval of the Legislature by a majority vote of its total membership.

**3.05(4) COMMITTEE AGENDA:**

An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature.

**3.05(5) OPEN ITEMS IN COMMITTEE:**

At the discretion of the Committee Chair, an item or items may be allowed to remain on the agenda indefinitely in that particular Committee to allow for consideration of that item and to serve as a vehicle for the committee to amend and send to the full Legislature, within the committee report, for consideration, subject to conditions provided in Section 5.04.

**3.06 COMMITTEE REPORT MADE BY MAJORITY OF COMMITTEE:**

No report shall be made by any committee on any subject referred to it except by a majority vote of the total membership of the committee unless the Legislature otherwise directs. All reports of committees shall be in writing and presented to the full Legislature for consideration at the next succeeding regular session of the Legislature, except the report of the Finance and Management/Budget Committee on the County Executive's Tentative Annual Budget, as provided in Section 4.01.

### **3.07 COMMITTEE REPORT BY STANDING AND SPECIAL COMMITTEES:**

All reports of Standing and Special Committees, all motions except subsidiary motions under Sections 2.08, 2.27, 2.28, 2.29 and 2.30 and all resolutions shall lie upon the table one day before action thereon or adoption by the Legislature (unless immediate consideration is given by a majority vote of the Legislature). This rule shall not apply to reports of Standing and Special Committees on the last regular session before summer adjournment nor on the last regularly adjourned session at the close of the year.

## **SECTION 4.00: BUDGET**

### **4.01 TENTATIVE BUDGET:**

The County Executive shall, on or before the date set forth in the Charter or established by Local Law revising same, submit twenty (20) copies of the tentative budget to the Legislature. The Finance and Management/Budget Committee is hereby designated to receive and study the tentative budget and to report thereon. The Chair of the Finance and Management/Budget Committee shall present such tentative budget to the Finance and Management/Budget Committee for its consideration. The Finance and Management/Budget Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the county or the head of any county department, bureau, office, board or commission, or of any organization receiving financial aid from the county, to appear before the committee for the purpose of furnishing any information required by the committee in its consideration of the tentative budget. After such consideration, the Finance and Management/Budget Committee shall submit the tentative budget, with such amendments or changes therein as the committee may determine, together with its report thereon, to the Legislature not later than the sixth of December in each year. The report of the Finance and Management/Budget Committee shall be submitted to the Legislature and lay on the table forty-eight (48) hours prior to the Annual Meeting established by Section 2508 of the Charter.

Budget amendments proposed less than forty-eight (48) hours prior to the Annual Meeting shall be considered and voted on as described in Section 4.04. Such amendments less than forty-eight (48) hours prior to the Annual Meeting shall be limited to special or essential items for which information was not available in time to meet the forty-eight (48) hour requirement.

### **4.02 ANNUAL MEETING FOR THE ADOPTION OF BUDGET:**

The Annual Meeting for the adoption of the Budget and for the levying of taxes for all county and town purposes prescribed by law shall be held pursuant to Section 2508 of the Charter.

**4.03 LEVY OF SCHOOL TAXES:**

The annual levy of school taxes pursuant to the Erie County Tax Act, as amended, shall be made at the regular meeting held on the first Thursday of September in each year.

**4.04 ADOPTION OF BUDGET:**

On or before the sixth of December, following the submission of the tentative budget, the budget shall be the first order of business following consideration of the Minutes. Upon conclusion of the consideration of the budget, as provided in the Charter and Code, the motion to adopt the budget, either with amendments thereto, if any, to make the necessary appropriations therefore shall be the next order of business.

Any amendments to the Finance and Management/Budget Committee Report, which are proposed less than forty-eight (48) hours prior to the annual meeting prescribed by the County Charter, Section 2508, for adoption of a budget, shall be considered, justified and voted on in accordance with the Erie County Charter and Code.

**SECTION 5.00: MISCELLANEOUS**

**5.01 APPOINTMENTS AND CONFIRMATIONS:**

All appointments by this Legislature shall lay on the table one day except for appointments made for the purpose of organizing the Legislature and the reappointment of incumbents, which may be acted on immediately. All appointments requiring the confirmation of the Legislature may be acted on immediately.

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. The Chair of the Legislature shall notify the Chair of the Erie County Legislature's Energy and Environment Committee of such applicant(s) for the office of Commissioner of the Erie County Water Authority. Upon said notification, the Chair of the Energy and Environment Committee shall schedule a public meeting, with a minimum of five (5) business days notice to members of the Legislature and the general public, within fifteen (15) days of receipt of notification from the Chair of the Legislature, for the purpose of interviewing the candidate(s).

**5.02 PURCHASE OVER \$10,000.00:**

Pursuant to Section 3.07 of the Administrative Code, the sum of \$10,000.00, is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$10,000.00, as far as practicable, every purchase made by the Purchasing Director shall be made on bids first obtained from at least three (3) sources, except where a vendor will extend GSA contract pricing to the county, the Purchasing Director may purchase from that vendor without competitive bidding. A notation of the GSA contract number shall appear on the purchase order. Purchase requisitions and/or inquiry bid files for items under \$10,000.00 shall include a notation in writing indicating the names of at least three (3) vendors who were contacted,

the name of the individuals quoting for the firm, the date contacted, and the prices quoted by the vendors. A contract awarded therefore shall be to the lowest responsible bidder.

**5.03 OFFER TO PURCHASE COUNTY-OWNED PROPERTY:**

The Erie County Legislature shall not adopt any resolution, which changes the status of county-owned land until such time as the proposal has been reviewed and recommended by the Department of Environment and Planning's County-Owned Lands Policy Advisory Board. The Clerk of the Legislature shall be responsible for referring all offers to purchase county-owned property to the Commissioner of Environment and Planning.

**5.04 REDUCTION OF AGENDA:**

Any item on a committee agenda, including but not limited to Local Laws, Resolutions, communications from the departments, and communications from other officials will be removed from the agenda one (1) calendar year from the date of their introduction.

The Chair of the Committee may, on his or her motion or request, keep an expired item on the table for an additional calendar year. The motion or request to leave an item on the table is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

**5.05 DUTIES OF ADMINISTRATIVE ASSISTANTS:**

The Administrative Assistants and other such staff as designated by the Clerk shall, in addition to the duties ordinarily performed by such officials, perform such other duties as shall be assigned to each by the Clerk during sessions and committee meetings of the Legislature.

**5.06 ERIE COUNTY LEGISLATURE MAIL POLICY:**

1. References to political parties and/or party affiliations are prohibited on all legislative mailings.
2. The Chair, at his/her discretion, may authorize Committee Chairs and their Clerks to send informational mailings that are germane to pending committee agenda items.
3. Members are entitled to use their annual discretionary district office expense account for targeted informational mailings (notifications, announcements, etc.) to constituents in their districts. Postage expenses, like other district office expenses, are itemized. District Offices are required to maintain copies of all targeted informational mailings, and to file a true and complete copy of same with the Clerk of the Legislature, commensurate with the mailing of same. Any such mailings must be postmarked and mailed no later than forty-five (45) days prior to the date of the Erie County Legislature Primary Election. No mailings may be made after the Erie County Legislature Primary Election and prior to Election Day for the Erie County Legislature.



4. The above policy shall be reviewed periodically and wherever possible, electronic notification and communication shall be used. All mailings should contain the Legislature's and/or the legislator's county web page address.

**5.07 PROHIBITION OF USE OF AUDIBLE, PORTABLE COMMUNICATION DEVICES:**

During sessions and committee meetings of the Legislature, the use of audible, portable communication devices, including, but not limited to cellular telephones and pagers, shall be prohibited, except for non-audible receipt activation. Such prohibition shall be in effect for members and staff of the Legislature, as well as for invited witnesses, visitors, and members of the general public attending such sessions or meetings. Such prohibition shall not include the use of microphones, electronic recording devices, video recording equipment or portable computers used for the purposes of recording the proceedings of legislative sessions or committee meetings if done in a nondisruptive manner.

**5.08(1) DECORUM IN LEGISLATURE CHAMBER:**

In accordance with Article 7 of the N.Y. Public Officers Law, the Erie County Legislature hereby finds that it is essential to the maintenance of a democratic society that the business of Erie County be performed in an open and public manner. The citizens of Erie County and other governmental officials should be able to attend and observe their legislators during public deliberations subject to certain rules to allow this Honorable Body to properly consider the issues before it.

**5.08(2) VISITORS TO THE ERIE COUNTY LEGISLATURE:**

All visitors and spectators to the Erie County Legislature must be respectful and obey the rules of order promulgated by this Honorable Body.

**5.08(3) FLOOR MOVEMENT:**

In order to preserve the order, decorum and security of this Honorable Body, the floor of the Legislature Chamber will be restricted during sessions and public hearings to Legislators, Legislature Staff, County-wide Elected Officials, Administration Representatives, Department Heads and others granted permission by the Chair of the Erie County Legislature.

**5.08(4) BANNERS, SIGNS AND PLACARDS:**

Any display of banners, signs, or placards in the Legislature Chamber or Committee Rooms that is disruptive to the deliberative process of the Erie County Legislature and not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

**5.08(5) DISTRIBUTION OF LITERATURE OR MATERIALS:**

Any distribution of literature or materials in the Legislature Chamber or Committee Rooms not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

**5.08(6) AUDIO RECORDING:**

Audio recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive audio recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature.

**5.08(7) VIDEO RECORDING:**

Video recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive video recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature; and
- c) no light, visible signal or audible sound shall be used on any video equipment to indicate that the equipment is operating.

**5.08(8) DRESS DECORUM:**

Denim of any form is prohibited from attire of any member of the Legislature or staff in the Legislative Chambers during any event involving formal business of the county including, but not limited to, Sessions, committee meetings, public hearings, and informational hearings.

**5.08(9) ELECTRONIC DEVICES**

All electronic devices shall be maintained on silent or vibrate mode and any disruption caused by a personal electronic device shall be ground for removal under section 5.08(11).

**5.08(10) OATH OR AFFIRMATION:**

The Chair of the Legislature, or committee, has the power to request anyone speaking in front of the Legislature take an oath affirming the truthfulness of the information being presented on the floor. This applies to any situation where the Legislature will be using the facts presented in making a decision. The discretion to use this power is within the control of the Chair of the Legislature or committee, depending on the body being presented with the information.

The Chair in charge of the meeting will ask the speaker, "Do you swear that what you are about to present is, to the best of your knowledge, both true and correct?"

Speaker must answer in the affirmative or leave the floor until such a time as they are able to make the oath in the affirmative. If the speaker is unable to answer in the affirmative, a vote of the majority of the committee or the Legislature as a whole shall be taken as to whether to allow him or her access to the floor.

**5.08(11) VIOLATIONS:**

Any violation of the order or decorum of the Legislature subjects an offending party to removal from the Erie County Legislature's sessions, committee meetings and public hearings and possible forfeiture of their right to attend future sessions, committee meetings and public hearings of this Honorable Body.

**5.09 AMENDMENT OF RULES:**

These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Legislature, and only after at least one day's notice in writing, filed with the Clerk of the Legislature. Any additions to the Rules of Order shall be underlined and deletions shall be bracketed [ ].

**SECTION 6.00: EFFECTIVE DATE**

**6.01 EFFECTIVE DATE:**

These rules shall be effective immediately upon adoption by a majority vote of the total membership of the Legislature.

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 2019. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MS. BASKIN & MS. MILLER-WILLIAMS presented a memorial proclamation Remembering the Inspirational Buffalo Businessman & Dedicated Community Leader Walter C. Hobson.

Item 6 – MS. BASKIN & MS. MILLER-WILLIAMS presented a memorial proclamation Honoring the Life of Deacon Thomas Nevins, Sr., Beloved Community Leader & Dedicated Buffalo Businessman.

Item 7 – MS. MILLER-WILLIAMS presented a proclamation Paying Tribute & Warm Congratulations to the Buffalo Lafayette Optimist Club, Upon Rebirth of the Local Chapter.

Item 8 – MR. RATH presented a proclamation Recognizing Williamsville North High School Students Jessica Ireland, Thomas Schwartz, Isabella Custodi & Madelyn Greco for their Bravery.

Item 9 – MR. BRUSO presented a proclamation Congratulating & Commemorating Ryan T. Johnson of Lancaster Upon Being Named Grand Marshal of the 2019 St. Patrick's Day Parade.

Item 10 – MR. BRUSO presented a proclamation Honoring Distinguished Volunteer Firefighter Robert J. MacPeek on the Occasion of 50 Years of Active Service with the Bowmansville Volunteer Fire Association.

Item 11 – MR. BRUSO presented a proclamation Honoring Distinguished Volunteer Firefighter William J. MacPeek on the Occasion of 50 Years of Active Service with the Bowmansville Volunteer Fire Association.

Item 12 – CHAIR SAVAGE presented a proclamation Honoring Prominent City of Buffalo Leader Martin F. Kennedy Upon His Retirement After Nearly 30 Years of Dedicated Service.

Item 13 – MR. HARDWICK, MR. MEYERS & MR. BRUSO presented a proclamation Honoring Team Sporeos at International Preparatory School.

Item 14 – MS. BASKIN presented a proclamation Recognizing & Celebrating February 2019 as African American History Month.

Item 15 – CHAIR SAVAGE presented a memorial proclamation Honoring the Memory of Beloved Buffalo Schoolteacher Donna L. Fiorella.

MS. BASKIN moved for consideration of the above eleven items. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the above eleven items by including one for MS. DIXON, one for MS. BASKIN, and to include Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 16 – CHAIR SAVAGE directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 17 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR SAVAGE directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2018 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 20 – CHAIR SAVAGE directed that Local Law No. 1 (Print #1) 2019 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 21 – CHAIR SAVAGE directed that Local Law No. 2 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

February 14, 2019	HEALTH & HUMAN SERVICES 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. INTRO. 2-6 (2019)  
MILLER-WILLIAMS: “Raising the Age for the Legal Purchase of Tobacco & E-Cigarettes to 21”  
(Chair’s ruling)

2. COMM. 3E-31 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is required to have a supervisory case review process in place for its Supplemental Nutrition Assistance Program (SNAP) where a supervisor must review and sign-off on a percentage of SNAP cases; and

WHEREAS, Erie County was given a waiver where it does not have to check every case, but does have to select a random percentage of cases every month; and

WHEREAS, the current process is time consuming and paper-based, and does not provide the desired level of accountability; and

WHEREAS, the long-term risk of having an inadequate supervisor case review system is, if our staff were to demonstrate poor performance, New York State would remove the waiver and supervisors would be required to review each SNAP case; and

WHEREAS, in 2018, the Department of Social Services was awarded a \$899,254 SNAP Bonus Award funds that could be only used for technology improvements and efficiency efforts to the program; and

WHEREAS, the Department of Social Services has negotiated an agreement with VenTek, Inc., to provide and customize its Supervisor Case Review software (SCREAMS) for SNAP; and

WHEREAS, the SCREAMS software was developed for another New York State Social Services Department with a process and requirements similar to our current system, and has been deployed in several other counties; and

WHEREAS, the SCREAMS software randomly selects cases for the supervisor to review, where the supervisor has the ability to approve the case, or return it to the worker with feedback; and

WHEREAS, VenTek, Inc. has a significant amount of experience developing similar software and has worked with Jefferson County, Onondaga County, Niagara County, and Nassau County; and

WHEREAS, Ventek, Inc. are under New York State contract (NYS Contract Number PB154AA) and a request-for-proposal is not required.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with VenTek, Inc. for \$52,900 customizing SCREAMS software for Erie County and annual support costs; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to transfer \$46,000 from Account 561410 Lab and Technical Equipment to Account 516020 Professional Services Contracts and Fees, and \$6,900 from Account 561410 Lab and Technical Equipment to 516030 Maintenance Contracts; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make any necessary budgetary adjustments to facilitate this request; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Division of Budget and Management, Comptroller, Department of Social Services and Division of Information and Support Services.

(6-0)

3. COMM. 3E-32 (2019)  
COUNTY EXECUTIVE

WHEREAS, a key provision of the Preventing Sex Trafficking and Strengthening Families Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, International Institute of Buffalo has been the lead agency for this program for the previous five years and is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, International Institute of Buffalo was re-awarded this contract in 2018 after a Request for Proposals (RFP) in 2017; and

WHEREAS, a gradual decrease in State funding over the past few years has required additional county funding to operate this valuable program; and

WHEREAS, total program funding for the 2019 Safe Harbor program in the amount of \$160,350 shall be obtained from \$43,350 of State funds, \$30,000 from Social Service preventive funds available in the 2019 Adopted Budget, and \$87,000 of County share which will be reappropriated from the 2018 Social Service Budget into their 2019 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York to accept funding for the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the Commissioner of Social Services and the County Executive are hereby authorized to enter into contract with the International Institute of Buffalo in the amount of \$160,350 for the provision of services for the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2018 Adopted Budget:

Department of Social Services - 2018 Budget	
Fund 110	
Account	Increase/(Decrease)
Expense	
525000 Medicaid	(\$87,000)
516400 Preventive Agencies - International Institute	<u>\$87,000</u>
Total	0

and be it further

RESOLVED, that authorization is hereby provided to reappropriate \$87,000 of 2018 funds into 2019 in order to fully fund the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2019 Adopted Budget in order to establish State funding for the Safe Harbor program:

Department of Social Services - 2019 Budget	
Fund 110	
Revenue	Increase
409000 State Aid	\$43,350
Expense	
516400 Preventive Agencies - International Institute	\$43,350
Net County Cost	0

and be it further

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

RESOLVED, that the Director of Budget and Management is hereby authorized to make any additional budget adjustment which may be required in order to match expense with State funding allocation adjustments; and be it further



RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.  
(6-0)

**JOHN BRUSO  
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

February 14, 2019	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-20 (2019)  
COUNTY EXECUTIVE: “ECSD #3 - Engineer Term Contract Agreement”  
(Chair’s Ruling)
  - b. COMM. 3M-5 (2019)  
COMMISSIONER, NYS AGRICULTURE & MARKETS: “Certification of Report & Plan to Modify EC Agricultural Districts”  
(Chair’s Ruling)
  - c. COMM. 3M-6 (2019)  
NYS DEC: “Invitation for Public Comment - Draft Investigation & Cleanup for Site on Chandler St., Buffalo”  
(Chair’s Ruling)
  - d. COMM. 3M-9 (2019)  
NYS DEPT. OF PUBLIC SERVICE: “Factsheet & Notice of Public Hearings – Concerning NextEra Energy Transmission NY, Inc.'s Empire State Line Project”  
(Chair’s Ruling)
  - e. COMM. 3M-11 (2019)  
ECWA: “Detailed Financial Report for Years Ended 12/31/18 & 2017”  
(Chair’s Ruling)

2. COMM. 2E-17 (2019)  
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 2018-2019 snowmobile season in the amount not to exceed \$186,096; and

WHEREAS, this agreement with New York State shall pertain to such maintenance as performed by the individual Snowmobile Clubs of Erie County on both 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 \$186,096.00 as pertains to snowmobile trail maintenance performed during the 2018-2019 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 \$186,096 for the purpose of snowmobile trail maintenance on club trails during the 2018-2019 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.	\$ 17,808
Eden Trail Blazers Inc.	\$ 10,752
Grand Island Snowmobile Club Inc.	\$ 5,712
Hamburg Snowmobile Club Inc.	\$ 21,108
Holland Sno-Rascals Inc.	\$ 27,684
Marilla Sno-Mob Inc.	\$ 14,568
Northern Erie SnoSeekers Inc.	\$ 20,496
Pioneer Sno-Surfers Inc.	\$ 13,764
Southern Tier Snowdrifters Inc.	\$ 21,132
WNY Snowmobile Club of Boston Inc.	\$ <u>33,072</u>
	\$186,096

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 \$186,096, as well as an increase in appropriations in the amount of \$186,096, 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-4 (2019)  
COUNTY EXECUTIVE

WHEREAS, there is broad scientific consensus that impacts from anthropogenic climate change pose a severe risk worldwide to life and property, and that swift reduction in greenhouse gas (GHG) emissions will be necessary to protect the well-being and future of our planet; and

WHEREAS, in 2013 Erie County was a key stakeholder in the development of the Western New York Regional Sustainability Plan, which includes actions to be undertaken by communities to address climate change; and

WHEREAS, in 2014 the Erie County Legislature resolved to become a Climate Smart Community, and to set goals and implement sustainability actions, which includes the development of the CASP (COMM. 12E-5, 2014); and

WHEREAS, in 2015 the Erie County Legislature resolved to accept a grant from NYSERDA for the purpose of creating an “Erie County Climate Action and Sustainability Plan” project (COMM. 6E-8, 2015), which funded coordination of the Green Team and the resulting Climate Action & Sustainability Plan for Internal Operations (CASP); and

WHEREAS, the Erie County Green Team, made up of representation from all County agencies, has met regularly to develop the CASP; and

WHEREAS, whereas many of the actions outlined in the CASP will result in cost savings and those actions outlined in the CASP that require funding are subject to budget approval; and

WHEREAS, by adopting the CASP, the legislature will reinforce the need to prioritize actions to conserve energy and reduce GHG emissions to protect the health and well-being of the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the Climate Action & Sustainability Plan for Internal Operations; and be it further

RESOLVED, that the CASP will be incorporated into the Erie County Comprehensive Plan, A Framework for Regional Growth; and be it further

RESOLVED, that the Department of Environment and Planning shall provide publically on the internet an update on progress on the CASP actions and resulting GHG emissions reductions at least annually with a report sent to the Legislature; and be it further

RESOLVED, that certified copies of this resolution shall be furnished to the Office of the County Executive; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning, and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

4. COMM. 3E-17 (2019)  
COUNTY EXECUTIVE

WHEREAS, the WNY Stormwater Coalition (Coalition), established in 2006 with execution of a Memorandum of Agreement, collaborates on a joint Stormwater Management Program; and

WHEREAS, the Department of Public Works (DPW) – Division of Highways and the Department of Environment and Planning (DEP) – Division of Sewerage Management, as parties to the Western NY Stormwater Coalition’s Memorandum of Agreement, are currently members of the Coalition; and

WHEREAS, the DPW – Division of Highways and the DEP – Division of Sewerage Management realize the benefits of continued membership in the Coalition and agree to the terms and conditions associated with that membership; and

WHEREAS, the Coalition has increased its annual participation fee to \$1,800; and

WHEREAS, the DPW – Division of Highways and the DEP – Division of Sewerage Management have the funds to pay the annual membership dues.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Environment and Planning and the Commissioner of Public Works are authorized to pay the increased participation fee; and be it further

RESOLVED, that the DPW – Division of Highways and the DEP – Division of Sewerage Management will remit the following participation fees to the Coalition: \$1,800 (DPW – Division of Highways) and \$900 (DEP – Division of Sewerage Management); and be it further

RESOLVED, that the DPW – Division of Highways will pay the increased participation fee from SAP Fund 210 Funds Center 123 – Account #510200, and the DEP – Division of Sewerage Management will pay the annual fee from the Sewer District No. 6 Fund 220, Funds Center 18610 – Account #510200 starting in fiscal year 2019 and annually thereafter for the duration of the Coalition’s MOA; 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; William Geary, Commissioner of Public Works; Joseph Fiegl, P.E., Deputy Commissioner of Environment and Planning – Division of Sewerage Management; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning – Division of Environmental Compliance Services.

(6-0)

**JOHN BRUSO  
CHAIR**

Item 24 – MR. HARDWICK presented the following report, moved to separate item Number 4, and approve the balance of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

February 14, 2019	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby tabled as amended:
  - a. COMM. 3E-19 (2019)  
COUNTY EXECUTIVE: “Erie 1 BOCES Workforce Training Center”  
(6-0 on the amendment)
2. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 7-7 (2017)  
LOUGHRAN: “Professional Credentials for the Position of Executive Director of the EC Water Authority”  
(Chair’s ruling)
  - b. COMM. 24M-3 (2018)  
HODGSON RUSS LLP: “Buffalo City Cemetery ("Forest Lawn") Mergers”  
(Chair’s ruling)
  - c. COMM. 3M-1 (2019)  
ASSIGNED COUNSEL PROGRAM: “Financial Report, Listing of Attorneys, & Meeting Minutes for Period of 7/1/18 to 12/31/18”  
(Chair’s ruling)
  - d. COMM. 3M-2 (2019)  
ASSIGNED COUNSEL PROGRAM: “Quarterly Report for 4th Quarter of 2018”  
(Chair’s ruling)
  - e. COMM. 3M-8 (2019)  
GRAND ISLAND TOWN BOARD: “Certified Resolution Reaffirming Support of the Second Amendment”

(Chair's ruling)

3. RESOLVED, the following items are hereby received, filed and printed:
- a. COMM. 23E-18 (2018)  
COUNTY EXECUTIVE: "Appointments & Reappointments to the Erie County Fair Housing Board"  
(Chair's ruling)

November 28, 2018

Erie County Legislature  
92 Franklin Street – 4th Floor  
Buffalo, NY 14202

Re: Appointments and Reappointments to the Erie County Fair Housing Board

Dear Honorable Members,

Please be advised that, pursuant to the 2018 Local Law Number 4, Section 6, I hereby submit for your confirmation the following individuals to be appointed as members of the Erie County Fair Housing Board. Terms for these individuals will be determined by the 2018 Local Law Number 4 Section 6E.

Cheryl Andolino  
33 Paxton Court  
Hamburg, NY 14075

Sharon Ciminelli  
492 Kaymar Drive  
Amherst, NY 14228

Pamela S. Lanich  
112 Hubbell Avenue  
Buffalo, NY 14220

Karen M. Rybicki  
72 Lackawanna Avenue  
Sloan, NY 14212

If you have any questions about this or any other matter, please feel free to contact my office at 858-8500.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

- b. COMM. 23E-19 (2018)  
COUNTY EXECUTIVE: "Appointments & Reappointments to the Senior Services Advisory Board"  
(Chair's ruling)

December 4, 2018

Erie County Legislature  
92 Franklin Street – 4th Floor  
Buffalo, NY 14202

Re: Appointments and Reappointments to the Senior Services Advisory Board

Dear Honorable Members,

Please be advised that, pursuant to Article 16, Section 1603 of the County Charter, I hereby submit for your confirmation the following individuals to be appointed as members of the Senior Services Advisory Board. Their terms shall expire December 31, 2020.

David L. Clark 36 Rebecca Pk Buffalo, NY 14207	Marcia Hazlett 11424 Partridge Rd Holland, NY 14080	Brenda O’Neil 113 Sunbriar Dr West Seneca, NY 14224	Michael P. Sabo 18 Pavement Rd, Apt 223 Lancaster, NY 14086
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Lillie Walton Mulberry St Buffalo, NY 14204	Marilyn Yager 2280 Eden Evans Center Rd Eden, NY 14057
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Tonalee Batchelor 200 Easton Ave Buffalo, NY 14215 Reappointment	Nellie Johnson 27 Byrd Way Buffalo, NY 14204 Reappointment	Mary Jane Meiss 10119 Genesee Rd East Concord, NY 14055 Reappointment	Niemvo Fidele Menavanza 380 Swan St Buffalo, NY 14204 Reappointment
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W. Robert Rohrbach  
432 Linden Ave  
East Aurora, NY 14052  
Reappointment

Should you have any questions regarding this appointment or the appointment process, please feel free to contact Timothy Hogues, Commissioner of Senior Services, at (716)858-7881 or Timothy.Hogues@erie.gov.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

4. COMM. 3E-14 (2019)  
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Timothy R. Hogues as Commissioner of the Erie County Department of Personnel for a full six (6) year term beginning on February 4, 2019.

(6-0)

5. COMM. 3E-18 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County Law Section 408-A specifically authorizes the County Legislature to allow municipalities and special districts to make purchases through the County bidding procedure; and

WHEREAS, Buffalo Municipal Housing Authority have requested that the Director of Purchase be authorized to permit the these public entities to utilize County contracts for making purchases; and

WHEREAS, in most instances the provision of such services by the Erie County Division of Purchase will not create any additional cost or burdens upon said division, but will service to reduce the Buffalo Municipal Housing Authority's operating costs.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the provisions of the Erie County Administrative Code Section 3.06 (c) (9) the following are hereby established as the conditions upon which the Purchasing Director may make purchasing services available the Buffalo Municipal Housing Authority.

1. When in the opinion of the Director of Purchase it will not create any burden or hardship upon the County and the anticipated prices will not be adversely affected thereby, the Director is authorized when deemed appropriate and as may be requested by the Buffalo Municipal Housing Authority to provide in any particular County bid specification that the participating municipalities and special districts in Erie County shall have the right to make purchases based upon the bids received by the County.

2. The County Purchasing Director within the limits of time and manpower shall disseminate relevant contract information to the Buffalo Municipal Housing Authority.

3. Erie Community College and Monroe BOCES participating in County contracts will issue purchase orders directly to vendors with the specified contract period referencing the County contract involved and be liable for any payments due on such purchase orders.

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Division of Purchase, the Comptroller's Office and the Buffalo Municipal Housing Authority.

(6-0)

**KEVIN R. HARDWICK**  
**CHAIR**

MR. HARDWICK moved to approve item Number 4. MR. LORIGO seconded.

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



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

CARRIED UNANIMOUSLY.

Item 25 – MS. BASKIN presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

February 14, 2019	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 3M-3 (2019)  
VISIT BUFFALO NIAGARA: “2019 Operating Budget & Strategic Plan of the Buffalo Niagara Convention & Visitors Bureau, Inc.”  
(Chair’s ruling)
  - b. COMM. 3M-4 (2019)  
VISIT BUFFALO NIAGARA: “Listing of Personnel, Job Descriptions & Salaries for All Employees of the Buffalo Niagara Convention & Visitors Bureau, Inc.”  
(Chair’s ruling)
  - c. COMM. 3M-12 (2019)  
NFTA: “Minutes for Board of Commissioners Meeting Held on 12/20/18”  
(Chair’s ruling)
  - d. COMM. 3M-13 (2019)  
NFTA-METRO: “Positive Declaration, Determination of Significance & Notice of Intent to Prepare a Draft Environmental Impact Statement - Metro Rail Expansion Project”  
(Chair’s ruling)
2. COMM. 3E-15 (2019)  
COUNTY EXECUTIVE  
WHEREAS, the Town of Grand Island (“Town”) intends to design and construct sidewalks on two County-owned roads, Whitehaven Road (CR75) and Baseline Road (CR 249); 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 will own said improvement and be responsible for any and all maintenance aspects related to the sidewalks; and

WHEREAS, an Inter-municipal Agreement between the Town and the County will be necessary to allow the Town to proceed with the design and construction of the sidewalk facilities along with the future maintenance of these facilities.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an agreement between the County of Erie and the Town of Grand Island, allowing the Town to design, construct, and maintain the sidewalks located in Town of Grand Island along Whitehaven Road (CR75) and Baseline Road (CR 249); 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.  
(5-0)

3. COMM. 3E-25 (2019)  
COUNTY EXECUTIVE

WHEREAS, a project for the replacement of Trevett Road Bridge over Eighteen Mile Creek, BIN 3328560, PIN 5762.15, (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 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the County of Erie previously advanced the Project via Legislative Communication 8E-9 dated May 11, 2017; and

WHEREAS, the County of Erie previously approved the acquisition of Right-of-Way for the Project via Legislative Communication 17E-18, as amended, dated October 4, 2018; and

WHEREAS, the BridgeNY Program requires the Project to be let no later than 18 months after award of the Project to the County of Erie; and

WHEREAS, the County of Erie desires to advance the Construction and Construction Inspection and Right-of-Way acquisition phases of the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof; and

WHEREAS, in order to facilitate the Construction, Construction Inspection, and Right-of-Way Acquisition Phases for the Project, it will be necessary for the County to execute a Supplemental Agreement with New York State Department of Transportation (NYSDOT) in the total amount of \$2,220,000 of which \$111,000 is the required local share, for the construction, construction inspection, and Right-of-Way Acquisition phases of the Project; 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 Greenman Pedersen, Inc., various utilities and establish a local share construction contingency in an amount not to exceed \$250,000, for a total project construction phase allowance not to exceed \$2,450,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a Supplemental Agreement with New York State Department of Transportation (NYSDOT) for this BridgeNY Project in the total amount of \$2,220,000 of which \$111,000 is the required local share; 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, construction inspection, and Right-of-Way acquisition phases of the Project or portions thereof with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from BridgeNY funds; 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 Greenman Pedersen, Inc., enter into utility agreements, and establish a local share construction contingency in an amount not to exceed \$250,000 for a total project construction phase cost not to exceed \$2,450,000; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the 95% Federal aid reimbursement of \$2,090,000 for the Construction and Construction Inspection Phases from the Supplemental Agreement with the NYSDOT; and be it further

RESOLVED, that the estimated total sum, with adjustments for the anticipated Federal revenue, of the Construction, Construction Inspection Phase, and contingency for the Project, in an amount not to exceed \$2,450,000 is hereby appropriated from the Project B.18015 – Federal Aid Bridge Project, Fund 420, Funds Center 123; and be it further

RESOLVED, that the Erie County Division of Budget and Management is hereby authorized to adjust the budget in B.18015, as follows:

Account	Description	Current Budget	Increase / (Decrease)	Revised Budget
APPROPRIATIONS				
UNALLOCATED	Unallocated	\$5,065,000	(\$2,090,000)	\$2,975,000
	Capital			
CAPITLAPROJECTS	Capital Project Expense	<u>\$ 935,000</u>	<u>\$ 2,090,000</u>	<u>\$ 3,025,000</u>
TOTAL APPROPRIATIONS		<u>\$ 6,000,000</u>	<u>\$ 0</u>	<u>\$ 6,000,000</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the project budget accordingly for an and all additions or reductions in Federal and/or State revenue that are made for this Project; and be it further

RESOLVED, that the 5% required local share of \$1,000 for Right-of-Way acquisition be made available in the previously approved 2017 Capital Right-of-Way Budget, in B.17006 – 2017 Capital Right-of-Way, Fund 420, Funds Center 123; and be it further

RESOLVED, that the County of Erie is hereby authorized to accept the 95% reimbursement of \$19,000 in Federal Aid for Right-of-Way acquisition from the Supplemental Agreement with the NYSDOT; and be it further

RESOLVED, that the Erie County Division of Budget and Management is hereby authorized to adjust the budget in Project B.17006, as follows:

Account	Description	Current Budget	Increase / (Decrease)	Revised Budget
<b>REVENUES</b>				
414000	Federal Aid	\$ 0	\$ 19,000	\$19,000
475000	Gen Oblig Bond Proc	<u>\$ 100,000</u>	<u>\$ 0</u>	<u>\$ 100,000</u>
<b>TOTAL REVENUES</b>		<u>\$ 100,000</u>	<u>\$ 19,000</u>	<u>\$ 119,000</u>
<b>APPROPRIATIONS</b>				
<b>CAPITALPROJECTS</b>	Capital Project Expense	<u>\$ 100,000</u>	<u>\$ 19,000</u>	<u>\$ 119,000</u>
<b>TOTAL APPROPRIATIONS</b>		<u>\$ 100,000</u>	<u>\$ 19,000</u>	<u>\$ 119,000</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the project budget for the Federal revenue in accordance with the current Supplemental Agreement; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the project budget accordingly for any and all additions or reductions in Federal and/or State revenue that are made for this Project; and be it further

RESOLVED, that the County Legislature hereby agrees that the County of Erie shall be responsible for all costs of the Project which exceed the amount of Federal Aid, State Aid, or BridgeNY funding awarded to the County of Erie; 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, \$2,450,000 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 the County of Erie hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; 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 and/or State 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 ten (10) 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 copy 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.

(5-0)

4. COMM. 3E-26 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works (DPW), Division of Highways, and the Department of Environment and Planning host and maintain a Geographic Information Solutions ("GIS") ERSI database; and

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

WHEREAS, the DPW, Division of Highways, determined that Bergmann and Associates has the appropriate experience in professional GIS technical services, and implementation said services utilizing the New York State Office of General Services professional service contract; and

WHEREAS, in order for the DPW, to urgently respond to these cited County deficiencies with asset repairs and construction, Legislative approval is required to extend a contract with Bergmann and Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to extend a contract with Bergmann and Associates for providing consulting services to assist DPW with the implementation of GIS technology in the Highways Division for an amount not to exceed \$150,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments to Bergmann and Associates for the GIS Implementation of the searchable data base project from B.17026 – 2017 Highway Searchable Database, Fund 420, Funds Center 123; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Division of Purchase.  
(5-0)

5. COMM. 3E-28 (2019)  
COUNTY EXECUTIVE

WHEREAS, a project to improve approximately 1,000 linear feet of Vermont Street in the Town of Holland, known as Site 9 (the "Project") was approved by this Honorable Body via COMM. 23E-28 (December 7, 2017); and

WHEREAS, the Project was bid on January 17, 2019 with Union Concrete and Construction Corp. being the lowest responsible bidder with a bid of \$926,571.37; and

WHEREAS, it is desired to award a construction contract to Union Concrete and Construction Corp. in that amount; and

WHEREAS, it is desired to establish a construction contingency in the amount of \$150,000; and

WHEREAS, both sums are available from the SAP Projects hereinafter noted.

NOW, THEREFORE, BE IT

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

RESOLVED, the County Executive is authorized to award a construction contract to the lowest responsible bidder, Union Concrete and Construction Corp for the Project in the amount of \$926,571.37 the funds for which are available from Fund 420, Funds Center 123 as follows:

- \$226,765 Project B.20922 – 2009 FEMA Projects Reconstruction
- \$100,000 Project B.13003 – 2013 Preservation of Roads Countywide
- \$115,000 Project B.14017 – 2014 Road Slides Construction
- \$250,000 Project B. 16013 – 2016 DPW/Highways Road Construction
- \$234,806.37 Project B.17005 – 2017 Constr. for Road Projects or Turn Back of Roads

and be it further

RESOLVED, that the County Executive is authorized to establish a construction contingency in the amount of \$150,000 which amount is available from Fund 420, Funds Center 123, Project B.17005 – 2017 Construction for Road Projects or Turn Back of Roads; and be it further

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

(5-0)

6. COMM. 3E-29 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, has highway and building assets to manage and needs a searchable data base to help aid in this process; and

WHEREAS, the Department of Public Works, determined that Cyclodmedia has the appropriate professional, technical services and implementation services utilizing a GSA contract can provide the county with a highly accurate searchable data base of said assets; and

WHEREAS, in order for the Department of Public Works, to manage an aging infrastructure and respond to County facilities deficiencies with electronic processes and mapping, Legislative approval is required to enter into a contract with Cyclodmedia to create this searchable data base.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Cyclodmedia in an amount not to exceed \$200,000 using funding which is available in Project B.17026 – 2017 Highway Searchable Data Base, Fund 420, Funds Center 123; and be it further

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

(5-0)

**APRIL N.M. BASKIN**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

February 14, 2019	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. INTRO. 4-4 (2018)  
LORIGO, RATH & MILLS: “Opposition to the Provision of Free Tablets to Prisoners in NYS”  
(Chair’s ruling)

2. COMM. 3E-21 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security & Emergency Services has agreed to provide funding in Federal assistance to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Erie County Legislature needs to authorize the County Executive to enter into a contract for \$14,660 with Spec Rescue International Service to conduct a structural collapse training; and

WHEREAS, there is funding available in FY 17 Technical Rescue & Urban Search and Rescue Grant Program to cover the costs incurred for this training; and

WHEREAS, the contract will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with Spec Rescue International Service to conduct a structural collapse training in the amount of \$14,660 from available funds and budget modifications for the remainder of funding from Account 516020 in grant HS167TECHRESCUE1720; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.  
(5-0)

3. COMM. 3E-24 (2019)  
SHERIFF

WHEREAS, Governor Cuomo and the majority leaders in the state senate and assembly have indicated a desire to pass legislation by April 1, which authorizes the use and possession of legal recreational marijuana; and



WHEREAS, one of the unforeseen consequences of legal marijuana is the costs handed down to sheriff's offices and municipal law enforcement agencies who maintain a narcotics detection canine(s) which a new legal-marijuana law would render these work dogs obsolete; and

WHEREAS, the Erie County Sheriff's Office has four narcotics detection canines assigned to the Polices Services Division; and

WHEREAS, all four K9s are trained and certified to detect and alert on the positive presence of marijuana; and

WHEREAS, once marijuana is made legal in New York, the canines positive indication for narcotics odor can no longer provide probable cause to obtain search warrants because the Deputy cannot testify to the fact the work dog alerted on the presence of marijuana or of another illicit drug, such as heroin; and

WHEREAS, this new law will make all active narcotics detection canines trained to detect marijuana obsolete and these canines can no longer be utilized in narcotics eradication operations; and

WHEREAS, numerous law enforcement agencies will be in the same situation once recreational marijuana is legalized, and those agencies will face the choice of ending its narcotics detection K9 units or acquire new work dogs that won't be trained to alert on the presence of marijuana; and

WHEREAS, the Erie County Sheriff's Office expresses its desire and intent to continue to stem the trafficking of illicit drugs like heroin into Erie County; and

WHEREAS, one of the best tools the Erie County Sheriff's Office has is the remarkable odor detection capabilities of a well trained and certified work dog; and

WHEREAS, the Sheriff's Office wants to be position to acquire new work dogs as soon as possible to allow for proper training and New York State Department of Criminal Justice Services' certification; and

WHEREAS, the Sheriff's Office seeks to transfer \$40,000.00 from the Asset Forfeiture Trust Account to Account #53000 (Other Expenses) account to purchase new canines for narcotics detection; and

WHEREAS, these canines will also be trained for tracking and police services; and

WHEREAS, as of January 22, 2019, the Sheriff's Asset Forfeiture Trust Account balance is \$138,283.00; and

WHEREAS, the Erie County Sheriff's Office would utilize Asset Forfeiture Trust Account funds to purchase the four work dogs which will eliminate any burden to the taxpayer or affect the 2019 Erie County Budget; and

WHEREAS, the Sheriff’s Office also see transfer \$24,000.00 from the Telephone Revenue Account to Account #53000 (Other Expenses) as to purchase new work dogs for the Jail Management Division to be trained for narcotics detection; and

WHEREAS, the Telephone Revenue Account has nearly \$400,000.00, and the Sheriff’s Office is authorized to utilize these funds for facility operations; and

WHEREAS, the Sheriff of Erie County and the County Executive agree that this expenditure is appropriate for to the enhancement and security of the Erie County Holding Center and Correctional Facility; and

WHEREAS, three of the current JMD narcotics detection K9s have been diagnosed with a terminal illness; and

WHEREAS, narcotics detection canines are a valuable asset for facility security; and

WHEREAS, the JMD narcotics detection canines work on a daily basis to prevent the smuggling illicit drugs into the facilities; and

WHEREAS, drug contraband presents major security and health risks to the inmates and the staff because of its high value as “jailhouse currency;” and

WHEREAS, the JMD K9 unit conducts frequent and random searches of the facilities for the presence of illegal narcotics within housing units and on the persons entering the facilities; and

WHEREAS, without narcotics detection canines on duty, the facilities could not prevent the introduction of deadly contraband from visitors or other methods; and

WHEREAS, the Erie County Sheriff’s Office would utilize Telephone Revenue Account funds to purchase the four work dogs which will eliminate any burden to the taxpayer or affect the 2019 Erie County Budget.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff’s Office and Division of Budget and Management to transfer \$40,000.00 from the Asset Forfeiture Trust Account to Account #53000 (Other Expenses).

**ERIE COUNTY SHERIFF'S OFFICE**

Sheriff – SAFS Funded Program

REVENUE

421550 Forfeiture Crime Proceeds

DECREASE

\$40,000.00

APPROPRIATION

530000 Other Expenses

Total Revenue

INCREASE

\$40,000.00

\$40,000.00

and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and Division of Budget and Management to transfer \$24,000.00 from the Telephone Revenue Account to Account #530000 (Other Expenses).

**ERIE COUNTY SHERIFF'S OFFICE**

Sheriff – Telephone Revenue Account		
<u>REVENUE</u>		<u>DECREASE</u>
415622	Telephone Revenue	<u>\$24,000.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
530000	Other Expenses	\$24,000.00
	Total Revenue	<u>\$24,000.00</u>

and be it further

RESOLVED, the designated Asset Forfeiture Trust Account fund expenditure meets the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, the Sheriff of Erie County and the County Executive agree that the purchase of new K9s for the Jail Management Division is an allowable and appropriate expenditure which enhances the safety of the facilities, its staff, and the inmates; and be it further

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

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

RESOLVED, that certified copies of the approved resolution are sent to the County Executive, the County Attorney, the Division of Budget and Management, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

(5-0)

**APRIL N.M. BASKIN  
CHAIR**

Item 27 – MS. MILLER-WILLIAMS presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

February 14, 2019	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR BRUSO.  
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 18E-20 (2018)  
LORIGO: “Letter to Chair Savage Concerning Cultural Contract Process”  
(Chair’s ruling)
  - b. COMM. 24E-18 (2018)  
COUNTY EXECUTIVE: “2019-2022 Revised EC Four Year Financial Plan”  
(Chair’s ruling)
  - c. COMM. 24D-5 (2018)  
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for  
Period Ending October 2018”  
(Chair’s ruling)
  - d. COMM. 24D-6 (2018)  
MINORITY COUNSEL: “Review of Legislative Budget Amendments  
Concerning 2019 Budget”  
(Chair’s ruling)
  - e. COMM. 3E-2 (2019)  
DIXON: “Letter to County Attorney Concerning Temporary Extension for Payment  
of Real Property Taxes for Government Employees Impacted by Partial Federal Shutdown”  
(Chair’s ruling)
  - f. COMM. 3D-8 (2019)  
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for  
Period Ending November 2018”  
(Chair’s ruling)
  - g. COMM. 3M-7 (2019)  
ASSOCIATION OF ERIE COUNTY GOVERNMENTS: “Certified Resolution in  
Opposition of Proposed Cuts to State Revenue Sharing Aid & Incentives to Municipalities”  
(Chair’s ruling)
  - h. COMM. 3M-14 (2019)

HAMBURG TOWN BOARD: “Certified Resolution in Opposition of Proposed Cuts to State Revenue Sharing Aid & Incentives to Municipalities”  
(Chair’s ruling)

- i. COMM. 3M-15 (2019)  
MAYOR FRAWLEY, VILLAGE OF ANGOLA: “Letter to Legislator Mills in Opposition of Proposed Cuts to State Revenue Sharing Aid & Incentives to Municipalities”  
(Chair’s ruling)

2. COMM. 3E-16 (2019)  
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. 167, 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.167 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.

(5-0)

3. COMM. 3D-1 (2019)  
DIRECTOR OF 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 218153 through 218164, and 219001 through 219024, 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.    218,153.00

OWNER        Cancel \$3,817.74  
S-B-L 77.76-4-5.1    655 Hertel        140200 BUFFALO

Acct. No. 112 \$0.00    County  
Acct. No. 132 \$3,817.74    Town/SpecialDist/School  
2005 ERIE COUNTY EXEMPTION REMOVAL    \$3,817.74  
Charge To :    140200 BUFFALO    \$0.00

RPTL 550(2): Exemption removal charge added in error  
New tax bill to be issued.

FISCAL YEAR        2018    Petition No.    218,154.00

OWNER        Cancel \$18.76  
S-B-L 77.76-4-1.12    29 St Florian    140200 BUFFALO

Acct. No. 112 \$0.00    County  
Acct. No. 132 \$18.76    Town/SpecialDist/School  
2005 ERIE COUNTY EXEMPTION REMOVAL    \$18.76  
Charge To :    140200 BUFFALO    \$0.00

RPTL 550(2): Exemption removal charge added erroneously  
New tax bill to be issued.

FISCAL YEAR        2016    Petition No.    218,155.00

ASSESSOR    Refund\$539.63  
S-B-L 81.04-2-5        991 Aero Dr    143089 CHEEKTOWAGA

Acct. No. 112 \$0.00    County  
Acct. No. 132 \$539.63        Town/SpecialDist/School  
Charge To :    143089 CHEEKTOWAGA    \$539.63

RPTL 550(2): Applied sewer charges in error  
Refund to be issued to Optimus Construction Co. Inc

FISCAL YEAR        2017    Petition No.    218,156.00

ASSESSOR    Cancel \$4,332.03  
S-B-L 82.03-4-15        400 Pfohl Rd    143089 CHEEKTOWAGA

Acct. No. 112 \$0.00    County

Acct. No. 132 \$4,332.03 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$4,332.03

RPTL 550(2): Applied sewer charges in error.  
New tax bill to be issued.

FISCAL YEAR 2017 Petition No. 218,157.00

ASSESSOR Refund\$21,286.39  
S-B-L Multiple Multiple 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$21,286.39 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$21,286.39

RPTL 550(2): Applied sewer charges in error  
Refund to be issued to multiple owners.

FISCAL YEAR 2018 Petition No. 218,158.00

ASSESSOR Refund\$4,893.66  
S-B-L Multiple Multiple 143089 CHEEKTOWAGA  
Acct. No. 112 \$0.00 County  
Acct. No. 132 \$4,893.66 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$4,893.66

RPTL 550(2): Applied sewer charges in error  
Refund to be issued to multiple owners.

FISCAL YEAR 2018 Petition No. 218,159.00

ASSESSOR Cancel \$1,245.16  
S-B-L Multiple Multiple 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,245.16 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$1,245.16

RPTL 550(2): Applied sewer charges in error  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 218,160.00

ASSESSOR Cancel \$5,702.71  
S-B-L Multiple Multiple 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$5,702.71 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$5,702.71

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

FISCAL YEAR 2019 Petition No. 218,161.00

ASSESSOR Cancel \$1,388.63  
S-B-L Multiple Multiple 143089 CHEEKTOWAGA

Acct. No. 112 \$506.48 County  
Acct. No. 132 \$882.15 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$882.15

RPTL 550(7): Failed to place parcels in RS8

FISCAL YEAR 2019 Petition No. 218,162.00

ASSESSOR Cancel \$298.91  
S-B-L 24.20-2-15 197 Windham Ln 144600 GRAND ISLAND

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$298.91 Town/SpecialDist/School  
Charge To : 144600 GRAND ISLAND \$298.91

RPTL 550(2): Incorrect land assessed value used to compute special  
district charges.  
New tax bill to be issued.

FISCAL YEAR 2017 Petition No. 218,163.00

ASSESSOR Refund\$1,341.22  
S-B-L 77.31-2-19 74 Riverdale 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,341.22 Town/SpecialDist/School  
520 Code SC520 \$1,341.22  
Charge To : 146489 TONAWANDA \$0.00

RPTL 550(2); Exemption removal charge added in error  
Refund to be issued to Buffalo Chin Emmanuel Church

FISCAL YEAR 2018 Petition No. 218,164.00

ASSESSOR Refund\$1,477.38  
S-B-L 77.31-2-19 74 Riverdale Ave 146489 TONAWANDA



Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,477.38 Town/SpecialDist/School  
64999 EXEMPTION REMOVAL \$1,477.38  
Charge To : 146489 TONAWANDA \$0.00

RPTL 550(2): Exemption removal charge added in error  
Refund to be issued to Buffalo Chin Emmanuel Church  
FISCAL YEAR 2019 Petition No. 219,001.00

ASSESSOR Cancel \$180.87  
S-B-L 123.26-1-16 428 Weimar 140200 BUFFALO

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$180.87 Town/SpecialDist/School  
2005 ERIE COUNTY EXEMPTION REMOVAL \$180.87  
Charge To : 140200 BUFFALO \$0.00

RPTL 550(2): Error in calculation of exemption removal charge  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,002.00

ASSESSOR Cancel \$1,272.19  
S-B-L 100.22-4-15 12 Cleveburn 140200 BUFFALO

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,272.19 Town/SpecialDist/School  
2005 ERIE COUNTY EXEMPTION REMOVAL \$1,272.19  
Charge To : 140200 BUFFALO \$0.00

RPTL 550(2): Error in calculation of exemption removal charge.  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 219,003.00

OWNER Refund\$1,200.00  
S-B-L 142.54-2-33 27 Grape Ave 140900 LACKAWANNA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,200.00 Town/SpecialDist/School  
9002 Premium Assessment \$1,200.00  
Charge To : 140900 LACKAWANNA \$0.00

RPTL 550(2): Applied Premium Assessment Sewer charge in error.  
Refund to be issued to LMR Captial

FISCAL YEAR 2019 Petition No. 219,004.00  
ASSESSOR Cancel \$190.35  
S-B-L 107.00-4-15.1 Westwood Rd 142089 ALDEN

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$190.35 Town/SpecialDist/School  
Charge To : 142089 ALDEN \$190.35

RTPPL 550(2): Applied special district in error  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,005.00

ASSESSOR Cancel \$40.12  
S-B-L 108.00-4-10 Sandridge Rd 142089 ALDEN

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$40.12 Town/SpecialDist/School  
20072 Water Dist 3 \$40.12  
Charge To : 142089 ALDEN \$0.00

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

FISCAL YEAR 2019 Petition No. 219,006.00

ASSESSOR Cancel \$457.32  
S-B-L 69.08-12-8 230 Teakwood Ter 142289 AMHERST

Acct. No. 112 \$274.20 County  
Acct. No. 132 \$183.12 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$183.12

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

FISCAL YEAR 2019 Petition No. 219,007.00

ASSESSOR Cancel \$754.55  
S-B-L 67.16-4-4 21 Hardt Ln 142289 AMHERST

Acct. No. 112 \$431.52 County  
Acct. No. 132 \$323.03 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$323.03

RPTL 550(2): Hardship granted  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,008.00

ASSESSOR Cancel \$55.62  
S-B-L 79.12-5-26 90 Argyle Ave 142289 AMHERST

Acct. No. 112 \$31.81 County  
Acct. No. 132 \$23.81 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$23.81

RPTL 550(2): Error in calculation of vet exemption  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,009.00

ASSESSOR Cancel \$349.01  
S-B-L 56.20-13-22 379 Country Pkwy 142289 AMHERST

Acct. No. 112 \$204.66 County  
Acct. No. 132 \$144.35 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$144.35

RPTL 550(2): Hardship granted  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,010.00

ASSESSOR Cancel \$840.77  
S-B-L 68.13-5-1 31 Campus Ln 142289 AMHERST

Acct. No. 112 \$480.83 County  
Acct. No. 132 \$359.94 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$359.94

RPTL 550(2): Hardship granted  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,011.00

ASSESSOR Cancel \$610.86  
S-B-L 79.23-5-25 191 Capen Blvd 142289 AMHERST

Acct. No. 112 \$256.45 County  
Acct. No. 132 \$354.41 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$354.41

RPTL 550(2): Failed to apply vet exemption

New tax bill to be issued.

FISCAL YEAR        2019    Petition No.    219,012.00

ASSESSOR    Cancel \$738.90  
S-B-L 56.15-4-71    55 Via Pinto Dr        142289 AMHERST

Acct. No. 112 \$295.89        County  
Acct. No. 132 \$443.01        Town/SpecialDist/School  
Charge To :    142289 AMHERST    \$443.01

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

FISCAL YEAR        2019    Petition No.    219,013.00

ASSESSOR    Cancel \$271.64  
S-B-L 56.14-1-7        115 Bassett Rd        142289 AMHERST

Acct. No. 112 \$155.35        County  
Acct. No. 132 \$116.29        Town/SpecialDist/School  
Charge To :    142289 AMHERST    \$116.29

RPTL 550(2): Error in computation of senior exemption  
New tax bill to be issued.

FISCAL YEAR        2019    Petition No.    219,014.00

ASSESSOR    Cancel \$276.11  
S-B-L 72.06-2-22        10478 Main St 143200 CLARENCE

Acct. No. 112 \$0.00        County  
Acct. No. 132 \$276.11        Town/SpecialDist/School  
32485 SEWER #9 EDU        \$276.11  
Charge To :    143200 CLARENCE    \$0.00

RPTL 550(2): Incorrect units on sewer district charge  
New tax bill to be issued.

FISCAL YEAR        2019    Petition No.    219,015.00

ASSESSOR    Cancel \$12,842.50  
S-B-L Multiple        Multiple        143200 CLARENCE

Acct. No. 112 \$0.00        County  
Acct. No. 132 \$12,842.50        Town/SpecialDist/School  
32484 Sewer Dist 9        \$12,842.50

Charge To : 143200 CLARENCE \$0.00

RPTL 550(2): Miscalculation of sewer charge  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 219,016.00

ASSESSOR Refund\$704.85  
S-B-L 207.00-1-14.21 2269 Shadagee Rd 144000 EDEN

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$704.85 Town/SpecialDist/School  
Charge To : 144000 EDEN\$704.85  
Relevy School\$704.85 144001 EDEN CENTRAL

RPTL 550(2): Incorrect square footage  
Refund to be issued to Heather Anne Piniewski

FISCAL YEAR 2019 Petition No. 219,017.00

ASSESSOR Cancel \$211.97  
S-B-L 206.04-2-1.21 Derby Rd 144489 EVANS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$211.97 Town/SpecialDist/School  
44070 ERIE CO SEW DST 2 \$61.97  
44071 ERIE CO SEWER EX1 \$150.00  
Charge To : 144489 EVANS \$0.00

RPTL 550(2): Applied sewer charges in error  
New tax bill to be issued.

FISCAL YEAR 2018 Petition No. 219,018.00

ASSESSOR Refund\$212.38  
S-B-L 206.04-2-1.21 Derby Rd 144489 EVANS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$212.38 Town/SpecialDist/School  
44070 ERIE CO SEW DST 2 \$62.38  
44071 ERIE CO SEWER EX1 \$150.00  
Charge To : 144489 EVANS \$0.00

RPTL 550(2): Applied sewer charges in error  
Refund to be issued to Dale Ellison

FISCAL YEAR 2017 Petition No. 219,019.00

ASSESSOR Refund\$209.53  
S-B-L 206.04-2-1.21 Derby Rd 144489 EVANS

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$209.53 Town/SpecialDist/School  
44070 ERIE CO SEW DST 2 \$59.53  
44071 ERIE CO SEWER EX1 \$150.00  
Charge To : 144489 EVANS \$0.00

RPTL 550(2): Applied sewer charges in error  
Refund to be issued to Dale Ellison.

FISCAL YEAR 2018 Petition No. 219,020.00

ASSESSOR Refund\$1,161.64  
S-B-L 37.07-1-26 341 Quarry RUn 144600 GRAND ISLAND

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,161.64 Town/SpecialDist/School  
Charge To : 144600 GRAND ISLAND \$1,161.64  
Relevy School \$1,161.64 144601 GRND ISLN CENTRAL

RPTL 550(2): Failed to apply vet exemption  
Refund to be issued to Darius Myles

FISCAL YEAR 2019 Petition No. 219,021.00

ASSESSOR Cancel \$235.00  
S-B-L 170.10-2-15./191 3450 # 191 Howard 144889 HAMBURG

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$235.00 Town/SpecialDist/School  
48112 ECSD3 Flat Usage Fee \$235.00  
Charge To : 144889 HAMBURG \$0.00

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

FISCAL YEAR 2019 Petition No. 219,022.00

ASSESSOR Cancel \$116.80  
S-B-L 170.66-5-16 Delilah Ln 144889 HAMBURG

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$116.80 Town/SpecialDist/School  
48116 ECSD 3 CH2 \$116.80

Charge To : 144889 HAMBURG \$0.00

RPTL 550(2): Incorrect footage used to calculate sewer charge.  
New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,023.00

ASSESSOR Cancel \$8,010.24  
S-B-L Multiple Multiple 145289 LANCASTER

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$8,010.24 Town/SpecialDist/School  
Charge To : 145289 LANCASTER \$8,010.24

RPTL 550(2): Failed to remove special district  
New tax bills to be issued.

FISCAL YEAR 2019 Petition No. 219,024.00

ASSESSOR Cancel \$90,359.04  
S-B-L Multiple Multiple 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$90,359.04 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$90,359.04

RPTL 550(2): Miscalculation of sewer charge  
New tax bills to be issued.

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(5-0)

**BARBARA MILLER-WILLIAMS  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 28 – CHAIR SAVAGE directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 4-1 from LORIGO & MILLS. Support for NYS Legislation to Allow the State's Authorities Budget Office to Suspend Local Authority Board Members Who Have Failed to File Required Annual Reports.

Item 29 – MS. BASKIN presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

RE: Opposition to Proposed Budget  
Funding Cuts & Changes to the  
NYS Consumer Directed  
Personal Assistance Program  
(INTRO. 4-2)

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

WHEREAS, Consumer Directed Personal Assistance Program (CDPAP) is a Medicaid program that provides personalized services to chronically ill, physically disabled individuals, those with developmental disabilities, and seniors, who have a medical need for help with activities of daily living or skilled nursing services; and

WHEREAS, provided services can include any of the services provided by a personal care aide, home health aide, or nurse, and where people in need of care can select their own aides, and manage their aides' schedules, hours and pay, frequently hiring family members or friends to can act as caregivers, instead of a company hiring a stranger; and

WHEREAS, the proposed Executive Budget would cut \$75 million from the program and be devastating to those who rely on these services and those who deliver the services; and

WHEREAS, the state would also severely limit the number of businesses that do all the back-office work to implement the program, for example, payroll, tax paperwork, benefit administration, and workers compensation for people who use CDPAP, without access to these agencies, called Fiscal Intermediaries, the program would be unworkable; and

WHEREAS, because there would be changes to New York's CDPAP law, which gets federal Medicaid funding, the federal government would have to approve any replacement program; and

WHEREAS, the current CDPAP program emphasizes patient choice and personalized care, and is an important part of New York State's compliance with the Olmstead Act, which is a 1999 United States Supreme Court decision requiring states to provide services to individuals with disabilities in the most integrated setting appropriate to their needs.

NOW, THEREFORE, BE IT



RESOLVED, this Honorable Body is in opposition to proposed funding cuts and program changes to the Consumer Directed Personal Assistance Program; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation of the NYS Senate and Assembly, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, and any other party deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 30 – CHAIR SAVAGE directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO. 4-3 from LORIGO. Opposition to Higher Minimum Wage for NY Inmates.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 31 – MS. BASKIN moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of INTRO. 2-4 (2019). MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 56

RE: Citizens Salary Review Commission  
(INTRO. 2-4, 2019)

**A RESOLUTION SUBMITTED BY  
LEGISLATOR SAVAGE**

WHEREAS, Article 22-A of the Erie County Charter requires the creation of a nine-member Citizens Salary Review Commission of Erie County (“Commission”) which shall be regularly impaneled in even-numbered years to “review the salaries of all elected officials of the County of Erie, except for the District Attorney, and report its recommendations to the County Executive and the County Legislature”; and

WHEREAS, the Commission was impaneled in 2018 with appointees from the County Executive, Legislature and Comptroller and six meetings open to the public were held; and

WHEREAS, after due deliberation, analysis and study, the Commission issued its final report and recommendations to the Erie County Executive and this Honorable Body on October 10, 2018; and

WHEREAS, after extensive review and analysis of Erie County elected officials' salaries against those of other comparable county government and private sector officials, as well as noting the effects of the Consumer Price Index, the Commission's final report recommended the following salaries for each respective official effective in their next terms of office for each position, as per Section 202.3 of the Erie County Charter:

County Executive:	\$118,376 per annum
County Comptroller:	\$94,037 per annum
County Sheriff:	\$89,343 per annum
County Clerk:	\$79,092 per annum (no change)
Chair of the Legislature:	\$52,588 per annum (no change)
Majority/Minority Leader:	\$47,588 per annum (no change)
County Legislators:	\$42,588 per annum (no change)

and

WHEREAS, the Commission also recommended tying these four countywide elected salaries to the Consumer Price Index in future years; and

WHEREAS, as required by Section 202.3 of the Erie County Charter, a public hearing concerning the salaries of County elected officials will be held prior to adoption of this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby adopts the recommendations of the Citizens Salary Review Commission of Erie County, for the positions specified in their October 2018 report, effective in their next terms of office, as per Section 202.3 of the Erie County Charter; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to the County Executive, Comptroller, Sheriff, Clerk, the Commissioner of Personnel, and Laurie A. Buonanno, Ph.D., Chair of the Citizens Salary Review Commission.

MS. BASKIN moved to approve INTRO. 2-4 (2019). MR. BRUSO seconded.

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

MR. LOUGHRAN moved to send the resolution to committee for further consideration. MR. MILLS seconded.

CHAIR SAVAGE directed that a roll-call vote be taken, on the motion to send to committee.

AYES: MR. MILLS and MR. LOUGHRAN. NOES: MS. DIXON, MR. LORIGO, MR. RATH, MS. BASKIN, MR. BRUSO, MR. HARDWICK, MR. MEYERS, MS. MILLER-WILLIAMS and CHAIR SAVAGE. (AYES: 2; NOES: 9)

FAILED.

MS. MILLER-WILLIAMS moved to amend the resolution. No second.

FAILED.

CHAIR SAVAGE moved the previous question (the motion to amend), and directed that a roll-call vote be taken.

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

FAILED.

CHAIR SAVAGE moved the previous question (the motion to approve), and directed that a roll-call vote be taken.

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

CARRIED.

Item 32 – MS. BASKIN moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 3E-34 (2019). MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

RE: Real Estate Transfer Tax  
Surplus Appropriation  
(COMM. 3E-34, 2019)

WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law, Section 6-d; and

WHEREAS, the 2019 Adopted County Budget contains available funds from the collection of Real Estate Transfer Tax for repair of roads, bridges and equipment; and

WHEREAS, use of Road Repair Reserve funds is restricted to repair of roads and bridges in the County; and

WHEREAS, the Division of Budget and Management recommends the utilization of \$2,500,000 from the available balance in the Road Repair Reserve Fund to conduct important road work in 2019; and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following a public hearing; and

WHEREAS, a public hearing was held on February 20, 2019.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following 2019 budget amendments:

Fund 210 – Road Repair Reserve Fund Center 12330

Revenue	Current Budget	Adjustment	Adjusted Budget
402190 Appropriated Fund Balance		\$2,500,000	\$2,500,000
402600 Transfer Tax	<u>\$13,100,000</u>		<u>\$13,100,000</u>
Total Revenue	<u>\$13,100,000</u>	<u>\$2,500,000</u>	<u>\$15,600,000</u>

Expense	Current Budget	Adjustment	Adjusted Budget
912300 ID Highway Services	<u>\$13,100,000</u>	<u>\$2,500,000</u>	<u>\$15,600,000</u>
Total Expense	<u>\$13,100,000</u>	<u>\$2,500,000</u>	<u>\$15,600,000</u>

Net Change Road Repair Reserve \$0

Fund 210 - Highways Fund Center 123

Expense	Current Budget	Adjustment	Adjusted Budget
570000 Interfund Trans-Subs	\$8,705,000	\$2,500,000	\$11,205,000
912300 ID Highway Services	<u>(\$13,172,861)</u>	<u>(\$2,500,000)</u>	<u>(\$15,672,861)</u>
Total Expense	<u>(\$4,467,861)</u>	<u>\$0</u>	<u>(\$4,467,861)</u>

Net Change Fund 210 \$0

Fund 420 - Capital Project B.18050

Revenue	Current Budget	Adjustment	Adjusted Budget
486000 Interfund Revenue	\$8,500,000	\$2,500,000	\$11,000,000
Expense	Current	Adjustment	Adjusted

	Budget		Budget
Capital Projects	\$8,500,000	\$2,500,000	\$11,000,000
Net Change Fund 420		\$0	

and be it further

RESOLVED, that the Clerk of the Legislature did publish a Notice of Public Hearing once in each of the official newspapers of the County, at least five days prior to the date of the Public Hearing and said hearing took place on February 20, 2019; and be it further

RESOLVED, that authorization is provided to appropriate \$2,500,000 of available prior-year Transfer Tax to conduct 2019 road projects; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any necessary technical adjustments to effectuate the spirit of this resolution; and be it further

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

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

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

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

CARRIED UNANIMOUSLY.

### **SUSPENSION OF THE RULES**

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

GRANTED.

INTRO. 4-4 from BRUSO Re: Donating Part of the Old Artificial Turf at New Era Field to the Depew-Lancaster Boys & Girls Club

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

MR. LORIGO moved to send the resolution to committee for further consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE directed that the resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

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

GRANTED.

COMM. 4E-28 from SAVAGE Re: Letter to County Executive Concerning Old Turf at New Era Field

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR MEYERS**

Item 35 – (COMM. 4E-1) Abstention on Teamsters Local Union No. 264 - Sheriff's Dept. - Sworn/Civilian 2019-2023 Collective Bargaining Agreement

Received, filed and printed.

February 7, 2019

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

Re: Abstention on Teamsters Local Union No. 264 - Sheriff's Dept.  
- Sworn/Civilian 2019-2023 Collective Bargaining Agreement

Dear Clerk Graber:

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order and the Erie County Code of Ethics, my abstention on the above referenced communication is to avoid any possible conflict of interest due to affiliation with Teamsters Local 264.

Sincerely,

Timothy Meyers

Erie County Legislator – 7th District

**FROM THE CLERK**

Item 36 – (COMM. 4E-2) Written Testimony Concerning the Citizens Salary Review Commission Report

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE SHERIFF**

Item 37 – (COMM. 4E-3) Child Passenger Safety Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM LEGISLATORS LORIGO & DIXON**

Item 38 – (COMM. 4E-4) Letter to Chair of Health & Human Services Committee - Important Topics to Discuss in Committee

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE SHERIFF**

Item 39 – (COMM. 4E-5) Acceptance of Operations Trailer from the FBI

Item 40 – (COMM. 4E-6) Acceptance from the DEA – Vehicles

Item 41 – (COMM. 4E-7) Acceptance from the DEA - Vehicle

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

**FROM THE COUNTY EXECUTIVE**

Item 42 – (COMM. 4E-8) Reappointments & New Appointments to the Disaster Preparedness Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 43 – (COMM. 4E-9) Appointment of Commissioner of Public Advocacy

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM LEGISLATOR BASKIN**

Item 44 – (COMM. 4E-10) Abstention on Reorganization of the Legislative Office Personal Services Budget

Received, filed and printed.

February 12, 2019

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

Dear Mr. Graber,

At the regular session of the Erie County Legislature, held on February 7, 2019, I abstained on the vote concerning INTRO. 3-3 (2019), regarding the reorganization of the second district legislative office personal services budget.

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order, as well as the Erie County Code of Ethics, my abstention on this vote was to avoid any possible conflict of interest in as much as this legislative action concerned my neighborhood office.

Thank you for your attention to this matter.

Sincerely,

April N.M. Baskin  
Erie County Legislator, 2nd District  
Majority Leader

Item 45 – (COMM. 4E-11) Letter to Sheriff - Public Safety Committee - Invitation to Discuss Body Cameras

Item 46 – (COMM. 4E-12) Letter to Budget Director - Public Safety Committee - Invitation to Discuss Body Cameras

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

**FROM CHAIR SAVAGE**

Item 47 – (COMM. 4E-13) Appointment of Open Meetings Advisor, Freedom of Information Law Officer & Freedom of Information Law Appeals Officer

Received, filed and printed.

February 13, 2019

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, I hereby designate the following persons to serve the below roles for 2019:

Open Meetings Advisor	John Dudziak, Esq.
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  
Chair, Erie County Legislature

**FROM THE COUNTY EXECUTIVE**

Item 48 – (COMM. 4E-14) Reappointments & Appointment to the Buffalo & EC Public Library Board of Directors

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 49 – (COMM. 4E-15) Authorization to Contract with Home Delivered Meals & Congregate Dining Programs Food Vendors

Item 50 – (COMM. 4E-16) Acceptance of Grant Award - "Screening, Brief Intervention, Referral to Treatment" Year 2

Item 51 – (COMM. 4E-17) Authorization to Increase Funds for Forensic Pathologists Fee-for-Services

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

Item 52 – (COMM. 4E-18) Buffalo Niagara Convention Center - Acceptance of National Grid Energy Initiative Rebate

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 53 – (COMM. 4E-19) ECSD No. 3 - Engineer Term Contract Agreement

Item 54 – (COMM. 4E-20) Budget Revision & Authorization to Contract with WNY Sustainable Business Roundtable

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

Item 55 – (COMM. 4E-21) Engineering Services for Design Phase - Back Creek Rd., Slide Remediation

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 56 – (COMM. 4E-22) Contract Extension for Transportation Dispatching Software

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 57 – (COMM. 4E-23) Engineering Services for Design Phase - Rehabilitation of Alden-Crittenden Rd. and Bullis Rd.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 58 – (COMM. 4E-24) Research Foundation of SUNY at Buffalo State College Agreement - No-Cost Extension

Item 59 – (COMM. 4E-25) ECSD No. 6 - Well St. & Wilmuth Ave. Pumping Station Electrical Upgrades - Bid Opening

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

**FROM THE COMPTROLLER**

Item 60 – (COMM. 4E-26) 2019 Consolidation Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE DISTRICT ATTORNEY**

Item 61 – (COMM. 4E-27) Crime Stoppers Funding

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DEPARTMENT OF SOCIAL SERVICES**

Item 62 – (COMM. 4D-1) CPS Statistical Report for January 2019

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 63 – (COMM. 4D-2) Filing Documents for Local Law No. 1 (2019) - Energize NY Benefit Financing Program Law of EC in Relation to Establishing a Sustainable Loan Program in EC

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE BUFFALO NIAGARA CONVENTION CENTER

Item 64 – (COMM. 4M-1) 2019 Operating Budget, Measurable Goals & Outcome included in 2019 Marketing Plan & Quarterly Reports - Pursuant to 2019 Budget Accountability Act

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM JEROME D. SCHAD

Item 65 – (COMM. 4M-2) Letter to Chair Savage Regarding Position of ECWA Commissioner

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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

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

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

FAILED.

FROM THE NFTA

Item 66 – (COMM. 4M-3) 17A Report & Capital Expenditure Reports for Third Quarter of Fiscal Year

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHRIS STONE, MEMBER,

**EC CITIZENS SALARY REVIEW COMMISSION**

Item 67 – (COMM. 4M-4) Written Testimony Concerning the Citizens Salary Review Commission Report

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NYSDEC**

Item 68 – (COMM. 4M-5) Invitation for Public Comment - Proposal to Address Contamination at Brownfield Site on Fillmore Ave., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM CORNELL COOPERATIVE EXTENSION**

Item 69 – (COMM. 4M-6) Budget Plan for 2019 County Appropriation - Pursuant to 2019 Budget Accountability Act

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE ORCHARD PARK TOWN BOARD**

Item 70 – (COMM. 4M-7) Certified Resolution in Opposition of Proposed Cuts to State Revenue Sharing Aid & Incentives to Municipalities

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE NYSDEC**

Item 71 – (COMM. 4M-8) Invitation for Public Comment - Proposal to Address Contamination at Nearby Brownfield Sites on Wilkeson Way & La Riviere Dr., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE BUFFALO & EC PUBLIC LIBRARY**

Item 72 – (COMM. 4M-9) Proposed Agenda for Meeting to be Held on 2/21/19

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE EC SOIL & WATER CONSERVATION DISTRICT**

Item 73 – (COMM. 4M-10) 2019 Budget Submission - Pursuant to 2019 Budget Accountability Act

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM PETER A. REESE

Item 74 – (COMM. 4M-11) Letter to Chair Savage Regarding Position of ECWA Commissioner

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 75 – Clerk of Legislature announced that a public hearing will be held, this evening, Thursday, February 21, 2019, at 6:00 p.m., to be held in the Chambers of the Legislature, concerning the matter of the application of the Buffalo City Cemetery, Inc. d/b/a Forest Lawn Group, for consent to take land for cemetery purposes in the County of Erie through mergers.

Item 76 – Chair Savage announced that the schedule for committee meetings to be held on Thursday, February 28, 2019, has been distributed.

Item 77 – Legislator Lorigo announced that on Thursday, February 28, 2019, the Health & Human Services Committee will to discuss the Rural Outreach Center regarding the work they do to combat poverty.

**MEMORIAL RESOLUTIONS**

Item 78 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of John Robert Weber, Margaret Zeisz, and Janice Doane.

Item 79 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Claudia T. Tripi.

Item 80 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Paul Ludwig, John J. Dempsey, and Mary Pawenski.

Item 81 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Carol Klima.

Item 82 – Legislator Meyers requested that when the Legislature adjourns, it do so in memory of Robert W. Trautman.

Item 83 – Chair Savage requested that when the Legislature adjourns, it do so in memory of Donna L. Fiorella.

**ADJOURNMENT**

Item 84 - 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 7, 2019 at 2:00 p.m. Eastern Standard Time. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE declared the Legislature adjourned until Thursday, March 7, 2019 at 2:00 p.m. Eastern Standard Time.

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